



WORK SESSION AGENDA

BOARD OF CLALLAM COUNTY COMMISSIONERS

223 East 4th Street Room 160

Port Angeles, Washington

Monday, May 3, 2021 – 8:00 a.m.

****ATTENTION****

In response to the current Governors order Clallam County has moved Phase 3 of the Healthy Washington Roadmap to Recovery Plan. To be in compliance with the Healthy Washington Roadmap to Recovery Plan the following general requirements for COVID safety for meetings held in the Board of Commissioners Board Room are as follows:

1. All attendees are encouraged to provide contact information on a sign in sheet which will be retained for 28 days for contact tracing purposes.
2. Public seating areas and Board member seating must be arranged to ensure physical distancing is maintained.
3. Meeting attendees must wear a proper face covering and maintain six feet of physical distance between other persons.
4. No food or drink should be consumed in the BOCC Board Room.
5. Meeting organizers shall clean or arrange to have cleaned high-touch surfaces before and after each meeting.
6. Hand sanitizing stations will be available in the BOCC Board Room.
7. Keep doors and windows open where possible to improve ventilation.
8. The Chair of the meeting shall ensure masking and social distancing practices are enforced and practices by all event attendees.

This meeting can be viewed on a live stream at this link:
<http://www.clallam.net/features/meetings.html>

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 875 561 7844 and passcode: 12345

If you would like to participate in the meeting via Zoom video conference, visit <https://zoom.us/j/8755617844> and use meeting ID: 875 561 7844 and passcode: 12345

Public comment and questions can be directed to the Clerk of the Board at 360-417-2256 or agores@co.clallam.wa.us.

Administration – 9 a.m.

1. Calendar/Correspondence
2. Notice of call for bids to be received no later than 10 a.m., Tuesday, June 15, 2021 for Courthouse Pressure Wash and Minor Repair Project

Notice of call for bids 

3. Review of funding recommendations of the Homelessness Task Force Review Committee

Review of funding recommendations 

4. Pre-application questionnaire for substance abuse disorder prevention services

Pre-application questionnaire 

5. Agreement amendment 2 with United States Forest Service for noxious weed control

Agreement amendment 2 

Public Works

6. Notice of call for bids to be received no later than 10 a.m., Tuesday, May 25, 2021 for 2021 Hot Mix Asphalt and CSS-1 Liquid Asphalt Requirements

Notice of call for bids 

Community Development

7. Agreement amendment 1 with Jamestown S'Klallam Tribe to provide restoration services for the Lower Dungeness River corridor on lands that are within the Floodplain Restoration Project area (2c)*

Agreement amendment 1 

8. Agreement amendment 5 with Anchor QEA, LLC for the Agnew Irrigation District's irrigation outtake of McDonald Creek Project (2d)*

Agreement amendment 5 

Board of Commissioners

9. Resolution appointing Justin Pollack to the Carlsborg Community Advisory Council

Resolution 

10. Resolution appointing Helen Kenoyer to the Behavioral Health Program Fund Advisory Board

Resolution 

11. Agreement with Clallam County Genealogical Society for the Heritage Grant Program

Agreement 

12. Agreement with New Dungeness Light Station for the Heritage Grant Program

Agreement 

13. Agreement with North Olympic History Center for the Heritage Grant Program

Agreement 

14. Agreement with Sequim Museum for the Heritage Grant Program

Agreement 

Budget

15. Notice of hearing to be held Tuesday, May 25, 2021 at 10:30 a.m. for amending Clallam County Policy 560 – Purchasing, Bids, Contracts

Notice of hearing 

16. Resolution creating new Non-Departmental – American Rescue Plan Act Special Revenue Fund

Resolution 

General Discussion/Items for Future Agendas

- A. FEMA Flood Maps workshop update (May 10 at 10:30 a.m.)
- B. Clallam County Equity Agenda and Resolutions discussion (May 10)
- C. Continued Work Session – CANCELLED (May 10)
- D. Emergency Operation Center discussion (May TBD)
- E. Quarterly reports - NODC, CIE, SBDC and EDC (June 7 at 9 a.m.)
- F. Charter Review Recommendation follow-up meeting (June 14)
- G. Noise Ordinance (TBD)

EXECUTIVE SESSION - 1:30 p.m.

The Parks, Fairs, and Facilities Department would like to meet in Executive Session with the Board of County Commissioners to discuss the acquisition of real estate by purchase. The parcel under consideration is potential park land located in Clallam Bay and was previously discussed at Work Session on March 29, 2021.

Pursuant to RCW 42.30.110(1)(b), a governing body may hold an executive session "to consider the acquisition of real estate by ... purchase when public knowledge regarding such consideration would cause a likelihood of increased price."

Executive Session 

- Other items may be added at the discretion of the Board and additional Work Sessions may be scheduled if more time is needed to allow for adequate discussion.
- Written testimony presented by members of the public during the Board meeting is considered a public document and must be submitted to the Clerk of the Board.
- Copies of public documents from Board meetings are available by contacting the Public Records Department.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

2
5/3/21

Department: Parks, Fair & Facilities

WORK SESSION ☒ Meeting Date: 05.03.2021

REGULAR AGENDA ☒ Meeting Date: 05.11.2021

Required originals approved and attached? ☐

Will be provided on:

Item summary:

☐ Call for Hearing

☐ Contract/Agreement/MOU - Contract # 301-21-001

☐ Resolution

☐ Proclamation

☐ Budget Item

☐ Draft Ordinance

☐ Final Ordinance

☒ Notice of Call for Bids

Documents exempt from public disclosure attached: ☐

Executive summary:

Courthouse Pressure Wash and Minor Repair Project.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Yes, there is a budgetary impact. Funding for this project is approved in the 2021 REET I Project fund.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

I recommend the BOCC approve the attached Notice of Call for Bids and authorize the Chair to sign.

County Official signature & print name: Joel G. Winborn

Name of Employee/Stakeholder attending meeting: Joel G. Winborn (via Bluejeans)

Relevant Departments: Parks, Fair & Facilities

Date submitted: April 12, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

**CLALLAM COUNTY PARKS, FAIR & FACILITIES
DEPARTMENT**

NOTICE OF CALL FOR BIDS

SEALED BIDS will be received by the Board of Clallam County Commissioners at 223 East 4th Street, Room 150, Port Angeles, Washington until ***Tuesday, 10:00 AM PST, June 15, 2021***, at which time they will be publicly opened and read aloud for:

Clallam County Courthouse Pressure Wash and Minor Repair Project

Complete drawings and specifications may be obtained from Pen Print, Inc., 230 E. 1st Street, Port Angeles, WA 98362, phone 360.457.3404. All bidding and related questions should be directed to **Joel G. Winborn, Director, Clallam County Parks, Fair & Facilities.**

The sealed bids must be clearly marked on the outside of the envelope, "**Bid Proposal – Clallam County Courthouse Pressure Wash and Minor Repair Project**". Bid documents delivered to other offices and received late by the Commissioner's Office will not be considered nor will bids received by facsimile or e-mail.

Clallam County will determine the lowest responsible bidder in accordance with the terms of Clallam County Code Section 3.12, and further reserves the right to reject any or all bids received, or to accept the bid which in its estimation best serves the interests of Clallam County or to waive informalities in the bidding.

"Clallam County hereby notifies all that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined in Title VI of the Civil Rights Act of 1964 at 49 CFR Part 23 will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

Construction Timeframe: (45) Calendar Days to Final Completion

There will be a mandatory on-site walk-through conducted **Wednesday, June 9, 2021, at 2:00 PM PST**. Bidders shall meet at ***the Main Entrance of the Courthouse*** for a facility walk-through. Questions and clarifications will be taken at that time. This will be the only opportunity to access the facility so bring any tools needed to confirm information on drawings and specifications. We will then walk through the Project and all areas of work.

Date: _____

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST: _____

Please publish: (PDN) ***May 16th and 23rd, 2021***

Loni Gores, Clerk of the Board, CMC

END OF SECTION 001000



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

3
5/3/21

Department: Clallam County Health and Human Services

WORK SESSION ☒ **Meeting Date:** 5.3.21

REGULAR AGENDA ☒ **Meeting Date:** 5/11/21

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance
Funding Proposals | ☐ Final Ordinance | ☒ Other 2021 - 2023 Homelessness Program |

Documents exempt from public disclosure attached: ☐

Executive summary:

The attached report was submitted to the full Homelessness Task Force on April 6, 2021. The HTF has reviewed the attached recommendations made by the RFP Review Committee and have requested these be forwarded to the BOCC for approval.

If these recommendations are approved by the BOCC, Clallam County Health and Human Services will develop statements of work and contracts for final BOCC approval. 2021-2023 Homeless Housing And Assistance Funds (2163) RFP recommendations are in the amount of \$1,000,000.00. 2021-2023 Affordable Housing Funds (2060) RFP recommendations are in the amount of \$149,624.00.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Funds for proposals are in the HHS 2021 budget.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approval Please.

County Official signature & print name:  KEVIN LoPiccolo

Name of Employee/Stakeholder attending meeting: Jenny Oppelt and Kevin LoPiccolo

Relevant Departments: Health and Human Services

Date submitted:

* Work Session Meeting - Submit 1 single sided/not stapled copy 21-23 Homelessness Program Funding Recommendations agenda Item Summary 5.3.2121

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Revised: 3-04-2019

2021 – 2023 Homeless Program Funding (2163 & 2060) RFP Summaries and Recommendations

2163 - Homeless Housing and Assistance Funds:

Proposals: \$1,000,000 was available for the 2021-2023 cycle (\$500,000 per year) for homeless housing and assistance in Clallam County.

2060 – Affordable Housing Funds:

Proposals: \$ 170,000 was available for the 2021-2023 cycle (\$85,000 per year) for affordable housing in Clallam County.

Clallam County Health and Human Services received 15 proposals. Of these, 11 were for 2163 funding and 4 were for 2060 funding.

The total funds requested for 2163: **\$1,485,331.00**

The total funds requested for 2060: **\$ 149,624**

The following members volunteered to participate on the proposal review committee. Each member has no financial interests in any entity eligible to submit a proposal.

RFP Proposal Review Committee Members:

John DeBoer

Christy Smith

Corrie Matlock-Hightower

Mary Hogan

Patrice Varda-Daylo

Facilitators (not scoring proposals):

Jenny Oppelt

HHS provided review committee members a binder of information including the RFP, Scoring sheets, copy of each proposal in addition to agency audits or financial records. The process followed was similar to the previously used proposal selection processes. On March 22, 23 and 26, 2021, the review committee assembled virtually via Blue Jean where all 15 programs that submitted proposals provided a short presentation of their proposal and answered questions posed by the review committee members. The information provided helped clarify elements of the

proposals which ultimately helped in the final rating (i.e. recommended for funding/not recommended for funding/funded at a different rate than proposed) of the proposal.

The Review Committee discussed scores and information provided by agencies at intervals throughout the three days and again at the end of the last day.

Proposals and Recommendations: 2163 Funding:

	Agency	Title of Proposal	Description	Funds Request	Funds Recommended	Details
1.	Boys & Girls Club of the Olympic Peninsula	Life Skills Training & Evening Programming for Youth Experiencing or At Risk of Homelessness	Create a weekly Life Skills program for teens that will focus on the needs of youth at risk of, or experiencing, homelessness. Increase Teen Center hours of operation to include evenings, for teens who many not be sure where they will be sleeping that night. Build capacity for, and expand relationships with, other regional organizations service homeless youth and families.	2021-22 \$36,495 2022-23 \$46,035 Total: \$82,530	2021-22 \$36,495 2022-23 \$46,035 Total: \$82,530	Fully Fund. Clear proposal and budget. Youth oriented prevention of homelessness.
2.	Concerned Citizens	A Foot Forward: SNIFF	Support for people who experience homelessness by making sure the housing they have remains secure. Focus on providing support and assistance to homeless individuals and families by assisting these individuals in finding a home, getting a job, budgeting their money to sustain their home, gain life	2021-22 \$57,000 2022-23 \$57,000 Total: \$114,000	2021-22 \$38,734.85 2022-23 \$34,200.00 Total: \$72,934.85	Partially funded overall.

			skills.			
3.	Forks Abuse DBA Mariposa House	West End Hope	Provide shelter & housing support to domestic violence survivors and to provide emergency shelter & housing support to others with a history of trauma and significant barriers.	2021-22 \$36,974 2022-23 \$38,941 Total: \$75,915	2021-22 \$36,911.30 2022-23 \$38,916.80 Total: \$75,828.10	Fully Fund (with corrected indirect based on salaries only) based on historical use of funding and clear proposal and budget. West end program thus limited resources
4.	Healthy Families of Clallam County	Safely Home	Support services therapy, advocacy-based counseling, system/medical/legal advocacy, crisis intervention, 24/7/365 crisis line, emergency housing, emergency food and other basic needs, financial literacy education, short-term financial assistance i.e.; housing application fees, deposits, rental/utility assistance, cost of birth certificates, debt reduction and other client-identified needs.	2021-22 \$65,800 2022-23 \$67,800 Total: \$133,600	2021-22 \$61,708 2022-23 \$63,599 Total: \$125,307	Fully Fund (with corrected indirect based on salaries only) based on historical use of funding and clear proposal and budget.
5.	Lutheran Community Services Northwest	Healthy Families Project	Offer triage, basic needs assistance, eviction mitigation, in-take, goal setting and connection to critical community support to assist families and individuals as they move from homelessness to housed. Family center offers drop-in services with laundry, personal care items, food pantry,	2021-22 \$100,000 2022-23 \$100,000 Total: \$200,000	2021-22 \$64,534.85 2022-23 \$60,000 Total: \$124,534.85	Partially funded due to excess of ask, other projects with fewer resources.

			computer access, support in maintaining residence once housed, assistance with navigation of services available, and assistance in obtaining and keeping employment.			
6.	OlyCap	Sequim Warming Center	Warming Center is open in extreme weather for families and individuals to have a place where they can get out of the weather, get a warm drink and food, and to provide a link to services that they might not otherwise be able to access. Hours: 9 p.m. to 7 a.m. when the projected temperature is below 35 degrees.	2021-22 \$13,000 2022-23 \$13,000 Total: \$26,000	2021-22 \$13,000 2022-23 \$13,000 Total: \$26,000	
	North Olympic Regional Veteran's Housing Network	Sarge's Place Case Manager Salary	Funding for three-quarters of full-time case manager at homeless veterans shelter. Case manager works with clients daily, aids with medical/mental health/dental appointments, connects Veterans to community resources. Aids Veterans with referrals and connectivity to keep them from becoming homeless.	2021-22 \$40,809 2022-23 \$40,809 Total: \$81,618	2021-22 \$40,809 2022-23 \$40,809 Total: \$81,618	Fully fund (stable staff, clear success)
8.	Serenity House of Clallam County	Family Shelter Case Management	Salary for one FTE case manager who assists families as they move from living in tents or cars into sustainable households.	2021-22 \$42,000 2022-23 \$42,000	2021-22 \$30,000 2022-23 \$30,000	Portion funded due to underspending in 2020

				Total: \$84,000	Total: \$60,000	
9.	Serenity House of Clallam County	Shelter Funding for Shelter Aide Staff Supporting 24/7 Operations	In local Covid response, Serenity House has provided a shelter-in-place option for the homeless. This included 24x7 operations, providing 3 meals per day and additional security. Provide wraparound services in coordination with partnering agencies. Provides 8 aides for shelter, ensuring 3 people on each shift. They provide cleaning, laundry services, transportation to appointments, minor repairs, monitor restrooms and work with security.	2021-22 \$274,560 2022-23 \$274,560 Total: \$549,120	2021-22 \$147,280 2022-23 \$142,913.20 Total: \$290,193.20	Partially funded due to past use of funds throughout the agency, findings in audit, large ask
10.	TAFY	Bridging the Gap 10	This proposal is to provide funding for essential agency operational costs of mortgage, utilities, insurance, L&I, property taxes, and technology (fire system, security system, internet).	2021-22 \$43,424 2022-23 \$43,424 Total: \$86,848	2021-22 \$19,767 2022-23 \$19,767 Total: \$39,534	No indirect, insurance, prop. MORTGAGE ?? Tax, L&I (yes; tech, utilities)
11.	TAFY	STAR Fleet Operations	This program provides transitional housing and support for twenty men in early addiction recovery who would otherwise be homeless. Clients typically enter from an inpatient treatment program,	2021-22 \$27,775 2022-23 \$23,925 Total:	2021-22 \$10,760 2022-23 \$10,760 Total:	Funded portion to include: appliances, rental subsidies, utility, deposits, transportation, housing dep., wellness passes, clothing, and medical. Not funding indirect due to

			and are provided all the support services needed to exit them employed, housed, and instable recovery.	\$51,700	\$21,520	incorrect use, peer counselor/licensed pro. counselor due to duplication of accessible service in the community.
Total:				\$1,485,331	\$1,000,000	
Proposals and Recommendations: 2060 Funding:						
1.	Habitat for Humanity of Clallam County - Maloney Heights Raise the Roofs	Maloney Heights Raise the Roofs	Maloney Heights is a 14-house affordable home ownership community in Port Angeles. In 2022 we will begin construction on homes 13 & 14. This proposal is for new construction of the complete roof systems for these final two homes.	2021-22 \$0.00 2022-23 \$25,000 Total: \$25,000	2021-22 \$0.00 2022-23 \$25,000 Total: \$25,000	Fully fund. Clear proposal and budget.
2.	Healthy Families of Clallam County	Healthy Families Emergency Shelter	This proposal request will provide 65% of the cost of 7 emergency housing (shelter) master leased apartment units. The apartments provide emergency housing to victims of domestic/sexual violence, women, children and men. This program has trained staff for support and therapeutic services funded through other sources.	2021-22 \$35,607 2022-23 \$35,607 Total: \$71,214	2021-22 \$35,607 2022-23 \$35,607 Total: \$71,214	Fully fund. Clear proposal and budget.
3.	North Olympic Regional Veteran's Housing	Sarges Place Utilities & Capitol for Sequim	Funding to aid with the water, garbage removal and power bills associated with Sarge's Place shelter and Camp Sol Duc	2021-22 \$11,000 2022-23	2021-22 \$11,000 2022-23	Fully fund. Clear proposal and budget.

	Network	Homeless Veteran's House	permanent supportive housing project.	\$31,000 Total: \$42,000	\$31,000 Total: \$42,000	
4.	TAFY	Steps to the STARS	Two capital projects are needed for safety and to improve living conditions for clients in the STAR House clean and sober transitional housing program. A new roof for the small house will extend the longevity of that 80-year old living space as well as provide some badly needed insulation. The weathered, exterior staircase and small balcony, at the main entrance to the larger group living quarters, need replacement for ongoing client safety.	2021-22 \$1,410 2022-23 \$10,000 Total: \$11,410	2021-22 \$1,410 2022-23 \$10,000 Total: \$11,410	Fully fund. Clear proposal and budget.
	TOTAL			\$149,624	\$149,624	



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

4
5/3/21

Department: **Juvenile Services**

WORK SESSION ☒ Meeting Date: **05/03/2021**

REGULAR AGENDA ☐ Meeting Date:

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|---|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other Discussion <i>/approval</i> |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Community Prevention and Wellness Initiative aims to "increase the capacity to implement direct and environmental substance use disorder (SUD) prevention services in the community to prevent and reduce the misuse and abuse of alcohol, tobacco, marijuana, opioids, and other drugs.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

If selected, a budget change would be necessary to account for increased revenue and expenditures.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Review and sign.

County Official signature & print name:

Jody Jacobsen Jody Jacobsen

Name of Employee/Stakeholder attending meeting:

Randy Johnson Randy Johnson

Relevant Departments:

Juvenile Services Juvenile Services

Date submitted: 04/28/2021

* Work Session/Reg Meeting - Submit 2 single sided/not stapled copies + 2 AIS and 3 originals (stapled) + AIS
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Clallam County

Grant Application Information

DEPARTMENT: **Juvenile Services**

DATE SUBMITTED TO W/S: **4/28/21**

GRANT NAME: **Community Prevention and Wellness Initiative (CPWI)**

APPLICATION DEADLINE: **May 19, 21**

ISSUING AGENCY: **WA Health Care Authority** IS THIS A RENEWAL? **No**

LENGTH OF GRANT: **20 Months (July, 2021-March, 2023)**

RENEWAL POSSIBLE? **Unknown**

TOTAL AWARD: **\$220,000**

ANNUAL AMOUNT :**\$90,000 – year 1**
\$130,000 – year 2

MATCH REQUIRED? **No**

MATCH AMOUNT: **(Required by ESD)**

DESCRIPTION OF GRANT AND PURPOSE:

The Community Prevention and Wellness Initiative aims to “increase the capacity to implement direct and environmental substance use disorder (SUD) prevention services in community to prevent and reduce the misuse and abuse of alcohol, tobacco, marijuana, opioids, and other drugs.”

“The CPWI provides Community Coalitions with funding, training, and technical assistance for coordination, assessment, strategic planning, implementation, and evaluation of prevention services needed in their communities.”

EXPLAIN HOW THIS GRANT WILL BE USED FOR THE GOOD OF CLALLAM COUNTY CITIZENS:

“Communities are chosen based on the local rates of youth substance use, related problems, and the Community’s need and readiness to address these issues”. **Clallam County Port Angeles Educational Service District (ESD) 114 has been identified as an eligible High-Need Community - Cohort 7. (CPWI Coalitions already exist in Crescent and Forks).** CPWI support will help our community to:

- Build on past successes, and
- Measure more accurately how well prevention programs are meeting community goals
- Provide prevention training and programming for youth and/or their families

DOES THE GRANT ACTIVITY FURTHER THE DEPARTMENT'S MISSION OR CORE FUNCTIONS? HAS IT BEEN A PART OF LONG TERM DEPARTMENT OR COUNTY GOALS?

Yes, this grant activity fully supports the departments mission “to do whatever it takes to provide prevention, treatment, and accountability services” and complements our core functions with regard to services provided through Behavioral Health, Youth At-Risk, Truancy, CHINS, Dependency, Child Advocacy, Diversion, Probation, Detention and the Secure Crisis Residential Center. True Star Behavioral Health was created specifically to increase the capacity to implement youth SUD prevention services.

DOES THE GRANT ACTIVITY INCREASE AN EXISTING SERVICE OR ADD A NEW SERVICE? TO WHAT DEGREE? IF THE GRANT WERE NOT AVAILABLE, WOULD THE SERVICE HAVE BEEN NECESSARY?

The grant provides for funding a Coalition Coordinator charged with assessing the community, capacity building, strategic planning, and may include implementation. The grant also requires a commitment from the School District to place a Student Assistance Professional (SAP) within the middle or high school during the 2nd year of the funding. This is through a separate contract between OESD and the School District.

WHAT MEASUREMENTS (PERFORMANCE MEASURES) WILL BE USED TO EVALUATE THE SUCCESS OF THE ACTIVITIES PROVIDED BY THE GRANT? WILL PERFORMANCE MEASURES BE DEVELOPED?

A series of required activities are outlined in Section 1.8 – Scope of Work. The Coalition Coordinator will be required to enter data into the HCA online reporting system monthly. Coalitions are also required to participate in both the local and statewide evaluation processes conducted by the HCA.

