



Peninsula Metropolitan Park District

PO Box 425 – Gig Harbor, WA 98335
253-858-3400 – info@penmetparks.org
www.penmetparks.org

REGULAR MEETING AGENDA

June 21, 2022, 6:00 PM

Gig Harbor Civic Center - Council Chambers 3510 Grandview Street, Gig Harbor, WA 98335

Call to Order

Commissioner Roll Call:

	Present	Excused	Comment
Steve Nixon, President			
Maryellen (Missy) Hill, Clerk			
Amanda Babich			
Kurt Grimmer			
Laurel Kingsbury			

ITEM 1 President's Report

ITEM 2 Executive Director's Report

ITEM 3 Special Presentations: None

ITEM 4 Board Committee Reports

4a. CIP Committee

4b. Finance and Administration Committee

4c. Recreation Services Committee

4d. Stewardship Committee

4e. External Committee Reports

ITEM 5 Public Comments:

This is the time set aside for the public to provide their comments to the Board on matters related to PenMet Parks. Each person may speak up to three (3) minutes, but only once during the citizen comment period. Anyone who provides public comment must comply with Policy P10-106 providing for the Rules of Decorum for Board Meetings. A copy of the policy is available at each meeting and at www.penmetparks.org

ITEM 6 Minutes

6a. [Approval of the June 7, 2022 Study Session Minutes](#)

6b. [Approval of the June 7, 2022 Regular Meeting Minutes](#)

ITEM 7 Consent Agenda

7a. [Resolution C2022-015: Approval of Vouchers](#)

ITEM 8 Unfinished Business



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- 8a. [Resolution RR2022-007 Adopting the Amended Policy P40-102: Purchasing / Procurement Policy \(Second Reading\)](#)

ITEM 9 New Business

- 9.1 **Purchasing Resolutions Requiring One Reading for Adoption: None**
9.2 **Single Reading Resolutions Requiring One Reading for Adoption: None**
9.3 **Two Reading Resolutions Requiring Two Readings for Adoption: None**

ITEM 10 Comments by Board

ITEM 11 Next Board Meeting

July 5, 2022 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Gig Harbor Civic Center - Council Chambers 3510 Grandview Street, Gig Harbor, WA 98335

- ITEM 12 Executive Session: Executive Session for the purpose of considering the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110 (b).**

ITEM 13 Adjournment

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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DRAFT - STUDY SESSION MINUTES

June 07, 2022, 6:00 PM

Gig Harbor Civic Center - Council Chambers 3510 Grandview Street, Gig Harbor, WA 98335

Call to Order: 5:02 pm

Commissioner Roll Call:

	Present	Excused	Comment
Steve Nixon, President	x		
Maryellen (Missy) Hill, Clerk	x		
Amanda Babich	x		
Kurt Grimmer	x, 5:06 pm		
Laurel Kingsbury	x		

Quorum - Yes

ITEM 1 Policy P70-101: Park Enhancement Grant Program Policy

PowerPoint Presentation by Executive Director, Ally Bujacich

- Proposed changes: including recreation that supports PenMet Parks Mission and not for personal gain but to benefit the whole community.
- Intended to promote 1-time or innovative grants.
- Can be for programs or projects.
 - Specifically added Youth Service Projects (may provide a more streamlined application form for these projects)
- Application Review

Board Comment/Questions:

Time has allowed understanding and accept that recreation can be included in the PEG Grant Program Policy. Allows seed money to get an idea off and running.

Board Question: Would the name be changed? **Staff Answer:** This is something to consider. **Board Question:** Will there be an opening and closing date? **Staff**

Answer: Yes, included in Section 3 and provides the language for other considerations. **Board Question:** Should it be open differently? The goal is simplicity, the community will know that July is the time for applications and there is the language for other applications. Could there be a compromise to two times per year? This one time in July allows for it to be considered with the annual budget process. Other changes can be made in the Procedure. Maybe change to "Review Time" in July but allow for submitting during a different period? **Staff**

Answer: This does require some advance planning. **Board Question:** Discussion on the process being a roadblock? Suggest quarterly reviews for recreation? **Staff**

Answer: SEEK grant does allow for changes to the application since you have to apply so far out. **Board Question:** Is it a lot of extra time to review applications? **Staff Answer:** Not too burdensome. **Board Comments:** Consider a Foundation

approach. Allows for commissioners to be involved and support items outside of



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PenMet Parks. We have to kick it off, there is a queue of people ready to apply. Have a clear Point of Contact for the Public.

ITEM 2 Stewardship Discussion

PowerPoint Presentation by Executive Director, Ally Bujacich

- Stewardship Program Update
- Capital Campaign Update
- Future Stewardship of PenMet Parks
- Purpose of a dedicated 501c3 foundation

Board Comment/Questions:

Board Question: Scholarships program, how will we capture information now?

Staff Answer: By tracking reports in Activnet. **Board Question:** What was the goal for sponsorships in 2022 and how was that established?

