

**ORDINANCE NO. 2016-11- 04**

An Ordinance relating to establishment of procurement standards and contracting authority delegated to the County Manager.

WHEREAS, RCW 36.32.245 and RCW 36.32.250 establish procurement procedures for county's purchasing equipment / supplies and contracts for Public Works, respectively; and

WHEREAS, on January 1, 2015 in accordance with Article 10, Section 4 of the Washington Constitution, the citizens of Clark County established a charter form of government and the Clark County Charter became effective; and

WHEREAS, Clark County Council is the designated legislative body and budgetary authority for the Clark County; and

WHEREAS, the County Manager is assigned the authority to sign or cause to be signed county contracts; and

WHEREAS, the County Manager is the Chief Executive and Chief Financial Officer for Clark County; and

WHEREAS, the Board of County Councilors seeks to balance its responsibility to monitor the County budget with the authority granted and flexibility needed by the County Manager's to execute contracts on behalf of Clark County as required by the Clark County Charter; and

WHEREAS, this matter is being considered at a duly advertised public hearing; and

WHEREAS, the Board finds and concludes that adoption of this ordinance is consistent with the Clark County Charter and will further the public health, safety and welfare,

NOW THEREFORE, be it ordered, resolved and decreed by the Board of County Councilors in and for Clark County, State of Washington, as follows:

**Section 1. Findings.** The findings and conclusions contained in the recital clauses above are adopted in support of the Board's actions in adopting this ordinance.

**Section 2. Amendatory.** Section 3 of Ord. 2015-05-07 and codified as CCC 2.09.030 is each amended to read:

**2.09.030 County Manager Procurement Authority.**

- (1) The County Manager is authorized to execute, or cause to be executed, contracts in the amounts and subject areas set forth below for:
  - (a) Contracts for the procurement of professional services not to exceed \$200,000.00 upon compliance with all other applicable state and federal laws and within the budget of the requesting department. Professional service contracts funded by the General fund in an amount exceeding \$100,000.00 shall require prior Council approval.
  - (b) Contracts on behalf of the Department of Community Services and Health Department to implement grants received by the state and federal government and other funding for vulnerable populations; One-hundred percent of the contract amount provided, however, the contracts are within the annual budget approved by the Board of County Council.
  - (c) All bids for capital project contracts that are in the Board of County Councilors' approved capital plans and fully budgeted. Once all bid requirements are satisfied the County Manager is authorized to execute capital project contracts without limit.

- (d) For capital equipment items in the Board of County Councilor's approved equipment acquisition plan that are fully budgeted, the County Manager may execute these contracts, without limit, once all bid requirements are satisfied.
- (e) Supply and maintenance contracts shall be limited to \$200,000.00. Supply and maintenance contracts funded by the General fund in an amount exceeding \$100,000.00 shall require prior Council approval.
- (f) Interlocal agreements: The County Manager may execute interlocal agreements upon approval by the Board of County Councilors, provided, the County Manager may execute Interlocal cooperative agreements to share in purchasing opportunities with other governmental entities.
- (g) When the County proposes to lease property, the County Manager may execute leases in compliance with CCC 2.33A once the Board either declares the property surplus and available for lease or adopts policies and procedures to surplus the property. The County Manager may grant easements for utility service necessary to provide power, water, sewer, telephone or other utility service to a particular portion of county property.
- (h) Leases where the County is the Lessee: The County Manager may execute new leases upon approval of the Board of County Council. Once approved, the County Manager may execute extensions or renewals if budget authority has previously been granted.
- (i) Expenditures of discretionary funds categorized as "countywide" will only occur with prior approval of the Council.

(2) Prior to the execution of any contract subject to Subsection 1 above, the County Manager will publish all contracts, except contracts executed on behalf of the Department of Community Services and contracts for Human Resources (H/R) Investigations, and staff reports on the Clark County website including a summary of the contract purpose, funding sources, and contract term. ~~The County Manager will also provide a copy of the staff reports and/or contracts to County Councilors for their review and will not execute the documents for one week to provide any Councilor an opportunity to review and request individual consideration of a document prior to execution. Contracts, signaled for individual consideration will be approved by a majority vote of the Council at a public meeting.~~ The Chair and County Councilors shall be notified of each H/R contract prior to execution by the County Manager.

(3) All other contracts not discussed in subsection (1) above are subject to prior approval by the Board of County Council prior to execution by the County Manager.

Section 3. Effective Date. This resolution shall not go into effect until 10 days following the date of Adoption.

Section 4. Roll Call Vote. The following persons voted in favor of the above ordinance amendments:

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The following persons opposed adoption of the above ordinance  
amendments \_\_\_\_\_.

ADOPTED on this 8<sup>th</sup> day of November 2016.

Attest:

BOARD OF COUNTY COUNCILORS  
CLARK COUNTY, WASHINGTON

Rebecca Jilka  
Clerk of the Board

Marc Boldt  
Marc Boldt, Chair

Approved as to Form Only:  
ANTHONY GOLIK  
Prosecuting Attorney

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Jeanne E. Stewart, Councilor

By: Christopher Horne  
Christopher Horne,  
Deputy Prosecuting Attorney

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Julie Olson, Councilor

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David Madore, Councilor

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Tom Mielke, Councilor