DOES THE GRANT ACTIVITY CREATE A NEW SERVICE OR LEVEL OF SERVICE WHICH IS EXPECTED TO BE CONTINUED FROM LOCAL FUNDING AT THE END OF THE GRANT PERIOD?

Yes, the grant includes a request to address how the "organization expects to sustain the Coalition and future efforts beyond the contract term and/or additional HCA funding." (Section 3.3, #7). HCA will offer continuation RFAs with funding through March 2027 as possible

IF MATCHING FUNDS ARE REQUIRED, WHERE WILL THEY COME FROM? DOES THE DEPARTMENT HAVE EXISTING RESOURCES TO COVER MATCH REQUIREMENTS? FROM WHERE?

No match is required by the county. For year one, the ESD may contract for a SAP and would need to provide an in-kind match, typically in the form of office space, locking filing cabinet, front office support, program supplies, and/or copies. For year two, the ESD is required to contract for a SAP and must provide a 20% cash match (approximately \$15,000).

WILL THE ACTIVITY IN THIS GRANT HAVE IMPACTS ON OTHER DEPARTMENTS? HAS THIS BEEN DISCUSSED? DO OTHER DEPARTMENTS HAVE SUFFICIENT RESOURCES TO DEAL WITH ADDITIONAL IMPACTS?

The Human Resources Department will need to handle the hiring of the Coalition Coordinator. This would be a grant-termed, 20 month position and must be hired within 45 days of the start of the contract. The Information Technology Department would also be impacted at the time of hiring to assist with setting up computer, phone, and printers. No other departmental impacts are known at this time.

WILL NEW POSITIONS BE ADDED? IF SO, HOW MANY AND WHAT TYPE ARE EXPECTED? ARE ALL WAGES AND BENEFITS PAID IN THE GRANT? WHAT WILL HAPPEN TO THE POSITIONS WHEN THE GRANT PERIOD ENDS?

Yes, hiring one FTE Coalition Coordinator position is the requirement of the grant. All wages and benefits would be covered through the grant. The position ends upon termination of the grant.

DOES YOUR DEPARTMENT HAVE SUFFICIENT RESOURCES TO ADMINISTER THE GRANT? PROVIDE FOR TIMELY REIMBURSEMENT AND ACTIVITY REPORTS?

Yes, the Department of Juvenile and Family Services has sufficient resources to administer this grant and provide for timely reimbursement and activity reports. We have established working relationships with the HCA.

ARE THERE IMPACTS TO THE COUNTY IF THE GRANT IS NOT RECEIVED? WHAT ARE THEY?

The county has been identified as an eligible high-need community based on local

rates of youth substance use and related problems. We welcome the opportunity to provide meaningful assessment of current community needs, develop strategic planning, and implementation of prevention efforts in collaboration with all of our prevention partners.

ARE INDIRECT COSTS ALLOWABLE ON THIS GRANT? IF SO, ARE THERE LIMITATIONS? WILL THEY BE CHARGED AND ALLOCATED AS INDIRECT?

Yes, a maximum allocation of 8% is allowed for indirect costs. They will be charged and allocated as indirect.

ARE THERE OTHER ACTIVITIES (GRANT OR OTHERWISE) THAT ARE BUDGETED FOR THIS YEAR THAT WILL NOT BE COMPLETED IF THIS GRANT IS APPROVED?

No, this is a very specific grant-funded, 20 month initiative.

WHAT BUDGET CHANGES ARE NECESSARY? INCLUDE REVENUES AND EXPENDITURES.

If selected, a budget notification would need to be processed to account for the increased grant revenue and associated approved expenditures. A budget is not required to be submitted at the time of application, rather it will be developed post-award with support of the HCA Contract Manager (Section 1.7 – Budget Development).

OTHER COMMENTS

This RFA is dependent upon collaboration with the Port Angeles School District, ESD 114. It requires a commitment from the School District to provide a Student Assistance Professional (SAP) position in the high school or middle school, employed by the ESD no later than September 30, 2022. If the school district is not able to commit, this grant application is null and void.



ELECTED OFFICIAL/ DEPARTMENT HEAD SIGNATURE

Rich Sill, ADMINISTRATOR

APPROVAL

Submit in **duplicate** to the Board of Commissioners for Work Session discussion and approval by the Administrator prior to application for any grant. The approved form must be included with the grant contract when it is submitted to the Board for approval. Refer to Administrative Policies 120 and 562.

Washington State
Health Care Authority

STATE OF WASHINGTON
HEALTH CARE AUTHORITY

REQUEST FOR APPLICATIONS (RFA)

RFA NO. 2021HCA4

NOTE: *If you download this RFA from WEBS, you are responsible for monitoring the posting for updates and new amendments.*

PROJECT TITLE: Community Prevention and Wellness Initiative (CPWI) Cohort 7 Expansion

PROJECT SHORT TITLE: CPWI Cohort 7 Expansion

APPLICATION DUE DATE: May 19, 2021 by 2 p.m. pacific time, Olympia, Washington.

All Applications must be submitted electronically via email to the email address listed below. It is within HCA's sole discretion to accept submission in any other format.

ESTIMATED TIME PERIOD FOR CONTRACT: July 1, 2021 to March 14, 2023.

Amendments extending the period of performance, if any, will be at the sole discretion of HCA and will not extend past March 14, 2027. For administrative purposes, HCA reserves the right to distribute award of funds across multiple contracts over the time period of the grant.

HCA may use the results of this solicitation for future awards and contracts.

APPLICANT ELIGIBILITY: This procurement is open to those Applicants that satisfy the minimum qualifications stated herein and that are available for work in Washington State.

RFA CONTACT: The RFA Coordinator is the sole point of contact in HCA for this procurement. All communication between the Applicant and HCA upon release of this RFA must be with the RFA Coordinator, as follows:

Name	Cassie Bryden
Email Address	HCAProcurements@hca.wa.gov

Emails must have "RFA 2021HCA4" and "Cassie Bryden" in the subject line.

Any other communication will be considered unofficial and non-binding on HCA. Applicants are to rely on written statements issued by the RFA Coordinator. Communication directed to parties other than the RFA Coordinator may result in disqualification of the Applicant.

1. GENERAL INFORMATION.....	3
1.1. PURPOSE AND BACKGROUND.....	3
1.2. ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES.....	7
1.3. MINIMUM QUALIFICATIONS / ELIGIBILITY REQUIREMENTS	7
1.4. FUNDING PERIOD.....	8
1.5. DEFINITIONS	8
1.6. SPECIAL DEFINITIONS.....	8
1.7. BUDGET DEVELOPMENT.....	10
1.8. SCOPE OF WORK.....	11
2. APPLICATION PROCESS.....	12
2.1. QUESTIONS, ANSWERS, & CLARIFICATIONS	12
2.2. SUBMISSION OF APPLICATIONS	14
3. APPLICATION CONTENTS.....	15
3.1. COMPLETE AND RESPONSIVE APPLICATIONS.....	15
3.2. APPLICATION FACE PAGE (MANDATORY).....	15
3.3. PROJECT NARRATIVE (MANDATORY - SCORED) 10 Page Limit.....	15
3.4. SECTOR SUPPORT STATEMENTS (MANDATORY).....	17
3.5. SCHOOL DISTRICT READINESS TO BENEFIT & ESD SUPPORT (MANDATORY).....	17
3.6. LETTERS OF SUPPORT (SCORED - PRIORITY POINTS).....	17
3.7. APPLICANT INTAKE FORM (MANDATORY).....	18
4. EVALUATION AND CONTRACT AWARD	18
4.1. ACCEPTANCE PERIOD.....	18
4.2. EVALUATION WEIGHTING AND SCORING.....	18
4.3. MOST FAVORABLE TERMS	19
4.4. EVALUATION PROCEDURE.....	20
4.5. SUBSTANTIALLY EQUIVALENT SCORES.....	20
4.6. RFA NOTIFICATION TO APPLICANTS.....	20
4.7. DEBRIEFING OF UNSUCCESSFUL APPLICANTS.....	20
4.8. PROTEST PROCEDURE.....	21
5. RFA CONTENTS.....	22
5.1. RFA ATTACHMENTS AND EXHIBITS.....	22
6. GENERAL INFORMATION FOR APPLICANTS.....	30
6.1. CONTRACT AND GENERAL TERMS & CONDITIONS	30
6.2. PROPRIETARY INFORMATION / PUBLIC DISCLOSURE	30
6.3. NO OBLIGATION TO CONTRACT	30
6.4. REJECTION OF APPLICATIONS	30
6.5. COMMITMENT OF FUNDS.....	30
6.6. COMPLAINT PROCESS	30

1. GENERAL INFORMATION

1.1. PURPOSE AND BACKGROUND

The Washington State Health Care Authority, hereafter called "HCA," is initiating this Request for Applications (RFA) to solicit Applications from entities interested in participating in the Community Prevention and Wellness Initiative (CPWI) as a Cohort 7 Coalition. These Contracts will increase the capacity to implement direct and environmental substance use disorder (SUD) prevention services in communities to prevent and reduce the misuse and abuse of alcohol, tobacco, marijuana, opioids, and other drugs.

The CPWI model was formed in 2011 as a partnership with the Office of Superintendent of Public Instruction (OSPI), counties, Educational Service Districts (ESDs), schools and prevention Coalitions supporting communities in preventing SUD. Communities are chosen based on the local rates of youth substance use, related problems, and the Community's need and readiness to address these issues. To date, HCA funds CPWI prevention Coalitions in over 80 communities, located in all 39 counties and nine ESDs. The CPWI provides Community Coalitions with funding, training, and technical assistance for coordination, assessment, strategic planning, implementation, and evaluation of prevention services needed in their communities. This support helps communities build on their past successes and measure more accurately how well prevention programs are meeting goals. CPWI also provides funding to ESDs to support a minimum of one full-time Student Assistance Professional (SAP) position in each CPWI Community.

The following link provides access to the CPWI Community Coalition Guide (Guide) that will help provide direction for implementation of this project: www.TheAthenaForum.org/CPWIGuide. The implementation timeline described in the Guide will be negotiated with ASBs once Contracts are in place.

1.1.1. Applicant Types

There are two types of Applications included in this RFA, Type A and Type B. Type A Applicants will have an existing infrastructure to support the addition of a new CPWI Coalition or expand the focus of an existing Coalition to include a focus on substance use disorder prevention efforts. The purpose in providing the Applicant Type B option is to encourage and support new fiscal agents with a lower degree of readiness to join the CPWI initiative. HCA intends to provide additional technical assistance, training, and support to Type B Applicants, as well as any Type A Applicants that may need this additional support.

Both Type A and Type B Applicants will fill out the same Application forms. However, they will be scored independently of each other to acknowledge past experience and provide equity for new Applicants.

1.1.1.1. **Applicant Type A** - Applicants looking to add a new CPWI Coalition who identify with one of the following criteria:

- (i) Are a fiscal agent for an existing CPWI Coalition or Community Based Organization (CBO); and/or
- (ii) Have an existing subcontract under a CPWI who holds an existing contract with HCA/DBHR; or
- (iii) Have previously held a contract or subcontract with HCA/DBHR.

1.1.1.2. **Applicant Type B** - Applicants looking to become a new fiscal agent for a new CPWI Coalition who identify with one of the following criteria:

- (i) Have no existing contract and/or subcontract and are a new Applicant to HCA/DBHR; or
- (ii) Have an agreement as a Tribal government or an Urban Indian program.

1.1.2. Sources of Funding

It is the expectation of the HCA that the projects applied for through this Contract are not receiving duplicate funding from another grant or donation source. Contractors must use funding to Supplement and not Supplant existing prevention activities in their communities.

There are two (2) different sources of funding that each new CPWI Coalition may receive upon award, dependent upon availability of funding:

1.1.2.1. State Opioid Response (SOR); and

1.1.2.2. Substance Abuse Block Grant (SABG).

1.1.3. Maximum Funding

HCA intends to award approximately 10-20 new CPWI Coalition contracts to join Cohort 7, dependent upon availability of funding. Each Applicant Type has a maximum funding amount. Both Type A & Type B Applicants will be awarded contracts for a maximum of two years, any extensions will be based upon HCA's receipt of continued funding, successful implementation, and may be extended only through March 14, 2027.

Both Type A and Type B Applicants will receive a total of \$220,000:

1.1.3.1. \$90,000 in Year One, July 1, 2021 – June 30, 2022

1.1.3.2. \$130,000 in Year Two, July 1, 2022 – March 14, 2023

1.1.4. Multiple Contracts

HCA intends to award multiple Contract(s) to provide the services described in this RFA. Multiple Contracts may be awarded to one geographical area at HCA's sole discretion if it is deemed to be in the best interest of HCA and the state of Washington.

HCA's intends to award multiple contracts to provide quality and culturally competent Evidence-Based Programs, Research-Based Programs, and Promising Programs to address Substance Use Disorder Prevention. HCA intends to provide this funding to contractors to implement the CPWI model and associated deliverables.

1.1.5. Eligible Entities

Counties who HCA currently has a County Program Agreement for Prevention Services is the preferred Applicant. Should the County not wish to be the fiscal Applicant, the other eligible entities listed in this section are encouraged to collaborate and submit an Application from an agreed upon fiscal agent. If multiple organizations within an eligible Community are interested in applying they are encouraged to combine efforts and use their collaboration as an opportunity to submit the strongest Application possible.

HCA may award to the following:

- **Tribal Governments**
- **Tribal Organizations**
- **Urban-Indian-Health Programs**
- **Government Organizations**
 - County governments
 - City or township governments
 - Local governments
 - Special district governments
 - Law enforcement agencies

- **Education Organizations**
 - School districts
 - Private schools approved by the State Board of Education
 - Educational Service Districts (ESDs)
 - Public and state-controlled institutions of higher education
 - Private institutions of higher education
- **Non-Profit Organizations**
 - Nonprofits with 501(c)(3) status from the IRS, other than institutions of higher education, such as: youth service agencies, hospitals, faith-based organizations

1.1.6. Eligible High-need Communities

The eligible entities may apply for funds to support a Coalition only in one of the communities listed in Exhibit A, *High-Need Community List for CPWI Cohort 7*, or listed below:

County	Community/School District/HSAA** Name	ESD
Adams	Lind	101
Benton	Finley	123
Chelan	Manson	171
Clallam	Port Angeles	114
Clark	Vancouver: Columbia River HS**	112
Clark	Vancouver: Skyview HS**	112
Cowlitz	Kalama	112
Cowlitz	Kelso	112
Douglas	Bridgeport	171
Douglas	Eastmont	171
Grant	Soap Lake	171
Grant	Warden	171
Grant	Royal	105
Grant	Ephrata	171
Grays Harbor	Oakville	113
Grays Harbor	Ocosta	113
Grays Harbor	Elma	113
Grays Harbor	North Beach	113
Jefferson	Quilcene	114
King	Enumclaw	121
King	Federal Way	121
Kitsap	South Kitsap	114
Kittitas	Kittitas	105
Klickitat	White Salmon	112
Lewis	White Pass	113
Lincoln	Wilbur	101
Lincoln	Davenport	101
Okanogan	Okanogan	171
Okanogan	Methow Valley	171
Okanogan	Tonasket	171
Okanogan	Oroville	171
Pacific	Raymond	113

Pierce	Orting	121
Pierce	Eatonville	121
Pierce	White River	121
Pierce	Fife	121
Pierce	Tacoma: Mount Tahoma HS**	121
Pierce	Tacoma: Stadium HS**	121
Pierce	Tacoma: Lincoln HS**	121
Pierce	Sumner	121
Skagit	Burlington-Edison	189
Snohomish	Sultan	189
Snohomish	Granite Falls	189
Snohomish	Lakewood	189
Snohomish	Edmonds: Mountlake Terrace HS**	189
Spokane	Deer Park	101
Spokane	West Valley (Spokane)	101
Spokane	Riverside	101
Spokane	Medical Lake	101
Spokane	Spokane: Ferris HS**	101
Stevens	Colville	101
Thurston	Rainier	113
Thurston	Yelm	113
Thurston	Rochester	113
Walla Walla	Waitsburg	123
Whitman	Colfax	101
Yakima	Mabton	105
Yakima	Naches Valley	105
Yakima	Grandview	105
Yakima	Granger	105
Yakima	East Valley (Yakima)	105
Yakima	West Valley (Yakima)	105
Yakima	Selah	105

Please Note: High School Attendance Area (HSAA) - includes feeder schools.

1.1.7. Application Priorities

1.1.7.1. Highly Valued Priorities

HCA highly values Health Equity and reducing Health Disparities by providing substance use disorder prevention services to underserved communities or communities of color, veterans and military families, persons with disabilities, or members of LGBTQ communities.

1.1.8. HCA's Responsibilities and Obligations

HCA reserves the right, at its sole discretion, to adjust an Applicant's funding amount awarded, reject any and all Applications received without penalty, and to not issue any contract as a result of this RFA if deemed to be in the best interest of HCA and the state of Washington.

HCA will not be liable for any costs incurred by the Applicant in preparation of an Application submitted in response to this RFA, in conduct of a presentation, or any other activities related in any way to this RFA.

1.2. ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

HCA Release of Request for Applications	April 19, 2021
Pre-Application Webinar via GoToMeeting	April 26, 2021, 3-4:30 p.m. pacific time
Recorded Webinar & HCA Responses Posted	April 30, 2021
Questions Due from Applicants	Once per week, due by each Thursday at 4 p.m. pacific time: April 22 & 29 and May 6 & 13, 2021
HCA Responses Posted	To be posted each Tuesday following the Question Due dates by 5 p.m. pacific time: April 27 and May 4, 11, & 18, 2021
Applications Due Date	May 24, 2021 by 9 a.m. pacific time
Evaluate Applications	May 24, 2021 – June 4, 2021
Announce "Apparent Successful Applicant" and send notification via email to unsuccessful Applicants	June 10, 2021
Applicant Request for Debrief Due Date	June 15, 2021 by 4 p.m. pacific time
Hold Debriefing Conferences via Teams (if requested)	June 14-16, 2021
Begin Contract Negotiations	June 10-25, 2021
Estimated Contract Start Date	July 1, 2021

HCA reserves the right in its sole discretion to revise the above schedule.

Applicants are strongly encouraged to register as a vendor on Washington's Electronic Bid System (WEBS), at <https://fortress.wa.gov/ga/webs/> and to download a copy of this RFA from WEBS, in order to view any Amendments that are issued by HCA which may modify the terms of this RFA.

1.3. MINIMUM QUALIFICATIONS / ELIGIBILITY REQUIREMENTS

- 1.3.1. Licensed to do business in the state of Washington or provide a commitment that it will become licensed in Washington within thirty (30) calendar days of being selected as the Apparent Successful Applicant (ASA).
- 1.3.2. Proposed services must be expanding and enhancing services in the identified Community and Applicant must not Supplant existing funds for a project or activities.
- 1.3.3. Applicant must be an eligible entity as defined in Section 1.1, *Purpose and Background*, Subsection 1.1.4, within the state of Washington.
- 1.3.4. A minimum of one (1) year' experience with providing Substance Use Disorder prevention, or behavioral health services.

1.4. FUNDING PERIOD

The initial period of performance of any contract resulting from this RFA is tentatively scheduled to begin on or about July 1, 2021 and to end on March 14, 2023. Amendments extending the period of performance, if any, will be at the sole discretion of HCA and shall not extend past March 14, 2027. For administrative purposes, HCA reserves the right to distribute award of funds across multiple contracts over the time period of the grant.

Contracts will be awarded as a result of this procurement contingent upon the availability of funding. HCA may provide additional funding or de-obligate unused funds, if it is deemed by HCA, in its sole discretion, to be in HCA's best interest relative to the overall purpose and objective as stated herein.

Contractors must use funding to Supplement and not Supplant existing prevention activities in their communities.

1.5. DEFINITIONS

Apparent Successful Applicant or ASA – The Applicant selected as the entity to perform the anticipated services under this RFA, subject to completion of contract negotiations and execution of a written contract.

Applicant – Individual or company interested in the RFA that submits an Application in order to attain a contract with HCA.

Application – A formal offer submitted in response to this solicitation.

Authorized Representative – A person to whom signature authority has been delegated in writing, acting within the limits of his/her authority.

Health Care Authority or HCA – an executive agency of the state of Washington that is issuing this RFA.

Contract - The agreement between HCA and the ASA to carry out the ASA's proposed program.

Request for Application or RFA – Formal procurement document in which a service or need is identified but no specific method to achieve it has been chosen. The purpose of an RFA is to permit the Applicant Community to suggest various approaches to meet the need at a given price.

1.6. SPECIAL DEFINITIONS

Definitions specific to the purposes of this RFA include:

Action Plan – An approved work plan for planned services and activities to be implemented by the Coalition, to be developed by the resulting Contractor and HCA Contract Manager.

Budget – The approved cost justification and breakdown of planned services and activities to be implemented by the Coalition, to be developed by the resulting Contractor and HCA Contract Manager.

Coalition – Formal arrangement for cooperation and collaboration between groups or sectors of a Community. Each participant in the Coalition retains its identity, but all agree to work together toward a common goal of building a safe, healthy, and drug-free Community.

Coalition Coordinator – The Coalition Coordinator provides staff support to the Coalition through planning, problem solving, and implementation, as referenced on page 7 of the Community Coalition Guide.

Cohort 7 – The newest group of Coalitions to join the CPWI initiative.

Community – Geographic area within school district boundaries, or within High School Attendance Areas (HSAA), and their feeder schools.

Community Prevention and Wellness Initiative or CPWI – HCA substance use prevention delivery system that focuses prevention services in high-need communities in Washington State as selected and approved by HCA. The List of sites can be found in Exhibit B, *Existing HCA CPWI Coalitions*.

Division of Behavioral Health and Recovery or DBHR – The division of the Washington State Health Care Authority that provides program support for behavioral health including substance use disorder prevention and treatment, mental health promotion and treatment, and recovery support services.

Educational Service District or ESD – Regional agency described in RCW 28A.310.010 to (1) provide cooperative and informational services to local school districts; (2) assist the superintendent of public instruction and the state board of education in the performance of their respective statutory or constitutional duties; and (3) provide services to school districts and to the Washington state center for childhood deafness and hearing loss and the school for the blind to assure equal educational opportunities.

Evidence-Based Program or EBP – Program that has been tested in heterogeneous or intended populations that can be implemented with a set of procedures to allow successful replication in Washington. An EBP has had multiple randomized and/or statistically controlled evaluations, or one large multiple-site randomized and/or statistically controlled evaluation, and the weight of the evidence from a systematic review demonstrates sustained improvements in at least one of the desired outcomes.

Health Disparities – A particular type of health difference that is closely linked with social, economic, and/or environmental disadvantage. Health Disparities adversely affect groups of people who have systematically experienced greater obstacles to health based on their racial or ethnic group; religion; socioeconomic status; gender; age; mental health; cognitive, sensory, or physical disability; sexual orientation or gender identity; geographic location; or other characteristics historically linked to discrimination or exclusion.

Health Equity – The attainment of the highest level of health for all people. Achieving Health Equity requires valuing everyone equally with focused and ongoing societal efforts to address avoidable inequalities, historical and contemporary injustices, and the elimination of health and health care disparities.