Staff Answer: \$7,200 and it was established in the budget process and was suggested by staff for events.

Board Comment: Endowment area is an area that I would like to see grow. **Board Question:** What is a complex gift?

Staff Answer: Something not cash, estate planning, gifts of real property, pension.

Board Comment: In favor of this for timing and where we are today, it is a logical next step. Looking forward to more discussion.

ITEM 3 Adjournment: 6:01 pm

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Approved By the Board on _____

Steve Nixon, Board President

Maryellen "Missy" Hill, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



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DRAFT - REGULAR MEETING MINUTES

June 07, 2022, 6:00 PM

Gig Harbor Civic Center - Council Chambers 3510 Grandview Street, Gig Harbor, WA 98335

Call to Order: 6:05 pm

Commissioner Roll Call:

	Present	Excused	Comment
Steve Nixon, President	x		
Maryellen (Missy) Hill, Clerk	x		
Amanda Babich	x		
Kurt Grimmer	x		
Laurel Kingsbury	x		

Quorum Yes

ITEM 1 President's Report

Met with Craig McLaughlin of FICRA Trust Board. Participated with Executive Director Bujacich for a presentation for the Chamber of Commerce Public Affairs Forum. Conversation with former Commissioner Bill Sehmel.

ITEM 2 Executive Director's Report

1. Introduce Director of Recreation Services, Jeff Ozemik.
2. Stephanie Burhman, Interim Director as Finance and Administration 6/8.
3. Thank you, Sherman Enstrom for contributions made to the District.
4. John Adams, New Project Manager started 6/1/22.
5. Brief Strategic Plan Community Engagement Phase Progress Report.
 - a. 2 Focus groups
 - b. Open community forum 6/6/2022
 - c. Social Pinpoint Website open until 6/18, with 461 unique users so far. Link is on PenMet Parks Home Page
6. 1st Phase of the CRC will go out to bid soon and will be open for 13 days.
7. Family Fun Fest Saturday, June 25th 3-7, Sehmel Homestead Park.

Board Comment/Questions:

Thank you, Ally Bujacich, for all of your hard work and exceptional presentation at the Public Affairs Forum. Will there be a food drive at Family Fun Fest? **Staff Answer:** Yes, we are working on that.

ITEM 3 Special Presentations

3a. April 2022 Financial Report

Director of Finance and Administration, Sherman Enstrom and Accounting Manager, Stephanie Burhman

PowerPoint Presentation



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Board Question: Facility revenue fees, are they low? **Staff Answer:** Yes, it is early and there are a lot of rentals in the summer so that will increase.

3b. 2022 Q1 Operating Financial Report

Director of Finance and Administration, Sherman Enstrom and Accounting Manager, Stephanie Burhman

PowerPoint Presentation

For next committee meeting consider how to share the information better.

- Quarter 1 Overview and Quarter 2 forecast

Board Question/Comment:

Are we ahead? Are sponsorships in here? **Staff Answer:** Yes, revenue is ahead of schedule and it hasn't been expended yet, and Sponsorships are currently in event fees and working to be re-coded correctly. **Board Question:** How the endowment fund is laid out? **Staff Answer:** Percentage calculation explanation **Board Question::** When is the next quarterly report? **Staff Answer:** August.

3c. Bike Bash Report

Recreation Services Manager, Matthew Kerns

PowerPoint Presentation

Event activity overview:

- Passports, Bike Rodeo, Live Music, Traffic Garden, Outdoors for All Partnership for Adaptive Bikes, Vendors, Bike Swap,
- Partners: Planning Committee, Planning Support, Day of Support
- Sponsors: Paige Schulte – Neighborhood Experts Real Estate, Rotary Club of Gig Harbor, PenMetParks Board of Park Commissioners, Summit Wealth Management
- In-Kind: Sign Gypsies, Cascade Bike Club in Seattle, Gig Harbor Fire, and Medic One
- Marketing, Data, and Survey

Board Question/Comment:

Recognize Marlene Drucker, former City of Gig Harbor Commissioner and Bike Enthusiast. Recognize Matthew for exceptional event organization and Data, you made Kiwanis Shine. Did we have leftover helmets? **Staff Answer:** We have about 100 left over for next year. **Board Question:** Are we going to do it again? Bikes and Hikes? **Staff answer:** Yes, a version. **Board Question:** Very positive event, consider Swiftwater as a partner since it is a walking school and has about 50 bicycles each day. Maybe have 5th graders helping incoming students in the traffic garden. Thank you Commissioner Hill and Commissioner Babich for help and securing presenting sponsorship.

3d. Proclamation in Recognition of Ocean5



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Kati Miles Ocean5 Director of Finance and Administration up to collect the Proclamation.

Reading of Proclamation and Pictures.

