

**SPOKANE VALLEY FIRE DEPARTMENT**  
**Board of Fire Commissioners**  
**Federal Procurement Policy 030**

***Purpose:***

The policy of the District when spending federal funds is to follow the most restrictive rule applicable under the District’s adopted Procurement Policy or under the federal Uniform Guidance (2 C.F.R. 200, Subpart D) (“UG”). The purpose of this policy is to identify those areas where the Uniform Guidance requirements are the most restrictive rule. For any federal grant funded project, the specific federal grant guidelines should be closely reviewed, and the granting agency should be consulted as necessary to ensure compliance with the Uniform Guidance.

***References:***

RCW 52.14 (RCW 52.14.100)  
2 CFR 200, Subpart D  
40 CFR Part 247

***Table of Contents:***

Intent: .....	1
References: .....	1
Definitions.....	1
Purchasing Authority: .....	4
Bid Limit Requirements: .....	4
Purchase of Materials, Equipment and Supplies: .....	4
Public Works: .....	5
Services – Architect and Engineer: .....	6
Service Contracts other than Architects, Engineers and Surveyors: .....	6
Bid Exemptions.....	7
Conflict of Interest: .....	7
Discipline: .....	7

***Definitions:***

*Bid Exemptions:* RCW 39.04.280 establishes specific exemptions from the statutory bidding requirements in the following limited situations: 1) Purchases that are clearly and legitimately limited to a single source of supply; 2) Purchases involving special facilities or market conditions; and, 3) Purchases and Public Works in the event of an emergency.

*Budget:* The formally adopted budget of the District.

**SPOKANE VALLEY FIRE DEPARTMENT**  
**Board of Fire Commissioners**  
**Federal Procurement Policy 030**

Commercially Reasonable Means: Any method of purchasing property that ensures the District and its taxpayers are getting the best deal possible. Examples could include negotiated, purchases, bidding procedures, obtaining multiple quotes, etc.

Cooperative Purchase: A Cooperative Purchase allows the District to comply with the statutory bid requirements by purchasing off a bid that another municipal corporation has awarded or a purchase through a Designated Purchasing Cooperative. Use of a Cooperative Purchase requires Cooperative Purchasing Agreement with the municipal corporation that is going to bid or has gone to bid.

Best Value: The basis for awarding bids for equipment, materials and supplies which includes consideration of various factors determined by the District when going to bids, with price being a primary factor.

Designated Purchasing Cooperatives: The following interlocal cooperative purchasing arrangements are authorized for use by the District in accordance with the requirements of the sponsoring agencies.

*State Purchasing Cooperative:* The State Purchasing Cooperative is established by the State of Washington, Department of General Administration and establishes a purchasing cooperative that allows the District through the interlocal cooperation act (Chapter 39.34 RCW) to purchase materials, equipment and supplies in accordance with statutory bidding and procurement requirements.

*Department of Information Services:* The Department of Information Services is authorized under chapters 43.105 and 39.34 to provide information services to state and local governments. Purchases of software and information services through the Department of Information Services complies with the statutory bidding and procurement requirements.

*Other Purchasing Cooperatives:* Other purchasing cooperatives as authorized by the Fire Chief that comply with Washington State Public bidding statutory requirements may be used when use of such cooperatives are in the best interest of the District. Examples include Houston Galveston Area Council "HGAC" and National Purchasing Partners Government Division "NPPgov."

Emergency: Unforeseen circumstances beyond the control of the District that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken. (RCW 39.04.280(3)).

**SPOKANE VALLEY FIRE DEPARTMENT**  
**Board of Fire Commissioners**  
**Federal Procurement Policy 030**

Public Work: Means all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the District, or which is by law a lien or charge on any property within the District (RCW 39.04.010).