Highly Valued Priorities - Items not scored during evaluation of Applications but deemed important and valued to include for more favorable consideration in the Application, evaluation, and Contract award process.

Priority Points – Extra points possible, in addition to the required scoring.

Project Narrative – Written answers to the questions included in Section 3.3, *Project Narrative*. Project Narrative describes the Programs an Applicant seeks to carry out if awarded a Contract.

State Opioid Response – The federal discretionary grant awarded by the Substance Abuse and Mental Health Services Administration to address opioid use disorder.

Student Assistance Professional or SAP – Hired by the Educational Services Districts in partnership with the Office of Superintendent of Public Instruction, a SAP provides universal and targeted prevention services to schools and students.

Substance Abuse Block Grant or SABG – The federal grant awarded by the Substance Abuse and Mental Health Services Administration with an objective to help plan, implement, and evaluate activities that prevent and treat substance abuse.

Substance Use Disorder Prevention and Mental Health Promotion Online Reporting System or Minerva – Online data entry system for documenting and reporting prevention services.
<https://www.theathenaforum.org/minerva>

Supplant – To take the place of and serve as a substitute funding for existing prevention activities in their communities.

Supplement – To enhance or add to the funding for existing prevention activities in their communities.

Target Audience – Indicated program participant a service is designed for based on the program design. A Community may determine Target Audience by geography or sub-population to ensure effective program delivery.

Year One or Year 1 – means the first full year of the Contract term, from July 1, 2021 through June 30, 2022, or the school year which runs from 2021 to 2022.

Year Two or Year 2 – means the start of the second year of the Contract term, specifically from July 1, 2022 through March 14, 2023, or through March 14, 2023 of the school year which runs from 2022 to 2023.

1.7. BUDGET DEVELOPMENT

Applicants will not be required to submit a Budget for this RFA. However, a Budget will be developed and planned post-award with the support of the HCA Contract Manager through the Coalition's strategic planning process.

1.7.1. Budgets that will be developed post-award must include the following components:

- 1.7.1.1. Salary and benefits for the Coalition Coordinator;
- 1.7.1.2. Coalition expenses, such as printing, materials, and costs for Community awareness events;
- 1.7.1.3. Prevention programs and strategy costs, including curriculum, supplies, and facilitator expenses; and
- 1.7.1.4. Public awareness costs, such as printing, advertising costs, and media buys.

1.7.2. The maximum allowed for indirect/administrative costs is 8% of the overall Budget to be used by the ASA to:

- 1.7.2.1. Cover all administrative expenses incurred by the awardee; and
- 1.7.2.2. Allow for all other funds to be applied to programmatic activities.

ASAs must adhere to the State of Washington procurement statutes for all purchases, contracts, travel, personnel, and per diem costs being paid for with Federal funds.

General materials and/or equipment purchases are not allowed by HCA in the Contract. Specific materials and/or equipment which are crucial to the success of the execution of the project may be applied for as Supplies.

These funds must be used to Supplement, enhance, or expand existing services for program activities and not replace those funds that have already been appropriated for the same purpose. Budgets must reflect the cost of the programmatic activities aligned with the proposed population reach. HCA will consider cost variances of programs relative to the proposed population reach in determining the potential impacts.

Contractors may not use grant funds to defray any costs that the recipient already is obligated to pay.

The possibility of Supplanting will be the subject of careful Application review, possible pre-award review, post-award monitoring, and audit of any finding.

1.8. SCOPE OF WORK

The work of ASAs shall include but not be limited to the following:

1.8.1. Required Community Coalition Strategies and Activities

- 1.8.1.1. 1.0 FTE for the Coalition Coordinator for capacity building, strategic planning, and may include program implementation. Exceptions to this requirement may be considered by HCA post award.

The Coalition Coordinator must be hired within 45 days of the Contract start date to adhere to the training plan timeline. If a Coalition Coordinator is not hired, the contractor must send a delegate person in place and is responsible for obtaining all required training materials and training the newly hired Coalition Coordinator.

- 1.8.1.2. Secure office space in designated Community for the Coalition Coordinator. The Coalition Coordinator is allowed to work virtually should public health concerns from the COVID-19 pandemic impact the ability for the Coalition Coordinator to be in-person, however the Coalition Coordinator should still reside within the Community.
- 1.8.1.3. Participate in contract and program orientation provided by HCA within first 30 days of being awarded funding.
- 1.8.1.4. Hold first Community Coalition meeting by September 30, 2021.
- 1.8.1.5. Hold a minimum of nine (9) monthly Coalition meetings.
- 1.8.1.6. Follow CPWI guidelines to either expand current Coalition infrastructure and strategic plan or develop a Coalition.
- 1.8.1.7. Conduct an assessment of the needs and resources of your organization.
- 1.8.1.8. By December 31, 2021, host at least one local town hall meeting to educate Community members about local youth substance use issues identified in needs assessment and engage expanded participation in Coalition activities.
- 1.8.1.9. By December 31, 2021, present the HCA-provided Key Leader Orientation to Community-leaders to gain-feedback-and support.
- 1.8.1.10. Coalitions must complete and have approved strategic plans on or before January 31, 2022.

1.8.2. Programs, Strategies, and Activities

Programs, strategies, and activities selected by the Community Coalition will be implemented

for Target Audience in which they are designed in an ongoing cycle as identified in Strategic Plan and Action Plan.

- 1.8.2.1. Funds shall be used to support program costs including staff for Coalition coordination, program planning, training, implementation, reporting, and evaluation.
- 1.8.2.2. Implement approved Action Plan beginning February 1, 2022.
- 1.8.2.3. Enter Coalition and prevention service data into the online reporting system designated by HCA in monthly schedule by the 15th of the month following the month of service.
- 1.8.2.4. Participate in prevention learning Community meetings as scheduled by DBHR, typically every other month.
- 1.8.2.5. Participate in monthly check-in phone calls with HCA Contract Manager or designee.
- 1.8.2.6. Participate in required trainings to be identified by DBHR.
- 1.8.3. Commitment from School District to Support SAPS Services

Type A and Type B Applicants have the option to choose to implement the Student Assistance Program (SAP) within Year One, or wait until Year Two of the Contract term. This must be indicated on Attachment 1, *Application Face Page* as well as within your Project Narrative, see Section 3.3. Both Applicants must have a full-time Student Assistance Program Specialist (SAPS) position in the high school or middle school, employed by the ESD no later than September 30, 2022. The SAPS will be funded through a separate contract between HCA and the ESD.

- 1.8.3.1. For sites selected to begin SAPS services in Year One, or the 2021-2022 school year, a 20% match is required.
 - (i) For Year One: in-kind match is allowed which may include office space, locking file cabinet, front office support, program supplies, and/or copies.
 - (ii) Year Two: A **20% local funds-cash match is required** for the 2022-2023 school year, and must be secured by July 30, 2022.
- 1.8.3.2. Establish a confidential setting for individual and group meetings.
- 1.8.3.3. Provide access to classroom time for prevention education and support students to attend group sessions.
- 1.8.3.4. Involve SAPS in student school-related drug and alcohol violations and when there is early indication of risk factors for other behavioral health concerns.
- 1.8.3.5. Participate in the Healthy Youth Survey administration for all schools in school district in partnership with the ESD.

2. APPLICATION PROCESS

2.1. QUESTIONS, ANSWERS, & CLARIFICATIONS

HCA will be bound only to HCA written answers to questions.

2.1.1. Questions Submitted via Email

Applicants may submit questions and requests for clarifications regarding this RFA in writing to HCAProcurements@hca.wa.gov.

2.1.1.1. Due each Thursday before 4 p.m. pacific time during the *Questions Due from Applicants* RFA period as specified in Section 1.2, *Estimated Schedule of Procurement Activities*.

2.1.1.2. All emails regarding this solicitation must reference “**RFA 2021HCA4**” and “**Cassie Bryden**”, in the subject line.

2.1.1.3. No phone calls or in-person inquiries will be accepted. Any verbal information received from any HCA employee or any other entity shall not constitute an official response to any questions regarding this RFA.

HCA responses will be posted per the *HCA Responses Posted* period as specified in Section 1.2, *Estimated Schedule of Procurement Activities*.

2.1.2. Pre-Application Webinar

All prospective Applicants should attend to discuss any questions they have regarding this RFA and the Application requirements. However, attendance is not mandatory.

2.1.2.1. A Pre-Application Conference is scheduled to be held **Monday, April 26, 2021, 3:00 – 4:30 p.m.**, pacific time.

2.1.2.2. Questions arising at the Pre-Application conference or in subsequent communication with the RFA Coordinator will be documented, answered in written form, and published on WEBS.

2.1.2.3. The Pre-Application Webinar will be recorded. To allow for future viewing of the recorded webinar, HCA will provide a link to the webinar in an amendment to the RFA posted in WEBS.

2.1.2.4. BEFORE JOINING:

(i) Be sure to check system requirements to avoid any connection issues;

(ii) GoToWebinar Link:

(iii) <https://attendee.gotowebinar.com/register/3134689373255838991>

(iv) Webinar ID: 460-469-339

(v) **Choose one of the following audio options:**

- To Use Your Computer's Audio:

When the webinar begins, you will be connected to audio using your computer's microphone and speakers (VoIP). A headset is recommended.

--OR--

- To Use Your Telephone:

If you prefer to use your phone, you must select "Use Telephone" after joining the webinar and call in using the numbers below.

United States: +1 (562) 247-8422

Access Code: 121-404-597

2.2. SUBMISSION OF APPLICATIONS

The Application must be received by the RFA Coordinator no later than the Applications Due Date in Section 1.2, *Estimated Schedule of Procurement*, and must be submitted electronically as an attachment to an email as follows:

- 2.2.1. Sent to **Cassie Bryden** at HCAProcurements@hca.wa.gov;
- 2.2.2. With the subject line: **RFA 2021HCA4 - Cassie Bryden**;
- 2.2.3. The Authorized Representative of the Applicant organization must be carbon copied (cc'd) on the submission email;
- 2.2.4. Application documents must:
 - 2.2.4.1. Be submitted with the same headings and in the same order as presented below and in Section 3, *Application Contents*:
 - (i) Application Face Page - *Attachment 1*;
 - (ii) Project Narrative;
 - (iii) Sector Support Statements Form - *Attachment 2*;
 - (iv) School District Readiness to Benefit and ESD Support Form - *Attachment 3*;
 - (v) Letters of Support; and
 - (vi) Applicant Intake Form - *Attachment 4*.
 - 2.2.4.2. Be composed using a font no smaller than 12-point Calibri or Times New Roman font;
 - 2.2.4.3. Include page numbers, "CPWI Cohort 7 Expansion", and RFA#: "2021HCA4" in the footer of each page;
 - 2.2.4.4. Adhere to any noted page limits as stated in Section 3, *Application Contents*;
- 2.2.5. Ensure all required signatures are captured & included;
 - 2.2.5.1. HCA will accept original, signed and scanned, and/or electronic signatures;
- 2.2.6. All Application documents must be compiled and submitted as one PDF file sent with the submission email. Zipped files will not be accepted by HCA; and
- 2.2.7. Any documents requiring signature must be signed by an individual within the organization authorized to bind the Applicant to the Application.

Failure to submit the Application by the date indicated above and/or as outlined above may result in the Applicant being found non-responsive.

Applicants must allow sufficient time to ensure timely receipt of the Application by the RFA Coordinator. Late Applications may not be accepted and could be automatically disqualified from further consideration, unless HCA email is found to be at fault. HCA does not assume responsibility for problems with Applicant's email. If HCA email is not working, appropriate allowances will be made.

All Applications and any accompanying documentation become the property of HCA and will not be returned.

3. APPLICATION CONTENTS

3.1. COMPLETE AND RESPONSIVE APPLICATIONS

3.1.1. MANDATORY / SCORED

Items marked "MANDATORY" must be included as part of the Application for the Application to be considered responsive; however, these items are not scored.

Items marked "SCORED" are those that are awarded points as part of the evaluation conducted by the evaluation team.

3.1.2. RESPONSIVE

An Application will be considered responsive if all pertinent information and documentation is included and it has been formatted and submitted as outlined in Section 2.2, Submission of Application, and this Section 3, *Application Contents*.

3.1.3. COMPLETE

Only complete Applications will be considered. For the purposes of this RFA, a complete Application must:

- 3.1.3.1. Include all required forms and supporting documents;
- 3.1.3.2. Restate each HCA question prior to the Applicant response, and all responses must completely answer each question; and
- 3.1.3.3. All pertinent information must be included in each response, the Applicant must not direct evaluators to another response or location for additional information.

3.2. APPLICATION FACE PAGE (MANDATORY)

The Application Face Page is used for tracking incoming Applications, contractor information, and proposed service areas. It should be signed and dated by a person authorized to legally bind the Applicant to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship.

3.3. PROJECT NARRATIVE (MANDATORY - SCORED)

10 Page Limit

Please provide complete information to the following questions to describe the proposed Coalition work for the CPWI Contract.

SCORING: The Project Narrative will be scored according to how well the Applicant answers each question. Each response to the Project Narrative questions below will be assessed and a score assigned during the evaluation process. If an Applicant cannot answer a specific question, then the reason for this must be explained within the answer to the question. Please refer to section 4.2, *Scoring* for additional details.

The Project Narrative must be completed and numbered in the order presented below, with each question restated above/before the response.

The Project Narrative is the same for both Type A and Type B Applicants.

1. Organization History (10 Points)

- a. Provide a brief history of your organization. Include experience with programs or efforts focused on substance use disorder (SUD) prevention.

- b. Describe how your organization is capable of supporting a Coalition to successfully implement the required strategies and activities outlined in Section 1.8, *Scope of Work*, and how each of the deadlines and expectations will be successfully reached, where applicable.

2. Getting Started/Capacity Building (20 points)

- a. Describe your plan to have a Coalition Coordinator hired within 45 days of the start of the Contract.
- b. Using Attachment 2, *Sector Support Statement Form*, you will submit a list of proposed sector representations that are required for CPWI implementation. In your response here, please provide a short explanation of the anticipated role and involvement of the Coalition or key stakeholders in the identified Community.
 - (i) The 10 page limit applies ONLY to the Project Narrative response. None of the Attachments or other Mandatory documentation will be included in, or counted towards, the Project Narrative 10 page limit.
- c. Discuss how or by whom the 20% match, approximately \$15,000, for the SAPS services will be secured if a Contract is awarded.
 - (i) **Year One: 20% match may be paid in-kind or cash.**
 - (ii) **Year Two: 20% cash match is required.** Cash match commitment for 2021-22 school year shall be secured by July 30, 2022.
- d. Describe the Applicant organization's collaborative relationship with the School District and identified school and how the partnership will be developed and/or strengthened.
- e. Discuss readiness to implement school prevention/intervention services as part of project and what steps you will take to increase readiness if necessary.

3. Assessment (10 points)

- a. Describe background of high-need Community you are applying for, including exact population size and descriptions of populations to be served, with a special focus on populations in need and local Health Disparities.
- b. Describe the substance use disorder needs as you currently understand them in the Community you intend to serve.

4. Planning (15 points)

- a. Provide a project timeline that includes the related tasks to ensure all strategies and activities will be completed within the required timelines. Please include the following:
 - (i) The steps you will take to begin to implement the required strategies within the first month of an executed Contract.
 - (ii) The steps you will take to begin to implement the required activities according to Section 1.8, *Scope of Work*.
 - (iii) Name the individual or group of individuals who will be responsible for timely follow through on required CPWI activities described in the RFA and the CPWI Community Coalition Guide.

5. Implementation (10 points)

- a. Provide an overview of how you propose to implement this work in your Community. The following link provides access to the CPWI Community Coalition Guide that will help provide direction for implementation of this project:
www.TheAthenaForum.org/CPWIGuide.
- b. Describe any barriers you foresee to implementing the work and how you may overcome them.

6. Evaluation (5 points)

- a. Coalitions are required to participate in local and statewide evaluation of prevention strategies and implementation services. Please attest that you will ensure that prevention activities are reported in the HCA provided reporting system no less than monthly, that you will ensure staff are trained and designated for reporting activities, and that you will participate in state level reporting upon request by HCA.

7. Sustainability (5 points)

- a. Describe how your organization expects to sustain the Coalition and future efforts to ensure efforts continue beyond this Contract term and/or additional HCA funding.

8. Health Equity (10 points)

- a. Provide examples of previous Health Equity work implemented by the Applicant.
- b. Describe how the newly developed Coalition will address Health Disparities to ensure equity and inclusion of all prevention services.

3.4. SECTOR SUPPORT STATEMENTS (MANDATORY)

A required component of the CPWI initiative is that prospective Community Coalitions have an existing level of support, buy-in, and engagement from key stakeholders and Community members to pursue this Coalition-based work.

A minimum of eight (8) out of a possible 12 sectors must be represented with the signature of an Authorized Representative of that sector. An Authorized Representative may provide representation for only one sector. Signatures may be obtained using Attachment 2, *Sector Support Statements Form*, on one or multiple pages, or as separate letters. Though HCA understands that sector support may change and evolve over the Contract term, a minimum of eight (8) sectors must be represented for the duration of the Contract.

3.5. SCHOOL DISTRICT READINESS TO BENEFIT & ESD SUPPORT (MANDATORY)

The School District Readiness to Benefit and ESD Support is a signed agreement from the School District of their commitment to partner with the identified high-need Community should this Community and school district be selected for the contract.

3.6. LETTERS OF SUPPORT (SCORED - PRIORITY POINTS)

Applicants are eligible to receive up to three (3) additional Priority Points by submitting Letters of Support. One (1) point per letter, three (3) letters maximum, for a maximum total of three Priority Points possible.

3.6.1. Community Letters of Support (3 points)

- 3.6.1.1. Applicants may receive Priority Points by submitting Letters of Support which

demonstrate collaboration or partnership with an existing Community Coalition.

- 3.6.1.2. Potential partners include entities that want to support increasing the substance use disorder prevention and mental health promotion and suicide prevention opportunities in your local Community including the provider's city's mayor, a local task force or Coalition, or a business partner outside of the Coalition.

3.7. APPLICANT INTAKE FORM (MANDATORY)

The Applicant Intake Form is used to verify the Applicant meets the Minimum Qualifications listed in Section 1.3, *Minimum Qualifications*. Any additional information collected is required by HCA to facilitate various internal contracting and payment processes and draft the Contract, should one be awarded.

4. EVALUATION AND CONTRACT AWARD

4.1. ACCEPTANCE PERIOD

Applicants must provide one hundred twenty (120) calendar days for acceptance by HCA from the due date for receipt of Applications.

4.2. EVALUATION WEIGHTING AND SCORING

Responses that pass all Mandatory requirements will be further evaluated and scored. Evaluators will evaluate and assign a score to each Scored requirement based on how well the Applicant's response addresses the requirement.

4.2.1. Scoring

PROJECT NARRATIVE		POINTS POSSIBLE
4.2.1.1	Organization History	10
4.2.1.2	Getting Started/Capacity Building	20
4.2.1.3	Assessment	10
4.2.1.4	Planning	15
4.2.1.5	Implementation	10
4.2.1.6	Evaluation	5
4.2.1.7	Sustainability	5
4.2.1.8	Health Equity	10
PROJECT NARRATIVE TOTAL		85
LETTERS OF SUPPORT		PRIORITY POINTS
4.2.1.9	Community Letters of Support	3
TOTAL POSSIBLE POINTS		88

- 4.2.2. HCA reserves the right, and intends to, distribute funds between Type A and Type B Applications based on score, geographic representation, available funding, and any other factors as HCA deems appropriate. This may include but is not limited to the following:

- 4.2.2.1. Community geographic location(s) to ensure distribution of projects statewide;
- 4.2.2.2. Overall Community risk ranking; and
- 4.2.2.3. Past performance of HCA/DBHR contracts.

HCA reserves the right to award contracts to the Applicants whose Applications are deemed to be in the best interest of HCA and the state of Washington.

Evaluators will assign each question a score on a scale of zero (0) to five (5) where the end and midpoints are defined as follows:

QUALITATIVE ASSESSMENT	DESCRIPTION
5 EXCELLENT	The Applicant organization provides substantive descriptions and relevant details in addressing the narrative question. A sound understanding of the topic is demonstrated and includes pertinent examples. All criteria are fully addressed without identified weaknesses.
4 VERY GOOD	The Applicant organization provides substantive descriptions and relevant details in addressing the narrative question, but the response is not fully comprehensive. Any identified weaknesses will likely have minor impact on the successful implementation of proposed project.
3 ACCEPTABLE	The Applicant organization provides a basic response to the narrative question but does not include sufficient detail or supporting documentation. There are some gaps and/or lack of clarity in describing how the Application will be implemented. Identified weaknesses will likely have some impact on the successful implementation of proposed project.
2 MARGINAL	The Applicant organization provides minimal details and insufficient descriptions that do not completely answer the narrative question. Limited information is presented, or the Applicant merely repeats back information included in the RFA. The Applicant may answer part of the narrative question but miss a key point or there are major gaps in the information presented. Application has some strengths but includes identified weaknesses that will likely impact the successful implementation of proposed project.
1 UNACCEPTABLE	The Applicant organization does not explicitly address the narrative question. The Applicant organization states the question, but does not elaborate on the response. As a result, the answer is completely deficient in addressing the narrative question.
0 NONRESPONSIVE	The Applicant organization skips or otherwise ignores the question or includes irrelevant information that does not answer the question. As a result, the answer is nonresponsive.

A score of a zero (0) or one (1) on any Scored requirement may cause the entire Application to be eliminated from further consideration.

4.3. MOST FAVORABLE TERMS

HCA reserves the right to make an award without further discussion of the Application submitted. Therefore, the Application should be submitted initially on the most favorable terms which the Applicant can propose. HCA reserve the right to contact an Applicant for clarification of its Application.

4.4. EVALUATION PROCEDURE

4.4.1. Administrative Review

RFA Coordinator will perform an error check of all submitted Applications for completeness and technical errors. If errors are found, HCA may provide Applicants an opportunity to address any incomplete questions and/or missing documents, and may prompt the Applicant to fix them. Applicants will not be able to submit their Application until all errors are fixed. Failure to respond by the date indicated by the RFA Coordinator and/or failure to submit the corrected documents by the date indicated may result in the Applicant being found non-responsive.

HCA also reserves the right at its sole discretion to waive minor administrative irregularities.

4.4.2. Responsiveness

Responsive Applications will be evaluated strictly in accordance with the requirements stated in this RFA and any addenda issued. The evaluation of Applications will be accomplished by an evaluation team(s), to be designated by HCA, which will determine the ranking of the Applications. Evaluations will be based upon only information provided in the Applicant's Application.

Applications that have passed Administrative Review will be reviewed and scored by an evaluation team using a weighted scoring system, Section 6.7, *Evaluation Weighting and Scoring*. Applications will be evaluated strictly in accordance with the requirements set forth in this RFA and any addenda issued.

4.5. SUBSTANTIALLY EQUIVALENT SCORES

Substantially equivalent scores are scores separated by two points or less in the final points scored. If multiple Applications receive a Substantially Equivalent Score, HCA may leave the matter as scored, or select as the ASA the Applications that are deemed by HCA, in its sole discretion, to be in HCA's best interest relative to the overall purpose and objective as stated in Sections 1 Purpose and Background, and Section 1.8, Scope of Work, of this RFA.