ITEM 4 Board Committee Reports

4a. CIP Committee

Committee Chair, Commissioner Grimmer

Met May 23, 2022:

- Reviewed Hale Pass Arletta Schoolhouse Renovation Change Order that was approved at the 5/25/2022 Special Meeting.
- Reviewed the contract with Seattle's Finest for Security which was approved at the 5/25/2022 Special Meeting.
- 5/25/2022 Special Meeting rejected all bids received for CRC.
- Reviewing Rosedale RFQs
- CMMS Software update
- Sehmel Turf Project will be completed on June 21, 2022.

4b. Finance and Administration Committee:

Has not met since the last meeting.

4c. Recreation Services Committee:

Has not met since the last meeting.

4d. Stewardship Committee

Committee Chair, Commissioner Hill,

Met May 25, 2022

- Reviewed PEG Grant Policy
- Discussed draft capital campaign scope of work
- Reviewed the draft Kiwanis MOU
- Reviewed the Proclamation for Ocean5

4e. External Committee Reports: None

ITEM 5 Public Comments:

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ITEM 6 Minutes

6a. Approval of the May 17, 2022 Study Session Minutes

6b. Approval of the May 17, 2022 Regular Meeting Minutes

6c. Approval of the May 25, 2022 Special Meeting Minutes

Commissioners Moved to adopt the minutes as presented;
 Commissioners Seconded;



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Roll call vote.
 Motion approved unanimously, Motion Carries.

ITEM 7 Consent Agenda

- 7a. Resolution C2022-014: Approval of Vouchers**
 Commissioners Moved to adopt the consent agenda;
 Commissioners Seconded;
 Roll call vote.
 Motion approved unanimously, Motion Carries.

ITEM 8 Unfinished Business: None

ITEM 9 New Business

9.1 Purchasing Resolutions Requiring One Reading for Adoption:

9.1a Execute a Personal Service Agreement with Community Counseling Service Co., LLC for Capital Campaign Consulting Services

Commissioners Moved;
 Commissioners Seconded;
 Presentation by Executive Director, Ally Bujacich, for presentation.
 Board discussion: None
 Roll call vote.
 Motion approved unanimously, Motion Carries.

9.2 Single Reading Resolutions Requiring One Reading for Adoption:

9.2a Resolution R2022-004 Authorizing the Executive Director to Negotiate and Execute a Memo of Understanding with Kiwanis Club of Gig Harbor

Commissioners Moved;
 Commissioners Seconded;
 Presentation by Executive Director, Ally Bujacich, for presentation.
 Board discussion: None
 Roll call vote.
 Motion approved unanimously, Motion Carries.

9.3 Two Reading Resolutions Requiring Two Readings for Adoption:

9.3a Resolution RR2022-007 Adopting the Amended Policy P40-102: Purchasing / Procurement Policy (First Reading)

Commissioners Moved;
 Commissioners Seconded;
 Presentation by Director of Finance and Administration, Sherman Enstrom and Accounting Manager, Stephanie Burhman

- Only change: Added Minority Owned Women Section 1.5
- Second reading June 21st, recommending approval.

Board discussion: None



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ITEM 10 **Comments by Board**

Acknowledge Senior advocates present. Invite all to Tai Chi at Rosedale Tennis Court at 12:00 PM tomorrow. Part of all 3 of the Community Engagement Meetings for Strategic Plan, and pleased with the process.

ITEM 11 **Next Board Meetings**

June 17, 2022 Special Meeting: Property Tour

- Board Comments: President Steve Nixon is not able to attend, Commissioner Amanda Babich is not able to attend, and Commissioner Laurel Kingsbury is not able to attend.
- No Quorum
- Cancel

June 18, 2022 Special Meeting: Board Retreat

June 21, 2022 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Gig Harbor Civic Center - Council Chambers 3510 Grandview Street, Gig Harbor, WA 98335

ITEM 12 **Adjournment: 7:22 pm**

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

Steve Nixon, Board President

Maryellen "Missy" Hill, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



Peninsula Metropolitan Park District

RESOLUTION NO. C2022-015

APPROVING VOUCHERS FROM JUNE 2022

WHEREAS, the Peninsula Metropolitan Park District Board of Park Commissioners approved the 2022 operating budget in Resolution R2021-032 and the 2022 capital budget in Resolution R2021-029 on November 16, 2021; and

WHEREAS, expenditures are within the current resource projections at the fund level; and

WHEREAS, the Executive Director or his or her designee has certified that the materials have been furnished, the services rendered, or the labor performed as described, and that each claim represents a just, due, and unpaid obligation against the District;

NOW THEREFORE BE IT

RESOLVED by the Board of Park Commissioners of the Peninsula Metropolitan Park District that vouchers in the amounts and for the period indicated on Attachment "A" be approved for payment.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on June 21, 2022.

President

Clerk

Attest

Attachment A to Resolution C2022-015

For the period beginning 06/14/2020 to 06/14/2022

Voucher # 220602001 through # 220602021 are approved for payment in the amount of \$98,865.12.