Responsible Bidder: In determining whether the bidder is a responsible bidder, the agency must consider the following elements:

1. Equipment, Materials and Supplies Purchases:

- a. The ability, capacity, and skill of the bidder to perform the contract or provide the service required;
- b. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
- c. Whether the bidder can perform the contract within the time specified;
- d. The quality of performance of previous contracts or services;
- e. The previous and existing compliance by the bidder with laws relating to the contract or services; and
- f. Such other information as may be secured having a bearing on the decision to award the contract.

2. Public Works Projects:

- a. Contractor must have valid certificate of registration.
- b. Contractor must have valid State UBI number.
- c. Contractor must maintain workers compensation coverage and unemployment insurance coverage for all employees and maintain a state excise tax registration number.
- d. Contractor cannot have been disqualified from bidding on any previous public works contract.
- e. Contractor cannot have violated the state apprenticeship utilization requirements on any public works project during the one-year period prior to the District's Project.
- f. Contractor must attend WA State Department of Labor & Industries Contractor training.

**SPOKANE VALLEY FIRE DEPARTMENT**  
**Board of Fire Commissioners**  
**Federal Procurement Policy 030**

Small Works Roster: A process authorized by RCW 39.04.155 that allows the District to publish and maintain a roster of contractors available to perform public works contracts. The District can establish and maintain its own roster or joint a cooperative roster such as MRSC Rosters.

Vendor List: A process authorized by RCW 39.04.190 that allows the District to publish and maintain a roster of vendors available to sell equipment and supplies to the District. The District can establish and maintain its own roster or join a cooperative roster such as MRSC Rosters.

***Purchasing Authority:***

Board of Commissioners: The Board of Commissioners shall approve an annual budget that authorizes specific and general expenditures within certain budgetary limits. The Board shall also review and approve all vouchers on at least a monthly basis.

Purchases Made Using a Bid Exemption: Purchases made using a Bid Exemption shall require formal action of the Board of Commissioners in the form of a Resolution approving use of the Bid Exemption.

Non Budgeted Purchases: Purchases of goods or services in excess of \$10,000 of budgetary limits shall require approval by the Board of Commissioners.

Emergency Purchases: In the event of an emergency the Fire Chief, or in the Fire Chief's absence the Deputy Fire Chief, may approve a purchase outside of the budget if it is not feasible to obtain approval of the Board of Commissioners but not in excess of \$ 10,000.00.

***Bid Limit Requirements:***

***Purchase of Materials, Equipment and Supplies:***

Follow District procurement policy except where noted below:

General Requirement. May not specify specific brands when equal products exist.

Cost under \$10,000. Use commercially reasonable methods, fairly and equitably distribute service contracts.

Cost over \$10,000 or when value of goods purchased over prior fiscal year exceeds \$10,000. When purchase is for items designated by the EPA under 40 CFR Part 247, must procure items that contain the highest percentage of recovered materials consistent with maintaining a satisfactory level of competition. Consult 40 CFR

**SPOKANE VALLEY FIRE DEPARTMENT**  
**Board of Fire Commissioners**  
**Federal Procurement Policy 030**

247.10 through .17 for full list but general items include paper and paper products, vehicle lubrication products, tires and parts, some construction products, and certain landscaping products.

Cost between \$10,000.01 and \$40,000. Use vendor list process or obtain quotes from an adequate number of qualified sources and award to lowest cost responsible bidder (Note Best Value bid awards not permitted).

Purchases from \$40,000.01 to \$75,000. Purchases must be made from one of the District's Designated Purchasing Cooperatives, through a Cooperative Purchase, Bid Exemption, if applicable, or the MRSC Vendor List. If purchase cannot be made through the Vendor List, Designated Purchasing Cooperative, Cooperative Purchase or Bid Exemption, the purchase must be made through competitive bidding procedures as if purchase price exceeded \$75,000. (Note Best Value bid awards not permitted).

Purchases from \$75,000.01 to \$250,000. Formal sealed bidding procedure must be used unless purchase can be made through a Cooperative Purchase or Bid Exemption. Bids shall be awarded to the Lowest Responsible Bidder as defined in the bid documents.