If applicable, HCA's best interest will be determined by HCA managers and executive officers, who have sole discretion over this determination. The basis for such determination will be communicated in writing to all Applicants with equivalent scores.

4.6. RFA NOTIFICATION TO APPLICANTS

HCA will notify the ASA(s) of their selection in writing upon completion of the evaluation process. Applicants whose Applications were not selected for further negotiation or award will be notified separately in writing.

4.7. DEBRIEFING OF UNSUCCESSFUL APPLICANTS

Any Applicant who submitted an Application and has been notified that it was not selected for contract award may request a debriefing. The request for a debriefing conference must be received by the RFA Coordinator no later than 5:00 p.m., pacific time, within three (3) business days after the Unsuccessful Applicant Notification is emailed to the Applicant. The debriefing will be held within three business days of the request, or as schedules allow.

Discussion at the debriefing conference will be limited to the following:

4.7.1. Evaluation and scoring of the Applicant's Application;

- 4.7.2. Critique of the Application based on the evaluation; and
- 4.7.3. Review of the Applicant's final score in comparison with other final scores without identifying the other Applicants.

Topics an Applicant could have raised as part of the complaint process (Section 2.10) cannot be discussed as part of the debriefing conference, even if the Applicant did not submit a complaint.

Comparisons between Applications, or evaluations of the other Applications will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of thirty minutes.

4.8. PROTEST PROCEDURE

A bid protest may be made only by Applicants who submitted a response to this RFA and who have participated in a debriefing conference. Upon completing the debriefing conference, the Applicant is allowed five business days to file a protest with the RFA Coordinator. Protests must be received by the RFA Coordinator no later than 4:30 p.m., pacific time, on the fifth business day following the debriefing. Protests may be submitted by email or by mail.

Applicants protesting this RFA must follow the procedures described below. Protests that do not follow these procedures will not be considered. This protest procedure constitutes the sole administrative remedy available to Applicants under this RFA.

All protests must be in writing, addressed to the RFA Coordinator, and signed by the protesting party or an authorized agent. The protest must state (1) the RFA number, (2) the grounds for the protest with specific facts, (3) complete statements of the action(s) being protested, and (4) the relief or corrective action being requested.

- 4.8.1. Only protests alleging an issue of fact concerning the following subjects will be considered:
 - 4.8.1.1. A matter of bias, discrimination, or conflict of interest on the part of an evaluator;
 - 4.8.1.2. Errors in computing the score; or
 - 4.8.1.3. Non-compliance with procedures described in the RFA or HCA requirements.

Protests based on anything other than those items listed above will not be considered. Protests will be rejected as without merit to the extent they address issues such as: 1) an evaluator's professional judgment on the quality of an Application; or 2) HCA's assessment of its own needs or requirements.

Upon receipt of a protest, HCA will undertake a protest review. The HCA Director, or an HCA employee delegated by the HCA Director who was not involved in the RFA, will consider the record and all available facts. If the HCA Director delegates the protest review to an HCA employee, the Director nonetheless reserves the right to make the final agency decision on the protest. The HCA Director or his or her designee will have the right to seek additional information from sources he or she deems appropriate in order to fully consider the protest.

If HCA determines in its sole discretion that a protest from one Applicant may affect the interests of another Applicant, then HCA may invite such Applicant to submit its views and any relevant information on the protest to the RFA Coordinator. In such a situation, the protest materials submitted by each Applicant will be made available to all other Applicants upon request.

The final determination of the protest will:

- 4.8.2. Find the protest lacking in merit and uphold HCA's action; or
- 4.8.3. Find only technical or harmless errors in HCA's acquisition process and determine HCA to be in substantial compliance and reject the protest; or

- 4.8.4. Find merit in the protest and provide options to the HCA Director, which may include:
 - 4.8.4.1. Correct the errors and re-evaluate all Applications; or
 - 4.8.4.2. Issue a new solicitation document and begin a new process; or
 - 4.8.4.3. Make other findings and determine other courses of action as appropriate.

If the protest is not successful, HCA will enter into a contract with the ASA(s), assuming the parties reach agreement on the contract's terms.

5. RFA CONTENTS

5.1. RFA ATTACHMENTS AND EXHIBITS

5.1.1. ATTACHMENTS

Attachments marked **“SCORED”** or **(S)** are those that are awarded points as part of the evaluation conducted by the evaluation team. Attachments marked **“MANDATORY”** or **(M)** must be included as part of the Application for it to be considered responsive; however, these items are not scored.

Any attachments that require signature must be signed by an individual authorized to legally bind the Applicant to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship.

- 5.1.2. The Attachments listed below and included in this RFA document are to be used as part of the Application and must ALL be completed and submitted as outlined in Sections 2.2, *Submission of Applications* and Section 3, *Application Contents*.

- 5.1.2.1. Attachment 1 – Application Face Page (M)

- 5.1.2.2. Attachment 2 – Sector Support Statements Form (M)

- 5.1.2.3. Attachment 3 – School District Readiness to Benefit and ESD Support Form (M)

- 5.1.2.4. Attachment 4 – Applicant Intake Form (M)

5.1.3. EXHIBITS

The Exhibits listed below and included in this RFA document are intended for informational purposes ONLY, no action is required of the Applicants.

- 5.1.4. Exhibit A – High-Need Community List for CPWI Cohort 7

- 5.1.5. Exhibit B – Existing HCA/DBHR CPWI Coalitions

ATTACHMENT 1 – Application Face Page

1. Organization Name	
2. Organization Mailing Address	
3. Organization Contact Person Name	
4. Organization Contact Person Title	
5. Organization Contact Person Email	
6. Organization Contact Person Phone Number	
7. Organization's DUNS Number	
8. Organization's Zip Code + 4 <i>* As Assigned by the US Postal Service</i>	
9. High-Need Community(ies) Served <i>* See Section 1.1.6, Eligible High-need Communities</i>	
10. School District - or - HSAA Service Area	
11. Applicant Type	☐ Type A Applicant ☐ Type B Applicant
12. Student Assistance Program Specialist (SAP) Implementation	Proposed school to be served by SAP: _____ Is the school district able and willing to implement SAPS services in Year One, beginning August 2021? ☐ Yes ☐ No
12. Is your Application complete? Please check box indicating that your Application includes the following: ☐ Application Face Page - <i>Attachment 1</i> ☐ Project Narrative ☐ Sector Support Statements Form - <i>Attachment 2</i> ☐ School District Readiness to Benefit and ESD Support Form - <i>Attachment 3</i> ☐ Letters of Support - <i>optional-Priority Points possible</i> ☐ Applicant Intake Form - <i>Attachment 4</i>	

On behalf of the Applicant submitting this Application, my name below attests to the accuracy of the above and attached statements and by signing below I certify that I am aware of this Application and supportive of its submission, and I am authorized to submit this Application on behalf of the Applicant agency.

SIGNATURE	NAME AND TITLE	DATE

ATTACHMENT 2: SECTOR SUPPORT STATEMENTS FORM

A required component of the CPWI initiative is that prospective Community Coalitions have an existing level of support, buy-in, and engagement from key stakeholders and Community members to pursue this Coalition-based work.

A minimum of eight (8) out of a possible 12 sectors must be represented with the signature of an Authorized Representative of that sector. An Authorized Representative may represent only one sector. Signatures may be obtained using this Attachment, on one or multiple pages, or as separate letters. HCA understands that sector support may change and evolve over the Contract period, a minimum of eight (8) sectors must be represented for the duration of the Contract.

I understand that the ***[Insert name of selected high-need Community]*** Community has been identified as a potential location for an increased focus of substance use disorder (SUD) prevention services. Signing this statement of support is a demonstration of my willingness to address SUD in my Community should this Community and school district be selected.

For that reason, I support the development of a Community Coalition with a SUD prevention focus to help keep our youth, young adults, and others free of alcohol and other drugs as they grow up in a healthier environment. As a demonstration of my commitment, I will actively participate in the Coalition meetings, sub-committees, events, and training opportunities sponsored by the Coalition. I will participate in the process of determining the root causes of the SUD problems that this Community faces and engage in the development of a logic model and work plan that meets prioritized needs.

SECTOR REPRESENTING	AGENCY/ORGANIZATION	PRINTED NAME	SIGNATURE
Youth			
Parent			
Law Enforcement			
Civic/Volunteer Group			
Business			
Healthcare Professionals			
Media			
School			
Youth-Serving Organization			
Religious/Fraternal Organization			
State/Local/Tribal Organization			
Other Substance Use Disorder Organization			

ATTACHMENT 3: School District Readiness to Benefit and ESD Support Form

ESD staff completing this form: _____ (Name) _____ (Title)

School District to be served: _____ Community to be served: _____

1. Summarize the commitment of school administration and staff to participate in Community Coalition process.
2. Describe school district history of working with Community partners relative to substance use disorder prevention/intervention programming.
3. Describe school district's history of providing or ensuring the delivery of successful behavioral health services.
4. Describe history of participation in Healthy Youth Survey (HYS).
5. School district will agree to the SAPS to be housed in the school building named below.
 Middle School or High School
- To begin in:
 ☐ Year One of the Contract, 2021-22 school year
 OR
 ☐ Year Two of the Contract, 2022-23 school year
6. If beginning in Year One: The School District is confident that the commitment to the match will be made by August 15, 2021, if funded.
 ☐ Yes ☐ No ☐ N/A, will begin in Year Two
7. Summarize the school district's commitment to support the Student Assistance Program Specialist to implement Project SUCCESS, including but not limited to the following key components: participation in the core team, delivering prevention presentations in the classroom, providing educational support groups, building an internal referral process, and providing staff training.
8. Please provide any other general comments about the readiness of the school district to with the Community Coalition.
9. Commit to participate in the Healthy Youth Survey implementation in October of odd years and provide school-level data results for Coalition/Community planning.
 ☐ Yes ☐ No

By signing below I, _____, certify that should this Application be successful, the ESD understands and agrees to provide and manage SAPISP services and support implementation as described within this Application within the required timeframes.

SIGNATURE: _____ DATE: _____

ATTACHMENT 4: Applicant Intake Form**Please complete every box/field, as applicable.****1. IDENTIFYING INFORMATION**

A) Applicant Legal Name:	
B) DBA or Facility Name:	
C) WA Uniform Business Identifier (UBI) Number*:	
D) Taxpayer Identification Number (TIN):	
E) Are you a woman, minority or veteran owned business or a small business? If yes, please provide certification number:	

2. APPLICANT ADDRESS

A) Number, Street, Apartment, Suite:	
B) City, State, Zip Code + 4:	
C) Email Address:	
D) Phone Number:	

3. APPLICANT PRIMARY CONTACT

A) Full Name:	
B) Email Address:	
C) Phone Number:	
Authorized to Sign Contracts? ☐ Yes ☐ No - If "No" is selected, Section 4 is REQUIRED.	

4. APPLICANT SIGNATORY**5. CONTRACT CONTACT**

A) Full Name:		A) Full Name:	
B) Email Address:		B) Email Address:	
C) Phone Number:		C) Phone Number:	

6. MINIMUM QUALIFICATIONS – Please indicate whether each statement below is True or False.

Applicant is currently licensed to do business in the state of Washington or by indication here commits to become licensed in Washington within thirty (30) calendar days of being selected as the ASA.	TRUE ☐ FALSE ☐
The services the Applicant proposes will expand and enhance services in the Community identified and the Applicant shall not Supplant existing funds for a project or activities.	TRUE ☐ FALSE ☐
The Applicant is an eligible entity as defined in Section 1.1, <i>Purpose and Background</i> , Subsection 1.1.4, within the state of Washington.	TRUE ☐ FALSE ☐
The Applicant currently has a minimum of one (1) year' experience with providing Substance Use Disorder prevention, or behavioral health services.	TRUE ☐ FALSE ☐
*If the Applicant does not have a UBI number, the Applicant must confirm that it will become licensed in Washington within 30 calendar days of being selected as the Apparent Successful Applicant (ASA).	TRUE ☐ FALSE ☐

On behalf of the Applicant submitting this Application, my name below attests to the accuracy of the above and attached statements and by signing below I certify that I am aware of this Application and supportive of its submission, and I am authorized to submit this Application on behalf of the Applicant agency.

AUTHORIZED SIGNATURE	NAME / TITLE	DATE

EXHIBIT A – High-Need Community List for CPWI Cohort 7

County	Community/School District/HSAA** Name	ESD
Adams	Lind	101
Benton	Finley	123
Chelan	Manson	171
Clallam	Port Angeles	114
Clark	Vancouver: Columbia River HS**	112
Clark	Vancouver: Skyview HS**	112
Cowlitz	Kalama	112
Cowlitz	Kelso	112
Douglas	Bridgeport	171
Douglas	Eastmont	171
Grant	Soap Lake	171
Grant	Warden	171
Grant	Royal	105
Grant	Ephrata	171
Grays Harbor	Oakville	113
Grays Harbor	Ocosta	113
Grays Harbor	Elma	113
Grays Harbor	North Beach	113
Jefferson	Quilcene	114
King	Enumclaw	121
King	Federal Way	121
Kitsap	South Kitsap	114
Kittitas	Kittitas	105
Klickitat	White Salmon	112
Lincoln	Wilbur	101
Lincoln	Davenport	101
Okanogan	Okanogan	171
Okanogan	Methow Valley	171
Okanogan	Tonasket	171
Okanogan	Oroville	171
Pacific	Raymond	113

County	Community/School District/HSAA** Name	ESD
Pierce	Orting	121
Pierce	Eatonville	121
Pierce	White River	121
Pierce	Fife	121
Pierce	Tacoma: Mount Tahoma HS**	121
Pierce	Tacoma: Stadium HS**	121
Pierce	Tacoma: Lincoln HS**	121
Pierce	Sumner	121
Skagit	Burlington-Edison	189
Snohomish	Sultan	189
Snohomish	Granite Falls	189
Snohomish	Lakewood	189
Snohomish	Edmonds: Mountlake Terrace HS**	189
Spokane	Deer Park	101
Spokane	West Valley (Spokane)	101
Spokane	Riverside	101
Spokane	Medical Lake	101
Spokane	Spokane: Ferris HS**	101
Stevens	Colville	101
Thurston	Rainier	113
Thurston	Yelm	113
Thurston	Rochester	113
Walla Walla	Waitsburg	123
Whitman	Colfax	101
Yakima	Mabton	105
Yakima	Naches Valley	105
Yakima	Grandview	105
Yakima	Granger	105
Yakima	East Valley (Yakima)	105
Yakima	West Valley (Yakima)	105
Yakima	Selah	105

EXHIBIT B – Existing HCA/DBHR Community and Wellness Initiative (CPWI) Coalitions

CPWI Coalition Community or High School Service Area (HSSA)	County	ESD
Othello	Adams	101
Clarkston	Asotin	123
Benton City Kennewick Prosser	Benton	123
Wenatchee	Chelan	114
Crescent School District Forks	Clallam	114
Central Vancouver Washougal West Vancouver	Clark	112
Dayton	Columbia	123
Castle Rock Dayton	Cowlitz	112
Waterville	Douglas	171
Republic	Ferry	101
Pasco School District	Franklin	123
Pomeroy	Garfield	123
Moses Lake Quincy Wahluke	Grant	171
Aberdeen Hoquiam	Grays Harbor	113
Oak Harbor South Whidbey	Island	189
Chimacum Port Townsend	Jefferson	113
Auburn North Highline Central Seattle SE Seattle SW Seattle Vashon	King	121
Bremerton North Kitsap	Kitsap	114
Cle-Elum/Roslyn Ellensburg	Kittitas	105
Goldendale Klickitat/Lyle	Klickitat	105
Centralia Morton/White Pass	Lewis	113
Reardon	Lincoln	101
North Mason (Belfair) Shelton	Mason	113
Omak	Okanogan	171

CPWI Coalition Community or High School Service Area (HSSA)	County	ESD
Long Beach South Bend	Pacific	112
Cusick Newport Selkirk	Pend Oreille	101
Bethel School District City of Lakewood Franklin-Pierce	Pierce	121
San Juan	San Juan	189
Concrete Mt. Vernon Sedro Woolley	Skagit	189
Stevenson-Carson	Skamania	112
Darrington Marysville Monroe	Snohomish	189
Cheney East Valley NE Spokane Shadle Park West Central	Spokane	101
Springdale Wellpinit	Stevens	101
Tenino Tumwater	Thurston	113
Cathlamet	Wahkiakum	112
Walla Walla	Walla Walla	123
Bellingham Ferndale Mt. Baker	Whatcom	189
Tekoa	Whitman	101
Highland Sunnyside Wapato White Swan Yakima	Yakima	105

6. GENERAL INFORMATION FOR APPLICANTS

6.1. CONTRACT AND GENERAL TERMS & CONDITIONS

The ASA will be expected to enter into a contract with HCA. HCA's general contract terms and conditions apply, and are available for review in the WEBS posting.

If, after the announcement of the ASA, and after a reasonable period of time, the ASA and HCA cannot reach agreement on acceptable terms for the Contract, HCA may cancel the selection and Award the Contract to the next most qualified Applicant.

6.2. PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

Applications submitted in response to this RFA will become the property of HCA. All Applications received will remain confidential until the ASA is announced; thereafter, the Applications will be deemed public records as defined in chapter 42.56 of the Revised Code of Washington (RCW). Exceptions considered only if Applicant identifies content as proprietary in their Application materials.

6.3. NO OBLIGATION TO CONTRACT

This RFA does not obligate HCA to enter into any contract for services specified herein.

6.4. REJECTION OF APPLICATIONS

HCA reserves the right, at its sole discretion, to reject any and all Applications received without penalty and not to issue any contract as a result of this RFA.

6.5. COMMITMENT OF FUNDS

The Director of HCA or his/her delegate is the only individual who may legally commit HCA to the expenditures of funds for a contract resulting from this RFA. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

6.6. COMPLAINT PROCESS

6.6.1. Vendors may submit a complaint to HCA based on any of the following:

- 6.6.1.1. The RFA unnecessarily restricts competition;
- 6.6.1.2. The RFA evaluation or scoring process is unfair or unclear; or
- 6.6.1.3. The RFA requirements are inadequate or insufficient to prepare a response.

6.6.2. A complaint must be submitted to HCA prior to five business days before the bid response deadline. The complaint must:

- 6.6.2.1. Be in writing;
- 6.6.2.2. Be sent to the RFA Coordinator in a timely manner;
- 6.6.2.3. Clearly articulate the basis for the complaint; and
- 6.6.2.4. Include a proposed remedy.

The RFA Coordinator will respond to the complaint in writing. The response to the complaint and any changes to the RFA will be posted on WEBS. The Director of HCA will be notified of all complaints and will be provided a copy of HCA's response. An Applicant or potential Applicant cannot raise during a bid protest any issue that the Applicant or potential Applicant raised in a complaint. HCA's action or inaction in response to a complaint will be final. There will be no appeal process.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

5
5/3/21

Department: Extension/Noxious Weed Control

WORK SESSION ☐ Meeting Date: 5-3-21

REGULAR AGENDA ☒ Meeting Date: 5-11-21

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- ☐ Call for Hearing ☒ Contract/Agreement/MOU - Contract # 13001-381-21-001 Amendment 2
- ☐ Resolution ☐ Proclamation ☐ Budget Item
- ☐ Draft Ordinance ☐ Final Ordinance ☐ Other

Documents exempt from public disclosure attached: ☐

Executive summary:

A modification to increase funding under a current USFS agreement.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
Budget impact has been included in the 2021 budget.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Please approve.

County Official signature & print name: Cathy Lucero

Name of Employee/Stakeholder attending meeting: Cathy Lucero

Relevant Departments: Noxious Weed Control Board
Date submitted: 4-28-21

* Work Session Meeting - Submit 1 single sided/not stapled copy
Agenda Item SummaryMod2-2018 TitleII Funds master agreement5-4-21Regularsession

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Revised: 3-04-2019

13001.381.21.001



USDA Forest Service

OMB 0596-0217
FS-1500-19

MODIFICATION OF GRANT OR AGREEMENT			PAGE 1	OF PAGES 8
1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 18-PA-11060900-005 (Clallam and Jefferson County Noxious Weed Inventory and Treatment)	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY:	3. MODIFICATION NUMBER: 002		
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Olympic National Forest 1835 Black Lake Boulevard, SW Olympia, WA 98512	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): Olympic National Forest 1835 Black Lake Boulevard, SW Olympia, WA 98512			
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Clallam, County of 223 E 4th St Port Angeles, WA 98362	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only):			
8. PURPOSE OF MODIFICATION				
CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.			
☐	CHANGE IN PERFORMANCE PERIOD:			
☒	CHANGE IN FUNDING: Add funding \$100,000.00			
☒	ADMINISTRATIVE CHANGES: Update U.S. Forest Service Contacts - see box 9			
☐	OTHER (Specify type of modification):			
Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.				
9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed): This modification is to add funding in the amount of \$100,000.00. Any previously obligated funds will remain available.				
The following provisions are updated to reflect this modification: IV. A. PAYMENT/REIMBURSEMENT. The U.S. Forest Service shall reimburse the Cooperator for the U.S. Forest Service's share of actual expenses incurred, not to exceed \$100,000.00 as shown in the Financial Plan, Attachment A.2. The U.S. Forest Service shall make payment upon receipt of the Cooperator's monthly invoice. Each invoice from the Cooperator shall display the total project costs for the billing period, separated by U.S. Forest Service and the Cooperator's share. In-kind contributions must be displayed as a separate line item and must not be included in the total project costs available for reimbursement. The final invoice must display the Cooperator's full match towards the project, as shown in the financial plan, and be submitted no later than 90 days from the expiration date.				
Each invoice must include, at a minimum:				
1. Cooperator's name, address, and telephone number.				
2. U.S. Forest Service agreement number.				
3. Invoice date.				
4. Performance dates of the work completed (start & end).				
5. Total invoice amount for the billing period, separated by the U.S. Forest Service and Cooperator share with in-kind contributions displayed as a separate line item.				
6. Display all costs, both cumulative and for the billing period, by separate cost element as shown on the financial plan.				
7. Cumulative amount of the U.S. Forest Service payments to date.				
8. Statement that the invoice is a request for payment by 'reimbursement'.				
9. If using SF-270, a signature is required.				
10. Invoice Number, if applicable.				
The invoice shall be forwarded to:				
EMAIL: SM.FS.asc_ga@usda.gov				
FAX: 877-687-4894				



POSTAL: USDA Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
101B Sun Ave NE
Albuquerque, NM 87109

Send a copy to: Cheryl Bartlett, Forest Botanist
Olympic National Forest
1835 Black Lake Boulevard, SW
Olympia, WA 98512
(360) 956-2283
cheryl.bartlett@usda.gov

V. A. PRINCIPLE CONTACTS

U.S. Forest Service Program Manager Contact - Cheryl Bartlett, Forest Botanist, Olympic National Forest, 1835 Black Lake Blvd SW, Olympia, WA 98512, (360) 956-2283, cheryl.bartlett@usda.gov
U.S. Forest Service Administrative Contact - Amy Verellen, Lead Grants Management Specialist, 215 Melody Lane, Wenatchee, WA 98801, (509) 664-9231, amy.verellen@usda.gov

V.L. LIMITATION OF FUNDS. U.S. Forest Service funds in the amount of \$100,000.00 are currently available for performance of this agreement through November 30, 2023; previously obligated funds remaining will be available through the expiration date of this agreement. The U.S. Forest Service's ability to provide additional funding is contingent upon the availability of appropriated funds from which payment can be made. There is no legal liability on the part of the U.S. Forest Service for any payment above this amount until the Cooperator receives notice of availability confirmed in a written modification by the U.S. Forest Service.