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DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Stephanie Buhrman, Interim Director of Finance and Administration

Date: June 21, 2022

Subject: **Second Reading of Resolution RR2022-007 Adopting the Amended Policy P40-102: Purchasing/Procurement Policy**

Background/Analysis

The Board of Park Commissioners passed Resolution R2005-012 on September 12, 2005 adopting Policy P40-102: Purchasing Policy. This policy has been amended several times, most recently in 2013. The purpose of Policy P40-102 is to guide the administration of purchasing/procurement activities for District staff in alignment with all local, state, and federal laws.

Staff reviewed the policy, proposed amended policy and practices, and discussed it with the Board at the May 17 study session.

Separate purchasing/procurement procedures that support the amended policy language will be implemented.

Legal counsel has reviewed the attached amended policy.

Staff Recommendation

Staff recommends the Board pass Resolution RR2022-007 adopting amended Policy P40-102: Purchasing/Procurement Policy.

Finance and Administration Recommendation

This action was reviewed by the Finance and Administration Committee as its May 10, 2022 meeting with a recommendation to bring this action to the full Board for its approval.

Policy Implications/Support

1. The District has adopted goals including prudent management of District funds.
2. Board Policy P10-101 states, in part, that PenMet Parks is accountable to its citizens for use of public dollars, and the limited financial resources of PenMet Parks must be wisely used to ensure adequate funding to support the services, public facilities, and infrastructure necessary to meet the community's present and future needs.

Attachments

- Exhibit A: Resolution RR2022-007



Peninsula Metropolitan Park District

RESOLUTION NO. RR2022-007

ADOPTING THE AMENDED POLICY P40-102: PURCHASING / PROCUREMENT POLICY

WHEREAS, Policy P40-102: Purchasing / Procurement Policy (the "Policy") guides the overall administration of purchasing/procurement activities for District staff in alignment with all local, state, and federal laws and regulations related to purchasing/procurement; and

WHEREAS, The Executive Director has the authority to utilize the guidelines and policies incorporated in the Policy for making operational decisions for the organization; and

WHEREAS, there is are separate purchasing/procurement procedures that provide more detailed guidance and information to PenMet Parks employees on the purchasing/procurement practices, and procedures; and

WHEREAS, the Board of Park Commissioners has passed several resolutions amending the Policy and wishes to further amend the Policy to ensure it continues to protect the public interest and ensure public trust;

NOW THEREFORE BE IT

RESOLVED by the Board of Park Commissioners that PenMet Parks adopts the amended Policy P40-102: Purchasing / Procurement Policy attached as Exhibit A, which supersedes all previous versions of Policy P40-102.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on June 7, 2022.

President

Clerk

Attest



Peninsula Metropolitan Park District

Purchasing / Procurement Policy

Policy Number	Resolution Number	Date Approved:	Supersedes the following Resolutions and Policies:
P40-102	RR2022-007	June 21, 2022	R2013-020 August 19, 2013 R2011-016 August 1, 2011 R2010-038 December 20, 2010 R2007-010 August 20, 2007 R2006-005 April 17, 2006 R2005-012 September 12, 2005

Policy: **Purchasing / Procurement**
 (Approved by PenMet Parks Board of Commissioners)

Purpose: The purpose of this policy is to implement the requirements of state law and, when applicable, federal guidance, with regards to procurement of goods and services and the bidding on public contracts for public works, goods, services, supplies, and materials. This policy also establishes when such spending must be approved by the Board of Park Commissioners and the levels of spending authority delegated to the Executive Director.

It is PenMet Parks' policy to follow state and, when applicable, federal requirements with regard to the expenditure of public funds, to provide a fair forum for those interested in bidding on public contracts, and to help ensure that public contracts are performed

satisfactorily and efficiently at least cost to the public, while avoiding fraud, waste, and favoritism in their award.

Except as otherwise expressly provided herein, the provisions of this policy are intended solely as a convenience and reference guide for PenMet Parks' officials and employees. Nothing in this policy is intended to create any liability for or against PenMet Parks. Without limitation of the foregoing, nothing in this policy is intended to create any enforceable right, entitlement, or cause of action in or for any third parties.