Cost over \$250,000. Conduct price/cost analysis prior to advertising for bids. Five percent bid bonds required when using sealed bid process.

Vendors that assist in drafting of bidding documents cannot be awarded contract.

For all contracts in excess of \$10,000 must take affirmative steps to encourage small and minority firms and women-owned business participation.

Conduct Federal Debarment check on vendors prior to awarding bid. Cannot award if vendor is debarred.

***Public Works:***

Cost under \$10,000. Use commercially reasonable methods, fairly and equitably distribute service contracts.

Cost between \$10,000 and \$30,000. Use small works roster process or obtain quotes from an adequate number of qualified sources and award to lowest cost responsible bidder (Note Best Value bid awards not permitted).

Public Works projects from \$30,000 - \$250,000. The District shall establish and use the MRSC Small Works Roster.

**SPOKANE VALLEY FIRE DEPARTMENT**  
**Board of Fire Commissioners**  
**Federal Procurement Policy 030**

Public Works projects over \$250,000.01. Cannot use small works roster, must use competitive sealed bidding. Conduct price/cost analysis prior to advertising for bids. Five percent bid bonds required when using sealed bid process.

Contractors that assist in drafting of bidding documents cannot be awarded contract.

For all contracts in excess of \$10,000 must take affirmative steps to encourage small and minority firms and women-owned business participation.

Conduct Federal Debarment check on contractor prior to awarding bid. Cannot award if contractor is debarred.

***Services – Architect and Engineer:***

The District shall use the RFQ process established under chapter 39.80 RCW prior to retaining the services of architects and engineers.

***Service Contracts other than Architects, Engineers and Surveyors:***

There are no state mandated bid requirements for service contracts. The Uniform Guidelines establish the following more restrictive requirements.

Cost under \$10,000. Use commercially reasonable methods, fairly and equitably distribute service contracts.

Cost between \$10,000 - \$250,000. Obtain quotes from an adequate number of qualified sources and award to lowest cost responsible bidder.

Cost over \$250,000. Use a competitive sealed bidding process following procedures used for public works. Conduct price/cost analysis prior to advertising for bids. Award to lowest responsive, responsible bidder. If conditions are not appropriate for using a sealed competitive bid process may use the Competitive Negotiation process established under RCW 39.04.

Service Providers that assist in drafting of bidding documents cannot be awarded contract.

For all contracts in excess of \$10,000 must take affirmative steps to encourage small and minority firms and women-owned business participation.

Conduct Federal Debarment check on service provider prior to awarding bid. Cannot award if provider is debarred.

**SPOKANE VALLEY FIRE DEPARTMENT**  
**Board of Fire Commissioners**  
**Federal Procurement Policy 030**

**Bid Exemptions.**

Follow District procurement policy.

Cost over \$250,000. Perform cost or price analysis prior to contracting. Must negotiate profit as separate element of the contract price.

For all contracts in excess of \$10,000 must take affirmative steps to encourage small and minority firms and women-owned business participation.

Conduct Federal Debarment check on contractor prior to awarding bid. Cannot award if contractor is debarred.

**Cooperative Purchasing (Piggyback).**

Strictly scrutinized under Uniform Guidance. Must be able to document that entity that went out for bid fully complied with Uniform Guidance in addition to complying with the local or state bid laws applicable to the entity.

For all contracts in excess of \$10,000 must take affirmative steps to encourage small and minority firms and women-owned business participation.

Conduct Federal Debarment check on contractor prior to awarding bid. Cannot award if contractor is debarred.

***Conflict of Interest:***

The District follows the conflict of interest rules set forth in chapter 42.23 RCW and prohibits acceptance of gifts from contractors, vendors and service providers. The District's standards of conduct rules apply to all elected officials and all employees, volunteers and agents that are involved in the procurement process.

***Discipline:***

Violations of this policy may be subject to discipline under the District's adopted disciplinary policies.

**Adopted:**  
**April 26, 2021**  
**Spokane Valley Board of Fire Commissioners**