J.10. FEDERAL TORT CLAIMS ACT. The United States, acting by and through the U.S. Forest Service, hereby agrees to bear any and all liabilities of any kind related to the exercise of the U.S. Forest Service's rights under the Federal Tort Claims Act (FTCA), 28 U.S.C. 2671 et. seq., or any other applicable act wherein Congress specifically waived sovereign immunity of the United States.

10. ATTACHED DOCUMENTATION (Check all that apply):

☐	Revised Scope of Work
☒	Revised Financial Plan
☐	Other:

11. SIGNATURES

AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. CLALLAM COUNTY SIGNATURE	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE	11.D. DATE SIGNED
(Signature of Signatory Official)		(Signature of Signatory Official)	
11.E. NAME (type or print): MARK OZIAS		11.F. NAME (type or print): KELLY D. LAWRENCE	
11.G. TITLE (type or print): Commissioner Chair, Clallam County		11.H. TITLE (type or print): Forest Supervisor, Olympic National Forest	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by: KELLY UNDERWOOD Digitally signed by KELLY UNDERWOOD Date: 2021.04.21 16:01:00 -07'00' KELLY M. UNDERWOOD U.S. Forest Service Grants & Agreements Specialist	12.B. DATE SIGNED (Mod 02; 18-PA-11060900-005)
--	---



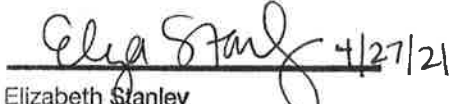
Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

Approved as to form only by:


Elizabeth Stanley
Civil Deputy Prosecuting Attorney
Clallam County

U.S. Forest Service

OMB 0596-0217
FS-1500-17B

Attachment: A.2

USFS Agreement No.: 18-PA-11060900-005
Cooperator Agreement No.:

Mod. No.: 2

Note: This Financial Plan may be used when:
(1) No program income is expected and
(2) The Cooperator is not giving cash to the FS and
(3) There is no other Federal funding

Agreements Financial Plan (Short Form)

Financial Plan Matrix: Note: All columns may not be used. Use depends on source and type of contribution(s).

	FOREST SERVICE CONTRIBUTIONS		COOPERATOR CONTRIBUTIONS		(e) Total
	(a) Noncash	(b) Cash to Cooperator	(c) Noncash	(d) In-Kind	
COST ELEMENTS					
Direct Costs					
Salaries/Labor	\$13,384.80	\$75,880.00	\$18,035.00	\$900.00	\$108,199.80
Travel	\$0.00	\$5,400.00	\$5,400.00	\$0.00	\$10,800.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Supplies/Materials	\$0.00	\$3,108.19	\$1,800.00	\$0.00	\$4,908.19
Printing	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other					\$0.00
Subtotal	\$13,384.80	\$84,388.19	\$25,235.00	\$900.00	\$123,907.99
Coop Indirect Costs		\$15,611.81	\$4,668.48		\$20,280.29
FS Overhead Costs	\$1,606.18				\$1,606.18
Total	\$14,990.98	\$100,000.00	\$29,903.48	\$900.00	
Total Project Value:					\$145,794.45

Matching Costs Determination	
Total Forest Service Share = (a+b) ÷ (e) = (f)	(f) 78.87%
Total Cooperator Share (c+d) ÷ (e) = (g)	(g) 21.13%
Total (f+g) = (h)	(h) 100.00%

WORKSHEET FOR

FS Non-Cash Contribution Cost Analysis, Column (a)

Salaries/Labor

Standard Calculation

Job Description	Cost/Day	# of Days	Total
Invasive Plant Program Coordinator	\$297.44	45.00	\$13,384.80
Total Salaries/Labor			\$13,384.80

Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips	Total
				\$0.00
Total Travel				\$0.00

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days	Total
				\$0.00
Total Equipment				\$0.00

Supplies/Materials

Standard Calculation

Supplies/Materials	# of Items	Cost/Item	Total
			\$0.00
Total Supplies/Materials			\$0.00

Printing

Standard Calculation

Paper Material	# of Units	Cost/Unit	Total
			\$0.00
Total Printing			\$0.00

Other Expenses

Standard Calculation

Item	# of Units	Cost/Unit	Total
			\$0.00
Total Other			\$0.00

Subtotal Direct Costs

\$13,384.80

Forest Service Overhead Costs

Current Overhead Rate	Subtotal Direct Costs	Total
12.00%	\$13,384.80	\$1,606.18
Total FS Overhead Costs		\$1,606.18

TOTAL COST

\$14,990.98

WORKSHEET FOR

FS Cash to the Cooperator Cost Analysis, Column (b)

Salaries/Labor

Standard Calculation

Job Description	Cost/Day	# of Days	Total
NWCB Coordinator	\$438.00	60.00	\$26,280.00
Field Technician	\$155.00	320.00	\$49,600.00
Total Salaries/Labor			\$75,880.00

Travel

Standard Calculation

Travel Expense	Cost/day	# days	Total
County Owned Vehicle	\$45.00	120.00	\$5,400.00
(insurance, gas, repairs)			\$0.00
Total Travel			\$5,400.00

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days	Total
				\$0.00
Total Equipment				\$0.00

Supplies/Materials

Standard Calculation

Supplies/Materials	# of Items	Cost/Item	Total
Herbicide and equipment, equipment repair, PPEs	1.00	\$3,108.19	\$3,108.19
Total Supplies/Materials			\$3,108.19

Printing

Standard Calculation

Paper Material	# of Units	Cost/Unit	Total
			\$0.00
Total Printing			\$0.00

Other Expenses

Standard Calculation

Item	# of Units	Cost/Unit	Total
			\$0.00
Total Other			\$0.00

Subtotal Direct Costs

\$84,388.19

Cooperator Indirect Costs

Current Overhead Rate	Subtotal Direct Costs	Total
18.50%	\$84,388.19	\$15,611.81
Total Coop. Indirect Costs		\$15,611.81

TOTAL COST

\$100,000.00

WORKSHEET FOR

Cooperator Non-Cash Contribution Cost Analysis, Column (c)

Salaries/Labor				
Standard Calculation				
Job Description	Cost/Day	# of Days		Total
NWCB Coordinator	\$438.00	20.00		\$8,760.00
Weed Specialist	\$265.00	35.00		\$9,275.00
Total Salaries/Labor				\$18,035.00

Travel				
Standard Calculation				
Travel Expense	Cost/Day	# of days		Total
County Owned Vehicle	\$45.00	120.00		\$5,400.00
(fuel, depreciation, insurance, repair, maintenance)				\$0.00
Total Travel				\$5,400.00

Equipment				
Standard Calculation				
Piece of Equipment	# of Units	Cost/Day	# of Days	Total
				\$0.00
Total Equipment				\$0.00

Supplies/Materials				
Standard Calculation				
Supplies/Materials	# of Items	Cost/Item		Total
Herbicide and applicators, small tools, repairs, PPE	1.00	\$1,800.00		\$1,800.00
Total Supplies/Materials				\$1,800.00

Printing				
Standard Calculation				
Paper Material	# of Units	Cost/Unit		Total
				\$0.00
Total Printing				\$0.00

Other Expenses				
Standard Calculation				
Item	# of Units	Cost/Unit		Total
				\$0.00
Total Other				\$0.00

Subtotal Direct Costs	\$25,235.00
------------------------------	--------------------

Cooperator Indirect Costs				
Current Overhead Rate	Subtotal Direct Costs			Total
18.50%	\$25,235.00			\$4,668.48
Total Coop. Indirect Costs				\$4,668.48

TOTAL COST	\$29,903.48
-------------------	--------------------

WORKSHEET FOR

Cooperator In-Kind Contribution Cost Analysis, Column (d)

Salaries/Labor

Standard Calculation

Job Description	# of Members	Cost/Hour	# of Hours	# of Meetings	Total
Clallam County Volunteer Board Members	5	\$15.00	2.00	6	\$900.00
Total Salaries/Labor					\$900.00

Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips		Total
					\$0.00
Total Travel					\$0.00

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					\$0.00
Total Equipment					\$0.00

Supplies/Materials

Standard Calculation

Supplies/Materials		# of Items	Cost/Item		Total
					\$0.00
Total Supplies/Materials					\$0.00

Printing

Standard Calculation

Paper Material		# of Units	Cost/Unit		Total
					\$0.00
Total Printing					\$0.00

Other Expenses

Standard Calculation

Item		# of Units	Cost/Unit		Total
					\$0.00
Total Other					\$0.00

Subtotal Direct Costs

\$900.00

TOTAL COST

\$900.00



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: Public Works/Road

WORK SESSION ☒ **Meeting Date: 05/03/2021**

REGULAR AGENDA ☒ **Meeting Date: 05/11/2021**

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- ☐ Call for Hearing ☐ Contract/Agreement/MOU - Contract #
☐ Resolution ☐ Proclamation ☐ Budget Item
☐ Draft Ordinance ☐ Final Ordinance ☒ Other Call for Bids

Documents exempt from public disclosure attached: ☐

Executive summary:

This item is the Call for Bids for the annual supply contract for the 2021 Hot Mix Asphalt and CSS-1 Liquid Asphalt products for the year 2021.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

The 2021 Road Fund budget includes the necessary monies required for the purchase of these materials.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

We recommend that the Commissioners review, approve and authorize the Chair to sign the Call for Bids.

County Official signature & print name: R. Tyler, Ross Tyler

Name of Employee/Stakeholder attending meeting: Ross Tyler & Joe Donisi

Relevant Departments: Public Works/Road Dept.

Date submitted: 04/28/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
 ** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

NOTICE OF INVITATION TO BID

SEALED BIDS will be received by the Board of Clallam County Commissioners at 223 E. Fourth Street, Room 150, Port Angeles, Washington, until 10:00 a.m., Tuesday, **May 25, 2021**, at which time they will be publicly opened and read aloud for the **2021 Hot Mix Asphalt and CSS-1 Liquid Asphalt Requirements** of the Clallam County Public Works Department.

Bid price is to include all applicable taxes and to include delivery to various locations. Complete specifications and bid forms may be obtained from the Public Works Department, 223 E. Fourth Street, Suite 6, Port Angeles, WA 98362, or by calling (360) 417-2319. All bidding and related questions regarding this supply contract may be directed to Brian Wahlsten at (360) 417-2378.

Sealed bids must be clearly marked on the outside of the envelope, "**BID PROPOSAL - 2021 HOT MIX ASPHALT REQUIREMENTS**". Address bid proposal to: Board of Clallam County Commissioners, 223 East 4th Street, Suite 4, Port Angeles, WA 98362, or hand deliver to 223 East 4th Street, Room 150, Port Angeles, Washington. Bid documents delivered to other offices and received late by the Commissioners' Office will not be considered, nor will bids received by facsimile or e-mail.

Clallam County hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined in Title VI of the Civil Rights Act of 1964 at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Clallam County will determine the lowest responsible bidder in accordance with the terms of Clallam County Code Section 3.12.070; and reserves the right to reject any and all bids and to waive informalities in the process or to accept the bid which in its estimation best serves the interests of Clallam County.

APPROVED THIS _____ DAY OF _____, 2021.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST:

Loni Gores, Clerk of the Board

PLEASE PUBLISH: March 14 & 21

PLEASE BILL: Clallam County Public Works Department
223 E. 4th St., Ste. 6
Port Angeles, WA 98362



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

7
skb
2C

Department: DCD

WORK SESSION ☒ **Meeting Date:** 5-3-2021

REGULAR AGENDA ☒ **Meeting Date:** 5.4.2021

Required Originals Approved and Attached? ☒

Will be provided on:

Item Summary:*

- ☐ Call for Hearing
- ☐ Resolution
- ☐ Draft Ordinance

- ☒ Contract/Agreement/MOU**
- ☐ Proclamation
- ☐ Final Ordinance

Contract # 334.18.013-1

- ☐ Budget Item
- ☐ Other

Documents exempt from public disclosure attached: ☐

Executive Summary:

This amendment to an agreement with the Jamestown S'Klallam Tribe extends the agreement through June 30, 2021. The original agreement was in effect until December 31, 2020.

The Jamestown S'Klallam Tribe provides restoration services – planting, vegetation management, and other activities - for the lower Dungeness River corridor on lands that are within the floodplain restoration project area. The Interlocal Agreement outlines the work to be done, and the compensation for the work. Restoration services outlined in the agreement are funded by Ecology's Floodplains by Design grant.

Budgetary Impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget Action is required, has it been submitted and a copy attached?** ☐

No budgetary impact.

Recommended Action: (Does the Board need to act? If so, what is the department's recommendation?)

Please sign the amendment to the Interlocal Agreement.

County Official Signature & Print Name:

A handwritten signature in blue ink, appearing to read "Cathy Lear", written over a horizontal line.

Name of Employee/Stakeholder attending meeting: Cathy Lear

Relevant Departments: DCD

Date Submitted: 4.21.2021

* Submit original and 5 copies

** Submit 3 originals and 5 copies



PERSONAL SERVICES AGREEMENT AMENDMENT 1

THIS AMENDMENT is entered into between CLALLAM COUNTY, a political subdivision of the State of Washington, (hereinafter called "County" or "Clallam County") and

Name: Jamestown S'Klallam Tribe

Address: 1033 Old Blyn Highway
Sequim, WA 98382

Phone N°: 360.461.4840

And changes the following to the agreement entered into on December 18, 2018.

This Amendment is comprised of:

A no-cost time extension to June 30, 2021.

All other terms and conditions of the contract signed on December 18, 2018 remain in full force and effect.

The term of this Amendment shall commence on the 1st day of January, 2021 and shall, unless terminated as provided elsewhere in the Agreement, end on the 31st day of June, 2021.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 27th day of April 2021.

JAMESTOWN S'KLALLAM TRIBE

A handwritten signature in black ink, appearing to read "W. Ron Allen", written over a horizontal line.

CLALLAM COUNTY BOARD OF COMMISSIONERS

Mark Ozias, Chair

Print name: William Ron Allen

Title: Chairman, CEO

Date: 4/9/2021

Originals: BOCC
Jamestown S'Klallam Tribe
Initiating Department

THIS CONTRACT HAS BEEN APPROVED AS TO
FORM BY THE CLALLAM COUNTY PROSECUTING
ATTORNEY



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

8
5/3/21
2d

Department: DCD

WORK SESSION ☒ Meeting Date: 5.3.2021

REGULAR AGENDA ☒ Meeting Date: 5.4.2021

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | |
|---|--|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 334.17.006-5 |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The attached amendment extends the time period and includes additional design funding for Clallam County's agreement with Anchor QEA to design an improved fish passage structure for Agnew Irrigation District's irrigation outtake on McDonald Creek. Additional time and funding are required to include review by the Salmon recovery Funding Board's technical review panel and to incorporate design changes requested by WDFW.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☒ **No budget action required**

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Please sign the amendment.

County Official signature & print name: _____

A handwritten signature in blue ink, appearing to read "Cathy Lear", written over a horizontal line.

Name of Employee/Stakeholder attending meeting: Cathy Lear

Relevant Departments: DCD

Date submitted: 4.21.2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



**PERSONAL SERVICES AGREEMENT
AMENDMENT 5**

THIS AMENDMENT is entered into between CLALLAM COUNTY, a political subdivision of the State of Washington, (hereinafter called "County" or "Clallam County") and

Name: Anchor QEA, LLC
Address: 1201 3rd Avenue, Suite 2600
Seattle, WA 98101
Phone N°: (206) 287-9130

(hereinafter called "Contractor") and changes the following attachments to the agreement entered into on month, day, year.

This Amendment is comprised of:

- ☒ Attachment A – Scope of Work
- ☒ Attachment B – Compensation

copies of which are attached hereto and incorporated herein by this reference as if fully set forth.

The term of this Amendment shall commence on the 31st day of March 2021 and shall, unless terminated as provided elsewhere in the Agreement, end on the 31st day of July 2021.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 26th day of November 2019.

CONTRACTOR

CLALLAM COUNTY BOARD OF COMMISSIONERS



Mark Ozias, Chair

Print name: Robert Montgomery

Title: Member

Date: March 31 2021

Originals: BOCC
Vendor
Initiating Department

THIS CONTRACT HAS BEEN APPROVED AS TO
FORM BY THE CLALLAM COUNTY PROSECUTING
ATTORNEY

SCOPE OF WORK

The purpose of this amendment is to continue assist Clallam County (County) in completing designs and update permits for the McDonald Creek Irrigation Improvement and Restoration project. Anchor QEA has been working with Clallam County to develop designs and secure permits for the project. Environmental permits were secured in 2019. Draft final designs were submitted to Clallam County and other stakeholders for review late in 2020. Based on the review and level of comment provided on the draft final drawings, additional work will be required to prepared final drawings, specifications, and other documentation needed to bid the project for construction. In addition, the design process has required much more coordination, including meetings and conference calls with the County and key stakeholders, than was originally anticipated and so additional effort will be required to coordinate and complete the design. A major modification to the Hydraulic Permit Approval (HPA) will also be required based on the revisions that have been made since the permit was issued. Additional effort will also be required to submit the final drawings to the potential funding agency for review, as requested during the funding application process. The additional work, outlined below, will require an extension on the previously approved contract period for the project and additional budget to complete the work.

Clallam County has requested that Anchor QEA submit this amendment to continue to assist the County in completing designs and securing updated permit approvals for the project. The work that will be completed by Anchor QEA under this amendment includes the following tasks:

Task 1: Final Coordination with Clallam County and Key Stakeholders

This task includes additional conference calls and virtual meetings with Clallam County, the Washington Department of Fish and Wildlife (WDFW), the Washington Department of Ecology (Ecology), and Agnew Irrigation District (AID) to discuss comments on the draft final design documents circulated late in 2020. Anchor QEA will assist the County by providing technical information for these calls and meetings. Anchor QEA will also follow up with notes to document design decisions made based on the comments provided during these meetings.

Deliverables:

- Meeting notes (email format)

Task 2: Design Revisions and Submittal of Final Designs to Potential Funders

This task includes design revisions needed to address comments provided by WDFW, Ecology, and AID on the draft final design documents. Key comments and design revisions will include:

- WDFW
 - Requested that the design of the debris rack at the entrance to the diversion system be revised to provide spacing that will accommodate passage of adult salmonids, which will increase spacing for 3 inches on center to 6 inches or 8 inches on center.
 - Requested that revisions be made to the fish passage structure to allow for passage by Pacific Lamprey. This revision will likely require rounding of weir edges and review of existing modeling to ensure that velocities meet fish passage criteria.
 - Requested revision to the temporary water supply approach and drawings to ensure feasible delivery of water to AID while also protecting fish. Revisions would likely include maintaining supply to AID through temporary pipe by gravity through the existing diversion and creation of temporary access to do work in the creek while the diversion canal is used to bypass the creek and irrigation water supply around the work area.
 - Requested that additional flash board guides and flash boards be included in the fish screening structure downstream of the fish screen to provide additional control of hydraulic conditions at the fish screen. This revision will require adjustment to the structure plan and additional detail for guides that can accommodate a larger size of flash board.
 - Clarified items that WDFW will be responsible for during construction. Revisions to the drawings and specifications will be made to reflect this input.
- Ecology
 - Clarified items that Ecology will be responsible for during construction. Revisions to the specifications will be made to reflect this input.
- AID

- Expressed concern about installing and removing flashboards in the dam after the notch is deepened. Revisions will be required to identify an acceptable method to install and remove the flashboards and control flow through the notch in the dam.

AID also expressed interest in exploring the possibility of lowering their pipeline downstream of the diversion. If the pipeline can be lowered, the diversion infrastructure can also be lowered which may eliminate the need for flash boards or a notch in the dam. This approach could also improve the overall function of the system. However, this idea represents a significant change in design and would require substantial effort to redesign and permit the project. This amendment assumes that this change will not be implemented. However, if the County decides to pursue this change, as requested by AID, Anchor QEA will revise this amendment to address the design needs related to that change.

Deliverables:

- Final drawings, specifications, and an opinion of cost that reflect the revisions noted (PDF format)

Task 3: Review with Potential Funders

Clallam County applied for salmon recovery funding for construction of the project in 2020 and the technical review team that reviewed that application requested an opportunity to review the final drawings and specifications prior to allocating any funding to the project. That review will need to happen late in the spring of 2021. Anchor QEA will coordinate with Clallam County to submit the final drawings and specifications to the technical review team and will be available to meet, as needed, with Clallam County and the technical review team to discuss the design.

Deliverables:

- Notes from meetings or coordination with the technical review team

Task 4: Permit Modifications

WDFW indicated that a major modification would need to be made to the HPA issued for the project based on the proposed design revisions. Anchor QEA will work with WDFW to secure HPA approval for the project, as reflected in the final design documents. Anchor QEA will also complete coordination with WSDOT and ensure that other environmental permits issued for the project are ready to enable construction later this year, if construction funding is secured to allow for construction this year.

Deliverables:

- Updated HPA and WSDOT permit documentation (PDF format)

Task 5: Final Bid Packages

Anchor QEA will prepare final bid packages, as outlined in our original scope of work. The bid package will include the bidding documents, the construction contract, the final drawings and specifications, and supporting documentation. It is assumed that the County will provide boilerplate bid documents and a construction contract. Anchor QEA will edit the bidding documents as needed to reflect the final design, including preparing a final bid schedule. Anchor QEA will then incorporate the County's bid documents and contract into the final bid package.

Deliverables:

- Final bid package, including a bid schedule compiled with contracting agency's bidding documents and contracting documents (PDF format)

COMPENSATION

1. ☒ **a. FIXED FEE FOR SERVICE:** For services rendered, the County shall pay to the Contractor a fixed fee of eleven thousand four hundred DOLLARS (\$13,169) for the completed work set forth in Attachment A. Payments for completed tasks shall be made no more frequently than ☒ monthly; ☐ quarterly; ☐ semi-annually; ☐ annually; ☐ at completion of project; ☐ other (specify) _____.

Each request for payment shall be supported by an invoice specifying the tasks completed up to the request for payment and the payment amount requested. In no event shall payment be sought in an amount which represents a percentage of the fee greater than the percentage of completed tasks.

Table 1 provides a summary of the tasks and the fee that will be required to complete the scope of work for this amendment. The tasks outlined in the scope of work for this amendment will be completed for a total fee not to exceed \$13,169.