TABLE OF CONTENTS

SECTION 1: GENERAL RULES 4

SECTION 2: CODE OF ETHICS..... 4

SECTION 3: PROHIBITED PRACTICES 5

SECTION 4: DELEGATED PURCHASING AUTHORITY 6

SECTION 5: PURCHASES OF EQUIPMENT, SUPPLIES, OR MATERIALS NOT ASSOCIATED WITH A PUBLIC WORKS PROJECT 7

SECTION 6: PURCHASED SERVICES NOT INCLUDING ARCHITECTURAL / ENGINEERING SERVICES 9

SECTION 7: ARCHITECTURAL/ENGINEERING SERVICES 9

SECTION 8: PUBLIC WORKS CONTRACTING..... 10

SECTION 9: WAIVING COMPETITIVE BID REQUIREMENTS 12

SECTION 10: EXEMPTIONS FROM COMPETITIVE BIDDING 13

SECTION 11: AUTHORIZATION TO ADOPT RULES, PROCEDURES AND GUIDELINES. 14

SECTION 1: GENERAL RULES

- 1. Controlling Laws. The expenditure of public funds for the purchase of and contracting for public works, goods, services, supplies, and materials shall comply with all applicable state law requirements as provided in the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) and any applicable federal requirements. Where this policy conflicts with state law requirements, the more restrictive provision shall prevail. Where this policy is silent with regards to purchasing and/or bidding requirements, state law shall prevail.
- 2. Monitoring and Compliance. PenMet Parks' Executive Director shall implement, monitor, and enforce this policy. There are separate Purchasing Procedures, approved by the Executive Director, that provide more detailed guidance and information to PenMet Parks employees on the procurement procedures. In the event of any conflict in procurement requirements or questions about proper procedure or other requirements, the matter shall be referred to the Executive Director or the Executive Director's designee for further action. Willful or intentional violations of public procurement requirements may result in personal penalties, financial liabilities, and/or discipline (RCW 39.30.020).
- 3. Proper Authorization. Only authorized employees acting within the scope of their authority may obligate PenMet Parks in the contracting for public works and/or acquisition of goods or services. Any employee expending funds or committing to expending funds on behalf of PenMet Parks without proper authorization may be personally liable to the vendor and/or to PenMet Parks and subject to disciplinary action.
- 4. Cost. Purchase cost includes sales tax, use tax, delivery charges, and any related miscellaneous charges.
- 5. Minority and Women-Owned Businesses. Minority and women-owned businesses shall have the maximum practicable opportunity, consistent with applicable law, to compete for and obtain work relating to PenMet Parks' activities.

SECTION 2: CODE OF ETHICS

To instill public confidence in the award of public contracts and the expenditure of public funds, PenMet Parks adopts the following code of ethics regarding public contracting:

- 1. Actions of PenMet Parks employees shall be impartial and fair.
- 2. PenMet Parks decisions and policies shall be made in compliance with required procedures and within the proper channels of its government structure.
- 3. PenMet Parks will avoid directly or indirectly furnishing estimating services, or any other services or information not available to all prospective respondents, to any person or entity that may submit a bid or proposal.

4. Public employment shall not to be used for personal gain, and PenMet Parks employees shall not solicit, accept, or agree to accept any gratuity for themselves, their families or others that would or could result in personal profit, gain, or advantage. Discounts or concessions realistically available to the general population, items received that do not result in personal gain, and samples to PenMet Parks used for general PenMet Parks' use are examples of items that are not gratuities.
5. Purchasing decisions shall be made impartially, based upon PenMet Parks' specifications for the contract and the responses of those submitting a bid or proposal.
6. No PenMet Parks employee, officer, or agent may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

SECTION 3: PROHIBITED PRACTICES

PenMet Parks prohibits the following practices:

1. Collusion among bidders. Agreement or collusion among bidders or prospective bidders to either buy or sell in restraint of freedom of competition, be an agreement to bid a fixed price or otherwise, shall render the bids void. Bidders engaging in such practices may be subject to possible exclusion from future bidding with PenMet Parks when determined by the Executive Director to be in PenMet Parks' best interest.
2. Disclosure of Formal Bid Contents. The contents of any sealed or formal bid shall not be disclosed by a PenMet Parks official or employee in advance of the stated time and date for opening the bids. PenMet Parks may declare all bids for the specified purchase void as a result of the premature disclosure. Notwithstanding anything herein to the contrary, bids submitted by bidders taking advantage of any prematurely disclosed information shall be declared null and void.
3. Gratuities. Except for normal business and social courtesies, PenMet Parks' officials and employees are prohibited from accepting any gift or gratuity, in the form of cash, merchandise or services of significant value, from any vendor or contractor in return for a commitment to continue or initiate a purchasing agreement.
4. Employee-Owned Businesses. PenMet Parks shall not obtain goods or services from businesses in which PenMet Parks' officials, employees or their immediate family members have a majority ownership interest.

5. Sale of Materials and Supplies. PenMet Parks shall not use its purchasing power or lend its credit to acquire goods or services for the benefit of any private party, nor shall PenMet Parks sell its materials or supplies to PenMet Parks’ officials, employees, or the public unless said materials and/or supplies have been declared surplus and are disposed of in accordance with applicable PenMet Parks policy.

6. Breaking Down or Bid Splitting Purchases. The breaking down or bid splitting of any purchase or contract into units or phases for the purpose of avoiding the maximum dollar amount for spending authority or to avoid the competitive procurement requirements is prohibited.

SECTION 4: DELEGATED PURCHASING AUTHORITY

The Board of Park Commissioners is authorized by law to procure goods and services for the benefit of PenMet Parks. The Board may and pursuant to this policy hereby does delegate limited spending authority and responsibility to the Executive Director or his or her designee for purchasing certain goods and/or services.

1. The Executive Director may only exercise this authority for purchases whose costs are covered by budget appropriations previously approved by the Board of Park Commissioners. Purchases requiring an appropriation, or an additional appropriation must be approved by the Board of Park Commissioners.

2. Board of Park Commissioners approval is required whenever the cumulative total of a contract exceeds the purchasing authority delegated to the Executive Director or designee.

3. At his or her discretion, the Executive Director may choose to seek Board of Park Commissioner approval for purchases that fall within the delegated authority.

4. Summary of Purchasing Authority:

Purchase type	Purchase Amount	Authorization
Equipment, supplies, or materials not for a public works project	\$0 - \$50,000	Executive Director or designee
	\$50,001 or greater	Board of Park Commissioners
Personal or professional services	\$0 - \$50,000	Executive Director or designee
	\$50,001 or greater	Board of Park Commissioners
Architectural or engineering services	\$0 - \$50,000	Executive Director or designee
	\$50,001 or greater	Board of Park Commissioners

Public works projects	\$0 - \$100,000	Executive Director or designee
	\$100,001 or greater	Board of Park Commissioners

5. Definitions:

A. The term “personal services” is often interchangeable with professional services and are services that involve technical expertise provided by a consultant to accomplish a specific study, project, task, or other work. These activities and products are mostly intellectual in nature, and they do not include Architectural and Engineering services. Example of these services include management consulting, accounting and auditing, legal, comprehensive planning, and real estate services.

B. The term “Architectural and Engineering services” means services rendered by any person, other than a PenMet Parks’ employee, to perform activities within the scope of the professional practice of architecture as provided in chapter 18.08 RCW, professional practice of engineering and land surveying as provided in chapter 18.43 RCW, and/or professional practice of landscape architecture as provided in chapter 18.96 RCW.

6. The following purchases and sales must be approved by the Board of Park Commissioners regardless of the cost:

A. **Interlocal Agreements pursuant to chapter 39.34 RCW.** PenMet Parks may enter into Interlocal agreements with other public agencies similarly authorized under RCW 39.34.030. State law in regard to competitive bidding shall govern any cooperative purchasing agreement. The competitive bid process of the original jurisdiction may substitute for PenMet Parks’ if consistent with the bidding laws that apply to PenMet Parks. “Piggybacking” on other jurisdiction bids requires an Interlocal agreement. All Interlocal cooperative purchasing agreements shall be presented to the Board for approval.

B. **Sale of real or personal property.** The sale of all real or personal property is subject to RCW 35.61.132 which requires unanimous Board approval.

SECTION 5: PURCHASES OF EQUIPMENT, SUPPLIES, OR MATERIALS NOT ASSOCIATED WITH A PUBLIC WORKS PROJECT

The Executive Director or designee is responsible for obtaining equipment, supplies and materials not for a public works project when deemed necessary in carrying out PenMet Parks business and operations. The Executive Director or designee is responsible to ensure all applicable purchasing requirements are met.

1. **Purchases of \$15,000 or less: Direct Negotiation.** Purchases of \$15,000 or less may be made by direct negotiation with a vendor pursuant to RCW 35.61.135(1). Although the solicitation of bids or quotes is not required, employees should make reasonable efforts to obtain the lowest price. The contract award will be based on price.

2. **Purchases of \$15,001 to \$50,000: Three Minimum Quotes or Vendor List.** Purchases of \$15,001 to \$50,000 may be made pursuant to either RCW 35.61.135(3) and RCW 39.04.190 or RCW 35.61.135(4). The contract award will be based on price.

A. If PenMet Parks uses RCW 35.61.135(3) and RCW 39.04.190, solicitation shall be made by securing telephone, e-mail or written quotations from at least three different vendors whenever possible to assure that a competitive price is established and for awarding the contracts. PenMet Parks shall use the following procedure to obtain quotations from vendors for the purchase of equipment, supplies, and materials not associated with a public works process:

- i. At least twice per year, PenMet Parks shall publish in a newspaper of general circulation within the District a notice of the existence of vendor lists and solicit the names of vendors for the lists.
- ii. When seeking quotations, employees shall draft a written description with the specific equipment, supplies, and materials to be purchased, including the quantity, quality, and type desired, the required delivery date(s), and other terms of the purchase.
- iii. Employees will make a good faith effort to contact a minimum of three vendors from the published vendor list to provide the written description and request telephone or emailed quotations for the specified equipment, supplies, or materials.
- iv. Employees shall document the quotations received, including the vendor name, quotation amount, product(s), delivery date(s), and exceptions to the terms or specifications provided by PenMet Parks.
- v. PenMet Parks shall award the contract to the lowest responsible bidder.
- vi. Immediately after the award is made, the quotations obtained shall be recorded, open to public inspection, and shall be available by telephone inquiry.

B. If PenMet Parks uses RCW 35.61.135(4), solicitation shall be made from vendors designated on current state agency, county, city, or town purchasing rosters for the materials, supplies, or equipment, when the roster has been established in accordance with the competitive bidding law for purchases applicable to the state agency, county, city, or town. The price and terms for purchases shall be as described on the applicable roster.

C. In certain circumstances such as unusual market conditions, the Executive Director may waive the requirement to obtain three quotes.