Table 1
Fee Estimate

Task	Hours	Anchor QEA Labor Subtotal	Subcontract/ Other Costs	Total Cost
Task 1: Final Coordination with Clallam County and Key Stakeholders	8	\$1,712	\$5	\$1,717
Task 2: Design Revisions and Submittal of Final Designs to Potential Funders	28	\$4,932	\$2,650	\$7,582
Task 3: Review with Potential Funders	4	\$856	\$0	\$856
Task 4: Permit Modifications	8	\$1,490	\$10	\$1,500
Task 5: Final Bid Packages	10	\$1,474	\$40	\$1,514
Total	58	\$10,464	\$2,705	\$13,169

Each request for payment shall be supported by an invoice specifying: the name/position of the Contractor's employee if two or more are identified above; number of hours worked; completed tasks for which compensation is sought; and payment amount requested.

In no event shall Contractor be compensated in excess of eleven thousand four hundred DOLLARS (\$13,169) for the completed work set forth in Attachment "A."

2. AND

☒ **a.** The compensation set forth herein includes, without limitation: labor, materials, equipment, travel, telephone, computer, copiers and the like.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

a
013/21

Department: BOCC

WORK SESSION ☒ Meeting Date: 05-03-21

REGULAR AGENDA ☒ Meeting Date: 05-11-21

Item summary:

- ☐ Call for Hearing ☐ Contract/Agreement/MOU - Contract #
- ☒ Resolution ☐ Proclamation ☐ Budget Item
- ☐ Draft Ordinance ☐ Final Ordinance ☐ Other

Documents exempt from public disclosure attached: ☐

Executive summary:

Vacancies exist on the Carlsborg Community Advisory Council due to the expiration of terms. A press release was issued during the month of February 2021 soliciting applications from interested citizens. One application was received.

The Director of the Department of Community Development endorses the appointment of Justin Pollack to the Carlsborg Community Advisory Council.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve and sign resolution appointing Justin Pollack to the Carlsborg Community Advisory Council.

County Official signature & print name: Morgann Halencak Morgann Halencak, Deputy Clerk

Name of Employee/Stakeholder attending meeting: Mary Ellen Winborn

Relevant Departments: DCD/BOCC

Date submitted: 04-16-21

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Appointing Justin Pollack 05-11-21
Revised: 3-04-2019



RESOLUTION _____, 2021

APPOINTING A MEMBER TO THE
CARLSBORG COMMUNITY ADVISORY COUNCIL

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. Vacancies exist on the Carlsborg Community Advisory Council due to the expiration of terms.
2. A press release was issued during the month of February 2021 soliciting applications from interested citizens. One application was received.
3. The Director of the Department of Community Development endorses the appointment of Justin Pollack to the Carlsborg Community Advisory Council.

NOW, THEREFORE, BE IT RESOLVED by the Clallam County Board of Commissioners, in consideration of the above findings of fact:

1. **Justin Pollack** is appointed as Business or Real Property Owner within the Carlsborg Village Center representative for a term ending December 31, 2022.

PASSED AND ADOPTED this eleventh day of May, 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

ATTEST:

Loni Gores, CMC, Clerk of the Board

Bill Peach

A22.172
Appointee
DCD



10
5/13/21

AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: BOCC

WORK SESSION ☒ **Meeting Date: 05-03-21**

REGULAR AGENDA ☒ **Meeting Date: 05-11-21**

Item summary:

- | | |
|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☒ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

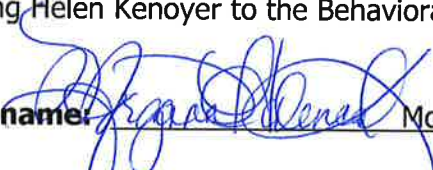
A vacancy exists on the Behavioral Health Advisory Board due to changes in the membership positions pursuant to Resolution 32, 2020. A press release was issued during the month of February 2021 soliciting applications from interested citizens. Two applications were received.

Health and Human Services and the board membership endorse the appointment of Helen Kenoyer to the Behavioral Health Program Fund Advisory Board.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approve and sign resolution appointing Helen Kenoyer to the Behavioral Health Program Fund Advisory Board.

County Official signature & print name:  Morgann Halencak, Deputy Clerk

Name of Employee/Stakeholder attending meeting: Jenny Oppelt

Relevant Departments: HHS/BOCC

Date submitted: 04-16-21

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



RESOLUTION _____, 2021

APPOINTING A MEMBER TO THE BEHAVIORAL HEALTH PROGRAM
FUND ADVISORY BOARD

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. A vacancy exists on the Behavioral Health Advisory Board due to changes in the membership positions pursuant to Resolution 32, 2020.
2. A press release was issued during the month of February 2021 soliciting applications from interested citizens. Two applications were received.
3. Health and Human Services and the board membership endorse the appointment of Helen Kenoyer to the Behavioral Health Program Fund Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by the Clallam County Board of Commissioners, in consideration of the above findings of fact:

1. **Helen Kenoyer** is appointed as the Consumer/Past Consumer of Substance Use Disorders Services representative for a term ending December 31, 2023

PASSED AND ADOPTED this eleventh day of May 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

ATTEST:

Loni Gores, CMC, Clerk of the Board

Bill Peach

c: A22.52
Appointee(s)
HHS



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

11
5/3/21

Department: BOCC/Heritage Advisory Board

WORK SESSION ☒ **Meeting Date:** 05/03/21

REGULAR AGENDA ☒ **Meeting Date:** 05/11/21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|---|--------------------------------------|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract #291-21-005 | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Heritage Advisory Board called for applications from public entities or non-profit tax exempt organizations, which either operate or own a museum or similar historical institution within the boundaries of Clallam County which promote our local history, or perform educative, interpretive, or similar activities within the boundaries of Clallam County which promotes our local history or individuals or entities that own a property within Clallam County that is listed on Local, State, or National registers. The deadline for applications was February 24, 2021. April 5, 2021 the Heritage Advisory Board met to review the applications and made a recommendation to the BOCC for a one time expenditure.

The BOCC met on April 20, 2021 and approved Resolution 37, 2021 to authorize one time expenditures from the Historic Preservation Funds for approved Heritage Grant Applications. Approval of this agreement is needed to complete the process.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

\$2,400 Historic Preservation Funds – Heritage Advisory Grant

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approve agreement for Historic Preservation Funds – Heritage Advisory Grant

County Official signature & print name: Morgann Halencak Morgann Halencak - Deputy Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners and Finance Department

Relevant Departments: Board of Commissioners and Finance Department

Date submitted: April 21, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

GRANT AGREEMENT

COUNTY	RECIPIENT
Clallam County Board of County Commissioners 223 E. 4 th Street, Suite 4 Port Angeles, WA 98362 Mark Ozias, Chair Date Attested to: Loni Gores, Clerk THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CLALLAM COUNTY PROSECUTING ATTORNEY	Name of organization: <u>Clallam County Genealogical Center</u> Address: <u>408 E. 8th Street</u> <u>Port Angeles, WA 98362</u> Signed by _____ Title _____ _____ Printed Name and Date: _____

RECIPIENT is/was a successful applicant for funds available under the Clallam County “Heritage Grant Fund” program, a grant program authorized by the County Commission because of the recording surcharge collected by the Auditor’s Office for historical preservation or historical programs pursuant to RCW 36.22.170(1)(a). The RECIPIENT agrees to comply with the terms and conditions listed in BoCC Resolution #2-2020 as well as all federal and state laws and regulations. COUNTY, in reliance upon the application of RECIPIENT and these assurances, awards RECIPIENT grant “Heritage Grant Funds” in the amount of \$ 2,400.

RECIPIENT, in consideration of receiving these grant funds agrees to do the following:

- Use the Grant Funds to develop and operate programs which promote public interest in history, for example, research projects, locating and marking historical sites, providing self-guided tours for such sites, and similar activities AND/OR
- Use the Grant Funds to preserve or inventory objects and items of significance for the history of Clallam County or the north Olympic Peninsula.
- Spend Grant Funds in a manner reasonably consistent with RECIPIENT’S application for such funds, although RECIPIENT is authorized to redirect those funds to accomplish its goal.
- Provide to the Heritage Advisory Board on or before May 1, 2022 a brief written report describing what the grant funds allowed your organization to undertake, complete or conduct that would not have been possible (or less likely to occur) without these grant funds.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

12
5/3/21

Department: BOCC/Heritage Advisory Board

WORK SESSION ☒ **Meeting Date:** 05/03/21

REGULAR AGENDA ☒ **Meeting Date:** 05/11/21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | |
|---|---|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract #291-21-006 |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Heritage Advisory Board called for applications from public entities or non-profit tax exempt organizations, which either operate or own a museum or similar historical institution within the boundaries of Clallam County which promote our local history, or perform educative, interpretive, or similar activities within the boundaries of Clallam County which promotes our local history or individuals or entities that own a property within Clallam County that is listed on Local, State, or National registers. The deadline for applications was February 24, 2021. April 5, 2021 the Heritage Advisory Board met to review the applications and made a recommendation to the BOCC for a one time expenditure.

The BOCC met on April 20, 2021 and approved Resolution 37, 2021 to authorize one time expenditures from the Historic Preservation Funds for approved Heritage Grant Applications.

Approval of this agreement is needed to complete the process.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

\$8,600 Historic Preservation Funds – Heritage Advisory Grant

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approve agreement for Historic Preservation Funds – Heritage Advisory Grant

County Official signature & print name: Morgann Halencak Morgann Halencak - Deputy Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners and Finance Department

Relevant Departments: Board of Commissioners and Finance Department

Date submitted: April 21, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

GRANT AGREEMENT

COUNTY	RECIPIENT
Clallam County Board of County Commissioners 223 E. 4 th Street, Suite 4 Port Angeles, WA 98362 Mark Ozias, Chair Date Attested to: Loni Gores, Clerk THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CLALLAM COUNTY PROSECUTING ATTORNEY	Name of organization: <u>New Dungeness Light Station</u> Address: <u>P.O. Box 1283</u> <u>Port Angeles, WA 98362</u> Signed by Title Printed Name and Date: _____

RECIPIENT is/was a successful applicant for funds available under the Clallam County “Heritage Grant Fund” program, a grant program authorized by the County Commission because of the recording surcharge collected by the Auditor’s Office for historical preservation or historical programs pursuant to RCW 36.22.170(1)(a). The RECIPIENT agrees to comply with the terms and conditions listed in BoCC Resolution #2-2020 as well as all federal and state laws and regulations. COUNTY, in reliance upon the application of RECIPIENT and these assurances, awards RECIPIENT grant “Heritage Grant Funds” in the amount of \$8,600.

RECIPIENT, in consideration of receiving these grant funds agrees to do the following:

- Use the Grant Funds to develop and operate programs which promote public interest in history, for example, research projects, locating and marking historical sites, providing self-guided tours for such sites, and similar activities AND/OR
- Use the Grant Funds to preserve or inventory objects and items of significance for the history of Clallam County or the north Olympic Peninsula.
- Spend Grant Funds in a manner reasonably consistent with RECIPIENT’S application for such funds, although RECIPIENT is authorized to redirect those funds to accomplish its goal.
- Provide to the Heritage Advisory Board on or before May 1, 2022 a brief written report describing what the grant funds allowed your organization to undertake, complete or conduct that would not have been possible (or less likely to occur) without these grant funds.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

13
5/3/21

Department: BOCC/Heritage Advisory Board

WORK SESSION ☒ **Meeting Date:** 05/03/21

REGULAR AGENDA ☒ **Meeting Date:** 05/11/21

Required originals approved and attached? ☐

Will be provided on:

Item summary:

- | | | |
|---|---|--------------------------------------|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract #291-21-007 | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Heritage Advisory Board called for applications from public entities or non-profit tax exempt organizations, which either operate or own a museum or similar historical institution within the boundaries of Clallam County which promote our local history, or perform educative, interpretive, or similar activities within the boundaries of Clallam County which promotes our local history or individuals or entities that own a property within Clallam County that is listed on Local, State, or National registers. The deadline for applications was February 24, 2021. April 5, 2021 the Heritage Advisory Board met to review the applications and made a recommendation to the BOCC for a one time expenditure.

The BOCC met on April 20, 2021 and approved Resolution 37, 2021 to authorize one time expenditures from the Historic Preservation Funds for approved Heritage Grant Applications.

Approval of this agreement is needed to complete the process.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

\$14,500 Historic Preservation Funds – Heritage Advisory Grant

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approve agreement for Historic Preservation Funds – Heritage Advisory Grant

County Official signature & print name: Morgann Halencak - Deputy Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners and Finance Department

Relevant Departments: Board of Commissioners and Finance Department

Date submitted: April 21, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

- Use the Grant Funds to develop and operate programs which promote public interest in history, for example, research projects, locating and marking historical sites, providing self-guided tours for such sites, and similar activities AND/OR
- Use the Grant Funds to preserve or inventory objects and items of significance for the history of Clallam County or the north Olympic Peninsula.
- Spend Grant Funds in a manner reasonably consistent with RECIPIENT'S application for such funds, although RECIPIENT is authorized to redirect those funds to accomplish its goal.
- Provide to the Heritage Advisory Board on or before May 1, 2022 a brief written report describing what the grant funds allowed your organization to undertake, complete or conduct that would not have been possible (or less likely to occur) without these grant funds.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

14
5/3/21

Department: BOCC/Heritage Advisory Board

WORK SESSION ☒ **Meeting Date:** 05/03/21

REGULAR AGENDA ☒ **Meeting Date:** 05/11/21

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | |
|---|---|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract #291-21-008 |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Heritage Advisory Board called for applications from public entities or non-profit tax exempt organizations, which either operate or own a museum or similar historical institution within the boundaries of Clallam County which promote our local history, or perform educative, interpretive, or similar activities within the boundaries of Clallam County which promotes our local history or individuals or entities that own a property within Clallam County that is listed on Local, State, or National registers. The deadline for applications was February 24, 2021. April 5, 2021 the Heritage Advisory Board met to review the applications and made a recommendation to the BOCC for a one time expenditure.

The BOCC met on April 20, 2021 and approved Resolution 37, 2021 to authorize one time expenditures from the Historic Preservation Funds for approved Heritage Grant Applications.

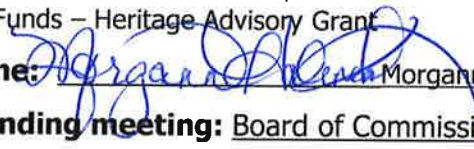
Approval of this agreement is needed to complete the process.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

\$14,500 Historic Preservation Funds – Heritage Advisory Grant

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approve agreement for Historic Preservation Funds – Heritage Advisory Grant

County Official signature & print name:  Morgann Halencak - Deputy Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners and Finance Department

Relevant Departments: Board of Commissioners and Finance Department

Date submitted: April 21, 2021

- * Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Sequim Museum - Heritage
Revised: 3-04-2019

Questions? Call Loni Gores, Clerk of the Board, ext 2256

GRANT AGREEMENT

COUNTY	RECIPIENT
Clallam County Board of County Commissioners 223 E. 4 th Street, Suite 4 Port Angeles, WA 98362 Mark Ozias, Chair Date Attested to: Loni Gores, Clerk THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CLALLAM COUNTY PROSECUTING ATTORNEY	Name of organization: <u>Sequim Museum</u> Address: <u>544 N. Sequim Ave.</u> <u>Sequim, WA 98382</u> Signed by Title Printed Name and Date: _____

RECIPIENT is/was a successful applicant for funds available under the Clallam County “Heritage Grant Fund” program, a grant program authorized by the County Commission because of the recording surcharge collected by the Auditor’s Office for historical preservation or historical programs pursuant to RCW 36.22.170(1)(a). The RECIPIENT agrees to comply with the terms and conditions listed in BoCC Resolution #2-2020 as well as all federal and state laws and regulations. COUNTY, in reliance upon the application of RECIPIENT and these assurances, awards RECIPIENT grant “Heritage Grant Funds” in the amount of \$14,500.

RECIPIENT, in consideration of receiving these grant funds agrees to do the following:

- Use the Grant Funds to develop and operate programs which promote public interest in history, for example, research projects, locating and marking historical sites, providing self-guided tours for such sites, and similar activities AND/OR
- Use the Grant Funds to preserve or inventory objects and items of significance for the history of Clallam County or the north Olympic Peninsula.
- Spend Grant Funds in a manner reasonably consistent with RECIPIENT’S application for such funds, although RECIPIENT is authorized to redirect those funds to accomplish its goal.
- Provide to the Heritage Advisory Board on or before May 1, 2022 a brief written report describing what the grant funds allowed your organization to undertake, complete or conduct that would not have been possible (or less likely to occur) without these grant funds.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

15
5/3/21

Department: Finance

WORK SESSION ☒ Meeting Date: 5/3/2021 ✓

REGULAR AGENDA ☒ Meeting Date: 5/11/2021

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|--|--|--------------------------------------|
| ☒ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

Following the single audit of Clallam County for 2019, the County received a Management Letter from the Office of the Washington State Auditor relating to deficiencies in the County's written procurement policies. While no financial wrongdoing was identified, the SAO identified required language that was missing in County policies. This language relates to the use of federal funding and is required by 2016 changes to the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (known as the Uniform Guidance).

The County must update its procurement policies in order to be in compliance with federal law and to avoid future audit findings from the SAO. The County's procurement policies are set forth in Policy 560 – Purchasing, Bids, Contracts.

The proposed changes in the attached draft of Policy 560 are only the changes that are necessary to come into compliance with federal law. There are many other updates to Policy 560 that could be made to improve workflows for county staff. Those changes will be addressed at a future date. Time is of the essence for the currently proposed changes and an overhaul of the entire policy will be a time consuming process.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Review proposed changes to Policy 560 and call for a public hearing on this matter.

County Official signature & print name: Elizabeth Stanley Elizabeth Stanley

Employee/Stakeholder attending meeting: Elizabeth Stanley, Mark Lane, Shoona Riggs

- * Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

560 Agenda Item Summary
Revised: 3-04-2019

Relevant Departments: Auditor, Finance, PAO

Date submitted: 4/21/2021

-
- * Work Session Meeting - Submit 1 single sided/not stapled copy
 - ** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

560 Agenda Item Summary
Revised: 3-04-2019

Questions? Call Loni Gores, Clerk of the Board, ext 2256

PUBLIC HEARING

Proposed Amendments to Clallam County Policy 560 Purchasing, Bids, Contracts

NOTICE: The Clallam County Board of Commissioners will conduct a public hearing on Tuesday, May 25, 2021 at 10:30 a.m., or as soon thereafter as possible in the Commissioners' Meeting Room of the Clallam County Courthouse, 223 East 4th Street, Room 160, Port Angeles, Washington. The public hearing is to consider the policy listed above. All proposed policies are available on the County website www.clallam.net or a free copy can be mailed to you upon request.

Public comments are encouraged. Submit written comments to the address below before the hearing or present comments in person at the public hearing.

In compliance with the Americans with Disabilities Act, reasonable accommodations are available upon request. The facility is considered "barrier free" and accessible to those with physical disabilities.

PROPONENT: Clallam County Board of Commissioners
223 East 4th Street, Suite 4
Port Angeles, WA 98362-3015
Telephone: 360.417.2233

FORMAL IDENTIFICATION: Resolution Amendment Policy 560 Purchasing, Bids, Contracts

SUMMARY OF PROPOSED CHANGES:

Updates to policy language relating to spending thresholds and apparent conflicts of interest as required by federal Uniform Guidance

Publish: *may 14, 2021*
Bill: *Board of Commissioners*

Loni Gores, CMC, Clerk of the Board



**Office of the Washington State Auditor
Pat McCarthy**

December 14, 2020

County Commissioners
Clallam County
Port Angeles, Washington

Management Letter

This letter includes a summary of specific matters that we identified in planning and performing our single audit of Clallam County from January 1, 2019 through December 31, 2019. We believe our recommendations will assist you in improving the County's internal controls and compliance in these areas.

We will review the status of these matters during our next audit. We have already discussed our comments with and made suggestions for improvements to County officials and personnel. If you have any further questions, please contact me at (360) 790-6848.

This letter is intended for the information and use of management and the governing body and is not suitable for any other purpose. However, this letter is a matter of public record and its distribution is not limited.

We would also like to take this opportunity to extend our appreciation to your staff for the cooperation and assistance given during the course of the audit.

Sincerely,

[Insert Electronic Signature]

Carol Ehlinger, MEd, Program Manager

Attachment

Preliminary Draft - Please do not duplicate, distribute, or disclose.

Management Letter

Clallam County

January 1, 2019 through December 31, 2019

Procurement procedures

The County reported \$1,509,814 in Highway Planning and Construction Cluster grant funds (CFDA 20.205) on the Schedule of Expenditures of Federal Awards for fiscal year 2019.

Title 2 *U.S. Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) requires federal award recipients to establish and follow internal controls to ensure compliance with all program requirements. These controls include understanding grant requirements and monitoring the effectiveness of established controls. When using federal funds to procure goods and services, Uniform Guidance also requires recipients to follow their own documented procurement procedures, which must reflect the most restrictive of applicable federal, state, and local laws.

For this award, in addition to the Uniform Guidance, the County needed to follow the procurement policies in the Washington State Department of Transportation (WSDOT) Local Agency Guidelines (LAG) Manual, which referenced the federal regulations. The County's procurement policy outlines requirements applicable to state and local regulations. However, the policy's threshold to solicit competitive bids for public works projects is less restrictive than federal regulations and was not consistent with the thresholds included in the County code. In addition, the policies do not establish requirements for performing a cost or price analysis for procurement in excess of limits set by Uniform Guidance. Although the County performed a cost analysis and solicited competitive bids for the project as required, Uniform Guidance requires that the County's own written procedures must conform to the federal procurement requirements to ensure a cost or price analysis is performed and it follows the most restrictive of federal, state, or local thresholds and procedures for all transactions procured with federal funds.

In addition, the County's policies do not fully address the Uniform Guidance requirements regarding standards of conduct. Specifically, policies do not prohibit employee, officer or agent participation in the selection, award, or administration of a contract supported by a federal award when there is a real or apparent conflict of interest.

We recommend the County update its own written procedures to address all federal procurement requirements in compliance with Uniform Guidance, ensure the policies are consistent with County code, and ensure all departments implement the procedures consistently.