3. **Purchases over \$50,000: Competitive Quotes Required.** Purchases over \$50,000 must be made by obtaining a minimum of three written competitive quotes. Quotes may be provided electronically or in person. The contract award will be based on price.

4. **Written Contracts.** Employees are encouraged to always use a written contract for purchases under this section. Any contract for purchases under this section in excess of \$5,000 are required to be in writing.

SECTION 6: PURCHASED SERVICES NOT INCLUDING ARCHITECTURAL / ENGINEERING SERVICES

The Executive Director or designee is responsible for obtaining services when deemed necessary in carrying out PenMet Parks' business and operations. The Executive Director or designee is responsible to ensure all applicable purchasing requirements are met.

1. **Purchases of \$15,000 or less: Direct Negotiation.** Purchases of \$15,000 or less may be made by direct negotiation. Competition is not required, although employees should make every effort to receive the best price possible and most qualified. The contract award will be based on price and qualifications.

2. **Purchases of \$15,001 to \$50,000: Three Minimum Quotes.** Purchases of \$15,001 to \$50,000 should be made by obtaining a minimum of three quotes using a Request for Proposal. Quotes may be obtained by telephone, electronically, or in person. In certain circumstances such as unusual market conditions, the Executive Director may waive the requirement to obtain three quotes. The contract award will be based on price and qualifications.

3. **Purchases over \$50,000: Competitive Quotes Required.** Purchases over \$50,000 must be made by obtaining a minimum of three competitive quotes using a Request for Proposal. Quotes must be in writing and may be provided electronically or in person. The contract award will be based on price and qualifications.

4. **Written Contracts.** Employees are encouraged to always use a written contract for purchases under this section. Any contract for purchases under this section in excess of \$5,000 are required to be in writing.

SECTION 7: ARCHITECTURAL/ENGINEERING SERVICES

The Executive Director or designee is responsible for obtaining architectural and engineering services he or she deems necessary. Architectural and engineering services are obtained using a qualifications-based selection process in accordance with chapter

39.80 RCW. The Executive Director or designee is responsible to ensure all applicable requirements are met.

1. **Advance publication.** As an alternative to creating and maintaining PenMet Parks’ own annual roster for the procurement of architectural, surveying, and engineering services, the Executive Director is authorized to enter into agreements with the Municipal Research and Services Center (MRSC) and/or any other agencies for use of their annual rosters as long as such rosters are in compliance with the latest State of Washington rules, regulations, requirements, and laws regarding the procurement of architectural, surveying, and engineering services. PenMet Parks encourages architectural, engineering, and surveying firms to submit to MRSC a statement of qualifications and performance data annually. When services are needed, PenMet Parks will evaluate current statements of qualifications and performance data on file.

2. **Written Contracts and Contract amendments.** Any contract awarded under this section shall be in writing. All changes to contracts awarded under this section must be by written contract amendment. Substantial changes to the scope of work may require another solicitation and procurement of services and a new contract.

3. **Contract amendment delegated authority.** The Executive Director may execute an amendment to a contract awarded under this section without Board of Park Commissioners approval if the amendment:

- A. Extends the time of completion for a project; and/or
- B. Provides for a cost increase that does not exceed 15% of the original contract cost or \$50,000, whichever is greater, and is within the approved project budget.

SECTION 8: PUBLIC WORKS CONTRACTING

Public Works is governed by RCW 35.61.135, chapter 39.04 RCW and other state statutes. Public Works is defined by 39.04.010 to generally include all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein. “Ordinary maintenance,” is defined in WAC 296-127-010(7)(b)(iii) (or as may be subsequently amended) as either (1) work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semi-annually, but at least once per year), to service, check, or replace items that are not broken; or (2) work not performed by contract that is not regularly scheduled but is required to maintain an asset so that repair does not become necessary.

Pursuant to RCW 35.61.135(2), when the estimated cost of a public works project falls below the Small Works Roster limit specified in RCW 39.04.155, PenMet Parks may follow the Small Works Roster process for construction of a public work or improvement as an alternative to the general competitive bidding requirements, in accordance with RCW 39.04.155. PenMet Parks has contracted with the Municipal Research and

Services Center of Washington (MRSC) for the use of its state-wide electronic database for small public works roster and consulting services developed and maintained by MRSC. The Executive Director or his or her designee is authorized to use the small works roster contracting procedures and the limited public works contracting procedures as provided in RCW 39.04.155.

1. **Contracts \$0 – \$50,000: Limited Public Works Process.** PenMet Parks shall use the limited public works process to award contracts for public works projects with an estimated cost of \$0 to \$50,000. The limited public works process is a type of small works roster process that applies only to public works projects estimated to cost less than \$50,000. PenMet Parks shall comply with the limited public works process provisions in RCW 39.04.155(3).
2. **Contracts \$50,001 - \$350,000: Three Bids from the Small Works Roster.** If the estimated cost of the public works project is more than \$50,000 but less than \$350,000, PenMet Parks shall comply with the small works roster process provisions in RCW 39.04.155(2).
3. **Contracts for more than \$350,000: Formal Competitive Bids Required.** If the estimated cost of the public works project is \$350,000 or more, then the formal competitive bidding process is required.
4. **Change order delegated authority.**
 - A. The Board of Park Commissioners must approve any change order that increases a public works contract cost beyond the approved project budget appropriation regardless of the Public Work Contract amount.
 - B. If the Public Work Contract total is below \$350,000, change orders up to a cumulative total of \$50,000 may be approved by the Executive Director. Change orders within the authority delegated to the Executive Director that are approved by the Executive Director must be presented to the Board of Park Commissioners at the next regular meeting. If the cumulative total of approved change orders is greater than \$50,000, the change order must be approved by the Board of Park Commissioners.
 - C. If the Public Work Contract total is above \$350,000, and the total cumulative amount of change orders is 15% or less of the original contract amount, then the change orders may be approved by the Executive Director. Change orders within the authority delegated to the Executive Director that are approved by the Executive Director must be presented to the Board of Park Commissioners at the next regular meeting. If the cumulative total of approved change orders is greater than 15% of the original contract amount, the change order must be approved by the Board of Park Commissioners.

5. **Publication.** At least once a year, on behalf of PenMet Parks, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to the appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. PenMet Parks may require master contracts to be signed that become effective when a specific award is made using a small works roster.

6. **Written Contracts.** Any contract awarded under this section shall be in writing.

SECTION 9: WAIVING COMPETITIVE BID REQUIREMENTS

1. The Executive Director may waive competitive bidding requirements pursuant to RCW 39.04.280(1) for:

- A. Purchases that are clearly and legitimately limited to a single source of supply;
- B. Purchases involving special facilities or market conditions;
- C. Purchases in the event of an emergency;
- D. Purchases of insurance or bonds; and
- E. Public works in the event of an emergency.

2. **Non-emergency purchases.** Purchases within the limits of authority delegated to the Executive Director may be made from a sole source vendor without soliciting other quotes or bids. In non-emergency situations, written documentation demonstrating the appropriateness of a sole source purchase shall be submitted to the Finance Department in advance of the purchase. Finance will evaluate whether a vendor can legitimately be defined as a sole source.

Purchases involving special facilities or market conditions may be made without soliciting quotes or bids. In non-emergency situations, written documentation demonstrating the appropriateness of a purchase involving special facilities or market conditions shall be submitted to the Finance Department in advance of the purchase. Finance will evaluate whether special facilities or market conditions legitimately exist.

If competitive bidding requirements are waived by the Executive Director pursuant to this policy and for a non-emergency purchase, the contract and the factual basis for the exception must be recorded and open to public inspection immediately after the contract is awarded.

3. **Emergency purchases.**

- A. Pursuant to RCW 39.04.280(3), "emergency" means unforeseen circumstances beyond the control of PenMet Parks that either: (i) presents a real, immediate threat to the proper performance of essential functions; or (ii) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

- B. If an emergency exists, the Executive Director or designee may waive competitive bidding requirements, and award all necessary contracts on behalf of PenMet Parks to address the emergency situation.
- C. If a contract is awarded without competitive bidding due to an emergency, the Executive Director or designee will prepare a resolution for approval by the Board of Park Commissioners that includes a written finding of the existence of an emergency and to ratify the contract award. The resolution shall be presented to the Board at the next regular Board meeting, but in any event not later than two weeks following the award of the contract.

SECTION 10: EXEMPTIONS FROM COMPETITIVE BIDDING

Competitive bidding requirement exemptions are governed by RCW 39.04.280. The following are excluded from the competitive bidding requirements provided in this policy:

1. Employee benefit services procured through brokers;
2. Employee allowance purchased items such as boots that are bought by the employee with a PenMet Parks-provided allowance;
3. Insurance and bond purchases;
4. Services of accounting firms or other persons or firms deemed by the Executive Director as necessary to address PenMet Parks' accounting or auditing needs provided the form of contract or engagement must be approved by the Board of Park Commissioners;
5. Services of law firms or outside counsel, expert witnesses, trial consultants, adjusters or other persons or firms deemed by the Executive Director as necessary to address PenMet Parks' legal needs provided the form of contract or engagement must be approved by the Board of Park Commissioners;
6. Memberships and dues;
7. Postage, permit fee, license involving a single source of governmental entity;
8. Professional development services for employees as determined by the Executive Director;
9. Services relating to current or prospective employee hiring, promotion, or evaluation
10. Training and services related to the physical, emotional, or mental development of any PenMet Parks employee; and
11. Travel and moving expenses of officers and employees, as well as applicant expenses.

SECTION 11: AUTHORIZATION TO ADOPT RULES, PROCEDURES AND GUIDELINES.

The Executive Director is authorized to adopt rules, procedures and guidelines governing the procurement, contracting, and contract management of any and all contracts for public works, goods and/or services procured by PenMet Parks that are consistent with this policy.