Table of Contents

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PURCHASING, BIDS, CONTRACTS
Policy 560

.1 PURPOSE	1
.2 GENERAL PROVISIONS	1
2.1 WRITTEN CONTRACTS / WHEN REQUIRED	1
(1) <i>Written Contract Always Required for Certain Purchases</i>	1
(2) <i>Written Contract Required for Purchase of Goods Over \$25,000</i>	1
(3) <i>Written Contract Required For Certain Purchases Over \$7,500</i>	2
2.2 CONTRACT TO BE FULLY EXECUTED PRIOR TO PURCHASE	2
2.3 OTHER CONSIDERATIONS FOR PURCHASE OF GOODS OR SERVICES	2
2.4 SUB-DIVIDING PURCHASE NOT ALLOWED	332
.4 CONTRACT AWARD AND EXECUTION (SEE APPENDIX B)	332
4.1 BOARD AWARD AND APPROVAL REQUIRED FOR CERTAIN CONTRACTS	332
4.2 ADMINISTRATOR MAY AWARD AND APPROVE CERTAIN CONTRACTS	343
4.3 PUBLIC WORKS DIRECTOR/COUNTY ENGINEER MAY APPROVE CERTAIN PURCHASES AND DOCUMENTS	343
4.4 COUNTY OFFICIALS MAY APPROVE CERTAIN DOCUMENTS	443
.5 CONTRACT AMENDMENTS	4
.7 CONTRACTUAL LANGUAGE	554
7.1 CONTRACT ELEMENTS	554
7.2 STANDARDIZED CONTRACTS ENCOURAGED	665
7.3 VENDOR CONTRACTS	665
7.4 GRANT CONTRACTS	675
.8 CONSULTATION WITH THE PROSECUTING ATTORNEY AND APPROVAL AS TO FORM	675
8.1 STANDARDIZED CONTRACTS	675
8.2 REVIEW OF NON-STANDARD FORM CONTRACTS AND VENDOR CONTRACTS	775
.10 FEDERAL FUNDS – SUBRECIPIENTS AND VENDORS	776
10.1 SUB RECIPIENTS AND VENDORS	776
10.2 CONTRACT REQUIREMENTS FOR SUB RECIPIENTS	776
10.3 TITLE VI CONTRACT REQUIREMENTS	887
.15 CONTRACT ADMINISTRATION	887
15.1 CONTRACT ADMINISTRATION RESPONSIBILITIES	897
15.2 RESPONSIBILITY FOR ADMINISTRATION OF CONTRACTS	997
15.3 INDEX AND TRACKING OF CONTRACTS REQUIRED	998
15.4 DOCUMENT RETENTION, OFFICIAL FILE, PUBLIC DISCLOSURE	10108
.20 BID PROCEDURES (EXCEPT PUBLIC WORKS PROJECTS)	11119
20.1 FORMAL BIDS REQUIRED FOR PURCHASE OF GOODS IN EXCESS OF \$25,000	11119
(1) <i>Bid Documents to be Maintained</i>	11119

(2) County Official Responsibilities for Formal Bids	11119
(3) Clerk of the Board Responsibilities.....	121210
20.2 INFORMAL BIDS/QUOTES REQUIRED FOR PURCHASE OF GOODS BETWEEN \$5,000 AND \$25,000	121210
(1) Vendor List to be Maintained	121210
(2) Solicitation of Informal Bids/Quotes.....	121210
(3) Bid/Quote Documents to be Maintained	141411
(4) List of Purchases Made Using Informal Bids/Quotes to be Published.....	141411
(5) County Official Responsibilities When Using Informal Bid Procedures.....	141411
20.3 REQUESTS FOR PROPOSALS/QUALIFICATIONS REQUIRED FOR CERTAIN SERVICES.....	141411
20.4 INFORMAL PROPOSAL PROCESS REQUIRED FOR SERVICES BETWEEN \$25,000 AND \$75,000	151512
20.5 CERTAIN SERVICES EXEMPT FROM REQUIREMENTS FOR PROPOSALS	151512
20.6 REQUIREMENTS FOR FORMAL AND INFORMAL RFP/RFQ	151512
(1) Proposals and Other Documents to be Maintained	151512
(2) County Official Responsibilities for Requests for Proposals for Services.....	161613
(3) Clerk of the Board Responsibilities for RFP/RFQ for Services (Formal RFP/RFQ Only).....	161613
20.7 REQUIRED TITLE VI NOTICES IN ALL SOLICITATIONS FOR BIDS FOR WORK OR MATERIAL	181814
.30 BID PROCEDURES FOR PUBLIC WORKS PROJECTS.....	181814
30.1 FORMAL BIDS REQUIRED FOR NON-FEDERAL AWARD FUNDED PUBLIC WORKS PROJECTS OF \$200,000 OR MORE AND FEDERAL AWARD FUNDED PUBLIC WORKS PROJECTS OVER \$150,000.....	181814
(1) Bid Documents to be Maintained.....	181814
(2) Public Works Director Responsibilities for Formal Public Works Bids	181814
(3) Clerk of the Board Responsibilities.....	191915
30.2 SMALL WORKS PROCEDURES - PUBLIC WORKS	191915
30.3 REQUIRED TITLE VI NOTICES IN ALL FEDERALLY-FUNDED PROGRAMS.....	191915
.35 BID CONFIRMATION FORM REQUIRED/PAYMENT VERIFICATION PROCEDURES	202016
.40 SOLE SOURCE PURCHASES	202016
.42 EMERGENCIES.....	212117
.44 COOPERATIVE PURCHASING	212117
.46 INTERGOVERNMENTAL PURCHASES	232318
.50 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES	232318
.80 FREQUENTLY ASKED QUESTIONS.....	242419
APPENDIX A WRITTEN CONTRACTS REQUIRED	262621
APPENDIX B APPROVAL OF CONTRACTS.....	272722
APPENDIX C STANDARDIZED INSURANCE REQUIREMENTS	292924
APPENDIX D.....	333328
APPENDIX E	353530

APPENDIX F	<u>373732</u>
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DRAFT

PURCHASING, BIDS, CONTRACTS

.1 PURPOSE

- To convey Board of Clallam County Commissioners approval and delegation policies and procedures consistent with the Clallam County Purchasing Ordinance, CCC 3.12.
- To list necessary contractual language so those contracts are enforceable, legally sound, and contain appropriate wording.
- To achieve uniformity in the process of purchasing and preparing County contracts.
- To ensure that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any County program or activity.

.2 GENERAL PROVISIONS

2.1 Written Contracts / When Required

A written contract may be initiated by the County or by the other party to the agreement. It must be signed by at least one authorized representative from each party. Appendix A contains a table representing requirements for written contracts.

(1) Written Contract Always Required for Certain Purchases

A written contract is always required for the following types of purchases:

- a. All lease or rental agreements for real property
- b. All intergovernmental agreements
- c. All grants to Clallam County
- d. All union labor agreements
- e. All services with the exception of minor services such as repairs, etc where academic credentials or professional expertise are not required.
- f. Cooperative purchasing agreements
- g. Maintenance and licensing agreements (except licenses and/or maintenance agreements for standardized, non-customized, software or hardware)
- h. Other contracts/agreements deemed necessary by the BOCC or offices/departments

(2) Written Contract Required for Purchase of Goods Over \$25,000

A written contract is required for purchase of goods when the purchase by a department of a similar item from a single vendor exceeds \$25,000 per year; or,

when total business by a department with a single vendor for purchase of goods exceeds or is expected to exceed \$25,000 in a calendar year.

(3) Written Contract Required For Certain Purchases Over \$7,500

A written contract is required for the following purchases of more than \$7,500:

- a. Construction projects or "public works" contracts.
- b. Agreements for rental or lease of equipment.

2.2 Contract to be Fully Executed Prior to Purchase

Contracts should be completely executed prior to the start of any activity covered under the contract. Retroactive contracting is discouraged and an explanation must be included in the executive summary submitted during the approval process.

2.3 Conflicts to be avoided

No elected official, employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the elected official, 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. The elected officials, officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Employees, elected officials, officers and agents of the County shall avoid conflicts of interests in the award and administration of all contracts. Failure to do so shall render the related contract null and void, and will result in disciplinary actions being taken by the County up to and including termination. Individuals may also be subject to other civil or criminal liability or penalty as available to the County to pursue under law;

2.43 Other Considerations for Purchase of Goods or Services

Prior to making a purchase for the acquisition of goods or services, County Officials are responsible to:

- a. Ensure that the purchase of goods or services is in accordance with the Clallam County Code, this policy, and any applicable grant requirements.
- b. Determine that funding is available in the appropriate budget and, if not submit the required budget change documents prior to the purchase.
- c. If a contract spans more than one calendar year, consider the impact on future budgets and include a non-appropriation clause. The standardized contract contains a non-appropriation clause that can be used on other contracts as well.

2.54 Sub-dividing Purchase Not Allowed

County Officials are not allowed to sub-divide purchases that otherwise would require either a bidding process and/or a written contract in order to avoid those processes. Examples might include 1) purchasing equipment in one month and the installation of the equipment in another month. 2) Purchasing a piece of equipment in one purchase then purchasing accessories or add on parts in another purchase, etc.

4 CONTRACT AWARD AND EXECUTION (SEE APPENDIX B)

4.1 Board Award and Approval Required for Certain Contracts

- a. All contracts requiring budgeted expenditures in excess of \$50,000 in the current calendar year.
- b. All contracts that span more than one calendar year and require budgeted expenditures in excess of \$25,000 per year, unless a non-appropriation clause is included in the contract.
- c. All contracts that will require a budget emergency or supplement not previously approved.
- d. All union labor agreements.
- e. All real property transactions (acquisitions and disposals).
- f. Any other contract or agreement which by statute must be approved by the governing body of the County.
- g. Any other contract not specifically authorized by the BOCC for other approval.

4.2 Administrator may Award and Approve Certain Contracts

Contracts not required to be approved by the Board may be awarded and approved by the Administrator. Contracts on the small works roster are included in these dollar limits.

4.3 Public Works Director/County Engineer may Approve Certain Purchases and Documents

The following contracts under \$35,000 may be approved by the Public Works Director or County Engineer if funds for the project are previously approved in the budget. Such contracts must be indexed and approved by the Prosecuting Attorney's Office in accordance with this policy.

- a. Contracts awarded as a result of the small works procedures contained in this policy
- b. Small construction improvement projects or consultant agreements
- c. Architectural services agreements using the County's standard form agreement

Purchase of Goods – The Public Works Director may delegate authority to approve purchase of goods from the ER&R Fund, the REET Fund, or the Capital Outlay Fund that do not require a formal bid or a formal contract. The Public Works Department may approve payment for purchase of fuel and payment for utility services. Purchase of oil products for road maintenance from the state bid or interlocal agreement may be approved by department personnel.

4.4 County Officials may Approve Certain Documents

Vendor agreements such as work orders, work requests, etc. for commonly used minor services such as repairs where academic credentials or professional expertise are not required, in an amount less than \$10,000 may be approved by the County Official. Purchase of goods less than \$10,000 may be approved by the County Official. County Officials may approve the County's personal services agreements in an amount less than \$10,000. County Officials may not approve other formal contracts that contain a liability clause or intergovernmental agreements no matter the dollar amount.

In order to be eligible for approval by the County Official, the purchase must be made within the current calendar year and funds for the purchase have been previously allocated in the budget. The County Official is responsible to comply with any applicable bidding requirements, capital budgetary restrictions, review by the Prosecuting Attorney if required, and contract indexing. Approval for any purchase that requires informal or formal bidding under this policy may not be delegated by the County Official to a subordinate other than their designated acting in their absence (charter exempt in the case of elected officials).

.5 CONTRACT AMENDMENTS

Amendments (change orders, addendum) will be in writing and signed by both parties. Amendments cannot alter the nature of the project or change its scope beyond what a reasonable bidder would consider a modification, as opposed to a different project. Specific cases should be reviewed with the Prosecuting Attorney to determine whether the proposed changes require an amendment or a new contract. Expired contracts may not be amended. In cases where the County anticipates additions to the scope of work as more funding becomes available, bid specifications (if required) and the original contract's scope of work should so state. The following rules govern the approval of amendments, and change orders:

- a. Contracts approved by the Administrator may be amended by the Administrator.
- b. Contracts approved by the Board must be amended by the BOCC, except that, the Board may authorize approval of amendments by the Administrator.

- c. Change orders and addendums on Public Works construction projects may be approved by the County Engineer, Public Works Director, or Administrator.
- d. Change orders and addendums on projects under the supervision of the Parks, Fairs, and Facilities Department may be approved by the Parks, Fairs, and Facilities Director or the Administrator.

.7 CONTRACTUAL LANGUAGE

This section is intended to ensure that a contract includes certain contract language so that the contract is enforceable, legally sound, and contains appropriate wording. It will also serve to highlight the difference between "form" and "substance."

7.1 Contract Elements

The contract elements listed below are generally required in all contracts. Exceptions may be approved by the Prosecuting Attorney's Office.

- a. Contract title
- b. Name, address, phone, and fax numbers of all parties
- c. County's authorized representative
- d. Contractor's legal entity type
- e. Purpose, scope of the contract, or scope of work
- f. Term or duration of the contract
- g. Compensation and payment terms
- h. Provisions for modifications and changes
- i. Provisions for contract termination
- j. Provisions for remedies if there is a violation or breach of contract terms
- k. Clause describing dispute resolution
- l. Non-discrimination language
- m. Insurance, liability, indemnification language

In addition to the above, for those contracts funded through Federal awards, the following additional contractual provisions are required to be included:

- a. For contracts over \$10,000, provisions to address termination for cause and for convenience by the County.
- b. Provision requiring compliance with the Equal Employment Opportunity as amended by Executive Order 11375.
- c. For prime construction contracts over \$2,000, provision requiring compliance with the Davis-Bacon Act (40 U.S.C 3141-3148) as supplemented by Department of Labor regulations, including requiring contractors to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor and not less than once per week. Also provision requiring contractor compliance with the Copeland "Anti-Kickback" Act as supplemented by Department of Labor regulations.
- d. For contracts over \$100,000 that involve the employment of mechanics or laborers, provisions requiring compliance with the Contract Work Hours and Safety Standards Act (40 U.S.C 3701-3708).

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- e. For Federal awards meeting the definition of a "funding agreement", contracts with a small business firm or nonprofit organization that allow substitution of parties, assignment or performance of experimental, developmental or research work under the funding agreement, provisions are to be included requiring compliance with the Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Governmental Grants, Contracts and Cooperative Agreements (37 CFR Part 4010).
- f. For Contracts in excess of \$150,000, provisions requiring compliance with the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C 1251-1387).
- g. Provisions requiring compliance with mandatory standards and policies relating to energy efficiency outlined by the state of Washington's energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201)
- h. Provisions requiring contractor representation that it is compliance with Federal Debarment and Suspension requirements.
- i. For contracts over \$100,000, provisions requiring contractor compliance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352);

[LANGUAGE ABOVE TAKEN FROM APPENDIX II OF PART 200]

7.2 Standardized Contracts Encouraged

Standard form contracts are maintained by the County for Personal/Professional Services and for Architectural/Engineering Services. These contracts have been pre-approved as to form by the Prosecuting Attorney. The Prosecuting Attorney's Office will review standardized contracts at least biannually.

When a County department initiates a contract, a standardized contract will be used whenever possible. Standardized Contracts are maintained on the County's Intranet.

7.3 Vendor Contracts

A vendor/contractor may provide the County with a written pre-printed contract document. Common vendor supplied contracts include purchase agreements, maintenance and licensing agreements, and work orders. Vendor contracts must be reviewed by the prosecuting attorney prior to approval.

7.4 Grant Contracts

Contract language required by the conditions of a private, federal or state grant will be included. Grant contracts must be reviewed by the prosecuting attorney prior to approval.

.8 CONSULTATION WITH THE PROSECUTING ATTORNEY AND APPROVAL AS TO FORM

8.1 Standardized Contracts

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Contracts using pre-approved forms are not required to be reviewed for form by the Prosecuting Attorney's Office prior to the solicitation for bids or prior to executing the contract as long as no changes have been made to the standardized language and insurance requirements have been applied at, or above, the matrix contained in Appendix C. Departments are encouraged to consult the Prosecuting Attorney's Office for assistance on complex or unfamiliar scope of work or compensation sections. Commonly used pre-approved contract forms are located on the County's Intranet site.

8.2 Review of Non-Standard Form Contracts and Vendor Contracts

Written contracts not using an approved Standardized Form must be reviewed by the Prosecuting Attorney's Office prior to the approval of the contract, except that, contracts for repairs to be completed as part of an emergency declaration do not require Prosecutor review if the review is not able to be accomplished in a timely manner. In addition, service orders or work orders for minor services where academic credentials or professional expertise are not required in an amount under \$7,500, and purchase orders for purchase of goods less than \$25,000 do not require prosecutorial review. If these documents contain an indemnity clause or liability clause it must still be reviewed by the prosecutor.

10 FEDERAL FUNDS – SUBRECIPIENTS AND VENDORS

10.1 Sub recipients and Vendors

The County Official in the department responsible for the contract is responsible to ensure that awards and/or payments are not made to any party who is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs. Prior to signing a contract with a sub recipient or vendor the County Official responsible for administration of the contract is responsible to ensure that sub recipients or vendors are eligible to receive federal funds.

10.2 Contract Requirements for Sub recipients

When the County contracts with a sub recipient who distributes federal funds, the sub-recipient is subject to the Single Audit Act. Contracts with sub recipients will include the language addressing the following:

- a. The secondary recipient of the federal funds should be referred to in the contract as a "sub recipient" once it is determined that they are a sub recipient, not a vendor.
- b. Single Audit requirements should be defined for sub recipients:
 - A requirement that the sub-recipient comply with the Single Audit Act of 1984 as amended.
 - A requirement that the sub recipient permits independent auditors access to its financial records.

- A requirement that the sub recipient maintain accounting records that will enable identification of all federal funds received and expended by catalog of federal domestic assistance number (CFDA#).
- A requirement that if a Single Audit is required, a copy of the audit report is submitted to the County, within the time limit set forth in the Single Audit act.
- A requirement that if a Single Audit is not required, the County is allowed to perform a fiscal review of the sub recipient's financial records.
- A requirement that if a sub recipient is debarred or suspended from participation in federal programs during the contract period, the contract is voided.
- A requirement that the sub recipient check the "List of Parties Excluded From Federal Procurement and Non-procurement Programs," prior to awarding sub-grants or contracts.

10.3 Title VI Contract Requirements

- a. Appendix D shall be included in every contract subject to Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) the Act and the applicable implementing Regulations.
- b. Appendix E shall be included, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
- c. The appropriate clauses set forth in Appendix F shall be included, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a Federal Aid Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under a Federal Aid Program.

.15 CONTRACT ADMINISTRATION

Contract administration is the process by which the County, acting through one or more of its officials or staff, assures performance of contractual obligations. This encompasses all activity by the County and the contractor from the time the contract is awarded until the time the contract work has been completed and accepted, payment is made, all disputes resolved, and the contract has been formally closed out.

15.1 Contract Administration Responsibilities

Contract administration may include, but is not limited to, the following functions:

- a. Ensuring required insurance or other required documents are obtained and documented prior to commencement of work, and maintained throughout the term of the contract.

- b. Making payments to contractors according to the terms of the contract.
- c. Providing interpretations of terms and conditions of the contract to the contractor.
- d. Giving technical direction and assistance to contractors.
- e. Inspecting and accepting work performed by contractors.
- f. Preparing modifications to contracts.
- g. Reviewing certain proposed subcontracts if contract terms require such reviews.
- h. Terminating contracts for cause, convenience or default.
- i. Maintaining a contract file.
- j. Closing out the contract when it is completed.
- k. Providing assistance in the event of an audit.

15.2 Responsibility for Administration of Contracts

The County Official initiating the contract is responsible for the administration of the contract. Each contract will be assigned a contract officer by the initiating department who, on behalf of the County, will be responsible for coordinating the applicable contract management activities listed above for the assigned contract(s).

15.3 Index and Tracking of Contracts Required

The County maintains a contract tracking and indexing system designed to ensure that a centralized record of each contract is maintained where County Officials can monitor contract expiration, compliance and other issues. County Officials are responsible to ensure that the contract index is completed properly, accurately reflects the department's contracts, and is maintained during the life of the contract. Indexes are maintained on the County intranet.

All written contracts approved by the Board, the Administrator, or a County Official must be indexed and reflect the index number on the contract document. Amendments, change orders, or supplements that change compensation and/or the term of the contract must be indexed using the number of the original contract followed by a sequential "amendment" number in the next field. Amendments, change orders, and supplements may be indexed using a new number but must reflect a reference to the original contract number.

Unless otherwise approved by the Administrator, a unique identifying number will be assigned by the County Official responsible for the contract, to each new contract in the following form: the three digit budget identifier assigned to the budget from which the funds are allocated, followed by the two digit year of the contract execution date, followed by a sequence number of up to five characters that may include any combination of numbers and letters assigned by the department which will uniquely identify the contract within the initiating department or office. For example, the first contract written in Human Resources for 2017 could be assigned the number 461.17.01. In order to provide for proper tracking, the identifying number will be written on the upper right of each contract, amendment, or change order.

15.4 Document Retention, Official File, Public Disclosure

The official contract file including either an original signed contract or a copy of the signed contract and all documents associated with the contract will be maintained by the initiating department. Any destruction of these records will be in accordance with approved retention schedules in the appropriate department. Requests for public disclosure of contracts and related documents will be referred to the initiating department. Documents associated with a contract would include but not be limited to: vendor list printout, written/phone quotation form, bid specifications, bid quotations, RFP's, contract proposals, activity reports, requests for reimbursement, and any other documents made or received by the County in connection with the contract or agreement.

An original contract and any approved amendments are retained by the Clerk of the Board. The Commissioners Office file does not include supporting documents and is not considered the official file.

If, due to the dollar amount, the purchasing transaction does not require a written contract in accordance with the Contracting Policy, all documents leading up to the purchase/expenditure may be attached to the original payment voucher. The original payment voucher is retained by the Auditor's office.

.20 BID PROCEDURES (EXCEPT PUBLIC WORKS PROJECTS)

20.1 Formal Bids Required for Purchase of Goods in Excess of \$25,000

In accordance with CCC 3.12, formal bids are required for purchases in excess of \$25,000. In addition, certain purchases require formal bidding in accordance with RCW. County Officials are responsible to have knowledge of those purchases required to comply with formal bid procedures.

(1) Bid Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contracts, and other documents related to any purchase made using formal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) County Official Responsibilities for Formal Bids

The County Official responsible for the purchase is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed. If the County anticipates that the contract period, the quantity of items to be purchased and/or the scope of work may be modified or increased, the specifications should so state.
- b. Preparation of an independent cost or price analysis for any purchase of goods over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
- cb. Preparation of Call for Bids - The Call for Bids form is available on the County intranet. Bid responses must be received by the Clerk of the Board, not the department. Bids must be received by the Clerk of the Board no later than 10AM on the date of bid opening. Arrival at any other County office or location is not acceptable. Bids must arrive sealed and must be clearly marked on the outside as stated in the Call for Bid. The bid opening date is scheduled for a regular meeting of the Board and must be a minimum of 14 days after the Call for Bids is approved by the Board. A longer period for response is acceptable.
- de. Preparation of Bid Response Form or Documents.
- ed. Submission of Documents to the Board for work session and regular agenda in accordance with Policy 120.
- fe. Payment for the cost of advertising and/or call for bids in the County's legal newspaper.

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- gf. Publication of the call for bids, other than that required in the County's legal newspaper, and payment for such.
- hg. Distribution of specifications and/or response packets to prospective bidders.
- ih. Pre-bid meeting if appropriate.
- ji. Evaluation of bid responses after bid opening and recommendation for award to the Board or Administrator as appropriate.
- kj. Notification to bidders of the award.
- lk. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
- ml. Completion and submittal of the Bid Confirmation Form.
- nm. Administration of the contract per this policy.
- on. Establishment and maintenance of official contract file including bid specifications, responses, contract, and other related documents.

(3) Clerk of the Board Responsibilities

- a. Publication of the call for bids as required by law.
- b. Accepting and securing bid responses.
- c. Ensuring full execution of the contract once approved by the County.
- d. Distribution and filing of fully executed contract.

20.2 Informal Bids/Quotes Required for Purchase of Goods between \$5,000 and \$25,000

In accordance with CCC 3.12, purchases where the purchase price is between \$5,000 and \$25,000 require that informal bids be solicited prior to the purchase.

(1) Vendor List to be Maintained

A categorized list of vendors shall be maintained in accordance with the requirements of applicable RCW's and CCC 3.12 by the Clerk of the Board. The Clerk of the Board shall advertise in January and July in the County's legal newspaper, the existence of the list and solicit vendors to be included. Vendors may submit required data to the County and be added to the list at any time. The County's vendor list shall be published on the County's Internet site. The Clerk of the Board will establish forms and procedures for maintaining the list.

(2) Solicitation of Informal Bids/Quotes

Solicitation of informal bids may be made in person or by mail, telephone, fax, or e-mail. Responses must be in writing and may be fax, e-mail, or may be pages from published catalogs, published advertisements, or other written documents. Any solicitation must include at least 3 vendors, if available, from the County's Vendor List. Vendors not on the County's Vendor list may be solicited in addition.

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(3) Bid/Quote Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any purchase made using informal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(4) List of Purchases Made Using Informal Bids/Quotes to be Published

The Auditor is responsible to publish and post, at least every 2 months, a listing of all purchases made using informal bidding procedures. The list will contain at a minimum, the vendor name, a brief description of the item(s) purchased, the amount of the purchase, the date, and the department that made the purchase and possesses the official file. The list may be published on the County's internet site and posted on the public bulletin board in the Courthouse.

(5) County Official Responsibilities When Using Informal Bid Procedures

The County Official responsible for the purchase is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed. If the County anticipates that the contract period, the quantity of items to be purchased, and/or the scope of work may be modified or increased, the specifications should so state.
- b. Solicitation to vendors in accordance with this policy.
- c. Evaluation of bid responses and award to the lowest bidder as defined in this policy.
- d. Preparation of a written contract if required, including any required review, recording in the County's contract index, and submittal for approval.
- e. Completion and submittal of the Bid Confirmation Form.
- f. Administration of the purchase/contract per this policy.
- g. Establishment and maintenance of official purchase/contract file including bid specifications, responses, contract, and other related documents.

20.3 Requests for Proposals/Qualifications Required for Certain Services

Except as exempted below, acquisition of services, anticipated to be in an amount exceeding \$75,000, require a formal request for proposals or qualifications (RFP/RFQ). In addition, certain services may require an RFP/RFQ by statute, grant, or other requirements. County Officials are required to have knowledge of those services requiring non-standard purchasing procedures.

20.4 Informal Proposal Process Required for Services between \$25,000 and \$75,000

Services expected to cost between \$25,000 and \$75,000 require an informal proposal process to be followed. County Officials are responsible to solicit at least 3 providers to make informal, written proposals. Section 20.2 (2) and (3) apply. If the department chooses to advertise the RFP/RFQ, costs are the responsibility of the department. Proposals shall be returned to the department requesting the informal proposal process. Proposals must be evaluated by the initiating department and the service awarded based on criteria including but not limited to, the proposal that best meets the County's needs, qualifications, and price.

Departments may use the informal proposal process to solicit proposals for services under \$25,000 when they believe the process would result in a broader response and/or better quality proposal.

20.5 Certain Services Exempt from Requirements for Proposals

Certain services are exempt from the bidding or RFP/RFQ procedures required under this section unless otherwise required by statute. They include:

- a. Attorney Services, including indigent defense
- b. Insurance Services, including bonding
- c. Tourism promotional services
- d. Services of the Economic Development Council
- e. Architects and professional engineers
- f. Registered surveyors
- g. Expert witnesses for litigations or potential litigation
- h. Medical professionals including but not limited to doctors, psychiatrists, and psychologists
- i. County fair entertainment
- j. Training for County employees

20.6 Requirements for Formal and Informal RFP/RFQ

(1) Proposals and Other Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any services acquired using these procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) County Official Responsibilities for Requests for Proposals for Services

The County Official responsible for the acquisition of services is responsible for the following:

- a. Preparation of Specifications/Scope of Work/Qualification of Vendors - Specifications should be detailed. If the County anticipates that the contract period and/or the scope of work may be modified or increased, the specifications should so state.
 - b. Preparation of an independent cost or price analysis for any purchase of services over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
 - c. Preparation of RFP/RFQ - The RFP/RFQ form is available on the County intranet. Responses must be received by the Clerk of the Board, not the department. Proposals must be received by the Clerk of the Board no later than 10AM on the date of scheduled opening. Arrival at any other County office or location is not acceptable. Proposals must arrive sealed and must be clearly marked on the outside as stated in the RFP/RFQ. The proposal opening date is scheduled for a regular meeting of the Board and must be a minimum of 14 days after the RFP/RFQ is approved by the Board. A longer period for response is acceptable.
 - de. Preparation of RFP/RFQ Response Form or documents.
 - ed. Submission of documents to the Board for work session and regular agenda in accordance with Policy 120.
 - fe. Payment for the cost of advertising the RFP/RFQ in the County's legal newspaper.
 - gf. Publication, other than that required in the County's legal newspaper, and payment for such.
 - hg. Distribution of specifications and/or response packets to prospective bidders.
 - ih. Pre-proposal meeting if appropriate.
 - ji. Evaluation of responses after proposal opening and recommendation for award to the Board or Administrator as appropriate.
 - kj. Notification to proposers of the award.
 - lk. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
 - ml. Completion and submittal of the Bid Confirmation Form.
 - nm. Administration of the contract per this policy.
 - on. Establishment and maintenance of official contract file including proposal specifications, responses, contract, and other related documents.
- (3) Clerk of the Board Responsibilities for RFP/RFQ for Services (Formal RFP/RFQ Only)
- a. Publication of the RFP/RFQ as required by law.
 - b. Accepting and securing responses.

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- c. Ensuring full execution of the contract once approved by the County.
- d. Distribution and filing of fully executed contract.

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20.7 Required Title VI Notices in all solicitations for bids for work or material.

In accordance with the County's Title VI Plan, all solicitations for bids for work or material shall include the following notice:

"Clallam County hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

.30 BID PROCEDURES FOR PUBLIC WORKS PROJECTS

30.1 Formal Bids Required for Non-Federal Award Funded Public Works Projects of \$200,000 or More and Federal Award Funded Public Works Projects over \$150,000

In accordance with CCC 3.12, formal bids are required for non-Federal award funded Public Works projects of an estimated value of \$200,000 or more. In addition, public works projects require formal bidding in accordance with RCW and the Standard Specifications for Road, Bridge, and Municipal Construction and for Federal award funded Public Works Projects of an estimated value over \$150,000. County Officials in departments requiring such services are responsible to have knowledge of those services required and comply with formal bid procedures.

(1) Bid Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any contracted project made using formal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) Public Works Director Responsibilities for Formal Public Works Bids

The Public Works Director is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed and as per the Standard Specifications for Road, Bridge and Municipal Construction where required. If the County anticipates that the contract period, the quantity of items to be purchased and/or the scope of work may be modified or increased, the specifications should so state.
- b. Preparation of an independent cost or price analysis for any purchase of goods and/or services over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
- c. Preparation of Call for Bids - The Call for Bids form is available on the County intranet. Bid responses must be received by the Clerk of the Board, not the department. Bids must be received by the Clerk of the Board no later than

10 a.m., or other time as determined by the Clerk of the Board, on the date of bid opening. Delivery to or arrival at any other County office or location is not considered receipt by the Clerk of the Board. Bids must arrive sealed and must be clearly marked on the outside as stated in the Call for Bid. The bid opening date is scheduled for a regular meeting of the Board to allow for publications to occur once each week for two consecutive weeks prior to bid opening. A longer period for response is acceptable and is required by certain grant funding sources.

- c. Preparation of Bid Response Form or Documents.
- d. Submission of Documents to the Board for work session and regular agenda in accordance with Policy 120.
- e. Payment for the cost of advertising and/or call for bids.
- f. Publication of the Call for Bids in other than that required in the County's legal newspaper and payment of such publication.
- g. Distribution of specifications and/or response packets to prospective bidders.
- h. Pre-bid meeting if appropriate.
- i. Evaluation of bid responses after bid opening and recommendation for award to the Board or Administrator as appropriate.
- j. Notification to bidders of the award.
- k. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
- l. Completion and submittal of the Bid Confirmation Form or pre-approved Bid Tabulation Form.
- m. Administration of the contract in accordance with this policy, per the project specifications and any requirements set by a grant funding source.
- n. Establishment and maintenance of official contract file including bid specifications, responses, contract, and other related documents.

(3) Clerk of the Board Responsibilities

- a. Publishing of the Call for Bids as required by Statute.
- b. Accepting and securing bid responses.
- c. Ensuring full execution of the contract once approved by the County.
- d. Distribution and filing of fully executed contract.

30.2 Small Works Procedures - Public Works

Procedures for Small Works Projects, including the Small Works Roster shall be in accordance with RCW 39.04 and CCC 3.12. Responses to bids for Small Works Projects may be received by the Public Works Department.

30.3 Required Title VI Notices in all Federally-Funded programs.

In accordance with the County's Title VI Plan, all solicitations for bids for work or material in all federally-funded programs shall include the following notice in all solicitations for work or material:

"Clallam County, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

.35 BID CONFIRMATION FORM REQUIRED/PAYMENT VERIFICATION PROCEDURES

Any purchase of goods or services, including any Public Works project, that requires a formal bid, informal quotes, small works procedures, or an RFP/RFQ requires the completion of the "Bid Confirmation Form" or other approved form. The Bid Confirmation Form is located on the County's Intranet site. The form must be completed by the department responsible for the bid process. The form must contain information from all responders to the bid process.

In any case where a written contract is required, the form must be submitted to the Board, Administrator, or Public Works Director/County Engineer as the case may be, as part of the request to award the bid/contract.

In lieu of providing an actual copy of the contract with the payment voucher as required by CCC 3.12.050, the bid confirmation form must be submitted with the first voucher for payment submitted to Auditor's accounts payable. The form is used by the Auditor's accounts payable to verify that the bid process has been accomplished and to include in reporting of contracts awarded under the informal bid process. The contract number will be noted on subsequent vouchers. In situations where a written contract is required but bidding is not required, the contract number will be noted on each voucher.

.40 SOLE SOURCE PURCHASES

Solicitation of formal bids, informal bids/quotes, and/or an RFP/RFQ may be dispensed with where the purchases are clearly and legitimately limited to a single source of supply or which involve special facilities or market conditions. Terms may be established by direct negotiation. Sole source is not intended to limit a purchase to a particular brand or vendor unless no other brand/vendor is able to supply goods or services that meet specifications of a business nature required by the county. Used materials, supplies or equipment may be purchased using this section.

County Officials requesting approval of a purchase as sole source are required to complete and submit a "Sole Source Purchase Request" form. The form will be approved prior to the request.

In the case of purchase of goods or services that otherwise would require a formal bid or request for proposals, the form must be submitted and approved by the Board of Commissioners. In the case of purchases that otherwise would require informal bid/quote, the Administrator may approve the form. The form must then be submitted, with the voucher for payment, to the Auditor's accounts payable. The approval of a purchase of goods or services as sole source does not alter contract requirements.

.42 EMERGENCIES

An emergency means unforeseen circumstances beyond the control of the County that either:

- a. Present a real, immediate threat to the proper performance of essential functions.
- b. Will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.

If an emergency exists, the Board of Commissioners may declare an emergency and award all necessary contracts for purchases or public works on behalf of the County to address the emergency without complying with any of the other provisions of this chapter. In situations requiring an immediate declaration of emergency, the County Administrator may, after making a reasonable attempt to contact each available Commissioner, declare the existence of an emergency.

If the County Administrator is unavailable, the Public Works Director, Sheriff, Prosecuting Attorney, Public Health Officer, or Director of the Department of Community Development, in that order, may, after making a reasonable effort to contact each available Commissioner, declare such emergency.

All emergencies declared by other than the Board of Commissioners shall be presented to the Board of Commissioners at their next regular meeting for consideration of ratification. If a contract is awarded under the authority of this section, a written finding of the existence of the emergency shall be made by the County Official and filed in the records of that official's office or department no later than two (2) weeks following the award of the contract.

Any contract entered into under these emergency provisions shall contain provisions allowing the County to terminate the contract for convenience or because of the conclusion of the emergency. The contract termination provisions shall provide that the County shall pay to the contractor only that portion of the contract price corresponding to work completed to the County's satisfaction prior to termination, together with costs necessarily incurred by the contractor in terminating the remaining portion of the work, less any payments previously made.

.44 COOPERATIVE PURCHASING

The County and its departments are encouraged to join with other units of local, state, or federal government in cooperative purchasing plans pursuant to RCW 39.34 or any other authorizing statute to the extent permitted by state law.

Cooperative purchasing agreements shall provide that each of the participating units of government shall be separately invoiced by the vendors or service providers for purchases made under such plans and that the County shall not be obligated for any purchases other than those required for its own use and supplied pursuant to the request of the County.

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.46 INTERGOVERNMENTAL PURCHASES

Purchases or services may be obtained from local, state, or federal entities (including but not limited to the state bid contracts and GSA contracts) upon direct negotiation without complying with bidding requirements in this policy.

.50 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the County. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the County's Title VI Specialist for review and action.

In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:

- a. The date of alleged act of discrimination; or
- b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the County or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the County, the person shall be interviewed by the Title VI Specialist. If necessary, the Title VI Specialist will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the County's investigative procedures set forth in Administrative Policy 235.

Within 10 days, the Title VI Specialist will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as WSDOT and USDOT.

The County will advise WSDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to WSDOT:

- a. Name, address, and phone number of the complainant.
- b. Name(s) and address(es) of alleged discriminating official(s).
- c. Basis of complaint (i.e., race, color, national origin or sex)
- d. Date of alleged discriminatory act(s).
- e. Date of complaint received by the County.

- f. A statement of the complaint.
- g. Other agencies (state, local or Federal) where the complaint has been filed.
- h. An explanation of the actions the County has taken or proposed to resolve the issue raised in the complaint.
- i. Within 60 days, the Title VI Specialist will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the County Administrator. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
- j. Within 90 days of receipt of the complaint, the head of the County will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with WSDOT, or USDOT, if they are dissatisfied with the final decision rendered by the County. The Title VI Specialist will also provide WSDOT with a copy of this decision and summary of findings upon completion of the investigation.
- k. Contacts for the different Title VI administrative jurisdictions are as follows:

Washington State Department of Transportation
Office of Equal Opportunity, Title VI Program
PO Box 47314
Olympia, WA 98466
360.705.7098

Federal Highway Administration
Washington Division Office
711 Capitol Way South, Suite 501
Olympia, WA 98501
360.534.9325

.80 FREQUENTLY ASKED QUESTIONS

The questions and answers below are intended to guide employees in topics where questions are often asked. This is not intended to be an all-inclusive list of issues, topics, or answers. The information provided below is enforceable as a part of this policy.

- ***Can an Elected Official or Department Head (County Official) sign a contract?***

County Officials are authorized to sign vendor supplied documents such as work orders and work requests commonly used for minor services such as repairs in an amount less than \$10,000. In addition, purchase orders and purchase agreements for goods in an amount less than \$10,000 may be signed by the County Official. The limitations include installation, tax and shipping. To be eligible for approval by the County Official, funds for the purchase must have been previously allocated in the budget, and the purchase must be made in the current year's budget. County Officials may approve the County's personal services agreements in an amount less than \$10,000. County Officials may not approve other formal contracts that contain liability clauses or intergovernmental agreements.

Vendor documents approved by County Officials still require indexing and, if appropriate, prosecutor review. Bidding is also required, if applicable. A complete contract file with all associated documents must exist in the approving department. Approval for any purchase that requires bidding under this policy may not be delegated by the County Official to a subordinate other than their designated acting in their absence (charter exempt in the case of elected officials).

- ***Can a vendor contract form be used instead of a County contract?***

Yes, but when the contract is for the provision of services, the County standard personal services contract contains language required by the Prosecuting Attorney that may not be in a vendor's standard contract. For minor services such as repairs and for purchase of goods, many vendors use standard forms commonly called a service orders, service requests, work orders, or purchase orders.

- ***Does the Prosecuting Attorney need to approve "all" written contracts?***

No. Pre-approved contracts for various services including personal services contract, contract for training, fair vendor contracts, and others exist and do not need prosecutor's review if no changes have been made to the general or special conditions and the standardized insurance provisions have been followed (See Appendix C). For minor services such as repairs and purchase of goods, many vendors use a standard form commonly called a service order, service request, work order, or purchase order. These forms may be used and do not require prosecutorial review unless they contain an indemnity clause or liability clause. The appropriate official approving the form, should, however, read the form and if a question arises, consult the Prosecuting Attorney's Office before signing. Other vendor contracts or County contracts not previously approved require prosecutor review.

APPENDIX A
WRITTEN CONTRACTS REQUIRED

Type of Purchase	Written Contract Required
1. ALL: -Rental Agreements for Real Property -Intergovernmental Agreements -Grant Agreements -Union/Labor Agreements -Cooperative Purchase Agreements -Personal or Professional Services -Maintenance and Licensing Agreements	YES
2. Purchases of goods over \$25,000:	YES
3. Certain purchases over \$7,500: -Equipment leases or rentals -Repairs of fixed assets	YES
4. Purchase of goods less than \$25,000	NO
5. Repairs of fixed assets under \$10,000	NO

APPENDIX B
APPROVAL OF CONTRACTS

Type of Contract	Approval
1. All multi-year expenditure contracts exceeding \$25,000 unless a non-appropriation clause is included in the contract. (sec 4.1)	BOCC approves and awards
2. All union labor agreements. (sec 4.1)	BOCC approves and awards
3. Real property transactions. (sec 4.1)	BOCC approves and awards
4. Any agreement requiring a budget emergency or supplement not previously approved by the Board. (sec 4.1)	BOCC approves and awards
5. Any other contract or agreement which by statute must be approved by the governing body of the County. (sec 4.1)	BOCC approves and awards
6. All expenditure or revenue contracts more than \$50,000 per year. (sec 4.1)	BOCC approves and awards
7. Certain contracts \$50,000 or less per year. (sec 4.2)	Administrator approves and awards.
8. Small Works project contracts under \$35,000 (sec 4.3)	Public Works Director/County Engineer approves.

9. Vendor supplied work orders for services under \$10,000 or purchase orders for purchase of goods under 10,000. Certain conditions apply. (sec 4.4)

County Official Approves

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APPENDIX C
STANDARDIZED INSURANCE REQUIREMENTS

Type of Coverage	When Required	Occurrence Limit	Aggregate Limit
Professional Legal Liability	If contractor is a licensed professional including but not limited to the following: - Accountants - Architects - Attorneys - Contractors - Engineers - R/E Appraisers - R/E Brokers - Surveyors - Sanitararians	See Table Below	Not Applicable
Workers' Compensation	Statutory	Not Applicable	Not Applicable
Commercial General Liability	If there is contact with the public.	1. If less than \$25,000, the limit is \$500,000. 2. If between \$25,000 and \$1,000,000, the limit is \$1,000,000. 3. If between \$1,000,000 and \$5,000,000, the limit is \$2,000,000. 4. If greater than \$5,000,000 the limit is set by Risk Management Division.	1. If less than \$25,000, the limit is \$1,000,000. 2. If between \$25,000 and \$1,000,000, the limit is \$2,000,000. 3. If between \$1,000,000 and \$5,000,000 the limit is \$5,000,000. 5. If greater than \$5,000,000 the limit is set by Risk Management Division.

Type of Coverage	When Required	Occurrence Limit	Aggregate Limit
Automobile Liability	If driving is involved and contract is less than \$25,000.	\$100,000 each accident combined bodily injury and property damage.	\$300,000.
Business Automobile Liability	If driving is involved and contract is greater than \$25,000.	\$1,000,000 each accident combined bodily injury and property damage.	Not Applicable

Appendix C (Continued)

PROFESSIONAL LIABILITY INSURANCE LIMIT SCHEDULE	
PROFESSIONS:	PROFESSIONAL LIABILITY
Accountants	\$1,000,000
Architects	1,000,000
Attorneys	1,000,000
Contractors	1,000,000
Counselors	250,000
Dietitians	100,000
Embalmer	1,000,000
Engineers	1,000,000
Escrow Agent	1,000,000
Fire Sprinkler System Contractors	1,000,000
Landscape Architects	250,000
Nutritionists	250,000
Private Detectives	500,000
Process Servers	250,000
Psychologists	1,000,000
Real Estate Appraiser	1,000,000
Real Estate Brokers	1,000,000
Surveyors	1,000,000
Veterinarians	1,000,000
HEALTH CARE	Medical Malpractice
Dental Hygienist	1,000,000
Dentists	1,000,000
Emergency Medical Technician	1,000,000
Nurses	1,000,000
Osteopaths	2,000,000
Pharmacists	1,000,000
Physical Therapist	1,000,000
Physicians	2,000,000
Sanitarians	1,000,000
Sex Offender Treatment Providers	1,000,000
TRADES	Errors & Omissions
Auctioneers	100,000

PROFESSIONAL LIABILITY INSURANCE LIMIT SCHEDULE	
Plumbers	500,000
Security Guards	100,000
Water Well Contractor/Operator	100,000

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APPENDIX D

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations

The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Sub-contracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to WSDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Non-compliance

In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

- Withholding of payments to the contractor under the contract until the contractor complies, and/or;
- Cancellation, termination, or suspension of the contract, in whole or in part

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request WSDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

APPENDIX E

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

1. GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the state of Washington will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the United States Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation WSDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d - 4) does hereby remise, release, quitclaim, and convey unto the state of Washington all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

2. HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the state of Washington, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the state of Washington, its successors, and assigns.

The state of Washington, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)* (2) that the state of Washington, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination of federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and

become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.¹

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¹ Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX F

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by (County) pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease has never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Washington State Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

Chapter 3.12

PURCHASING, CONTRACTS, AND BONDS

Sections:

- 3.12.010 Definitions.**
- 3.12.020 Exemptions.**
- 3.12.030 Provisions mandatory.**
- 3.12.040 Multiyear contracts authorized.**
- 3.12.050 Purchases under \$25,000.**
- 3.12.060 Formal purchasing procedures.**
- 3.12.070 Awarding of bids/lowest responsible bidder.**
- 3.12.080 Single source vendors.**
- 3.12.090 Specifications.**
- 3.12.100 Dollar limit adjustments.**
- 3.12.110 Small works roster – Public works.**
- 3.12.120 Bid deposit.**
- 3.12.130 Contractor's bond.**
- 3.12.140 Contract execution.**
- 3.12.150 Bond sale procedures.**
- 3.12.160 Subdivisions prohibited.**
- 3.12.170 Insurance and official bonds.**
- 3.12.180 Policies authorized.**
- 3.12.190 Architects and engineers.**
- 3.12.200 Electronic data processing and telecommunications systems.**
- 3.12.210 Emergencies.**
- 3.12.220 Cooperative purchasing.**
- 3.12.230 Intergovernmental purchases.**
- 3.12.240 State law.**

3.12.250 Repealer.

3.12.260 Severability.

3.12.270 Effective date.

SOURCE: ADOPTED:

Ord. 76 11/23/77

AMENDED SOURCE: ADOPTED:

Ord. 165 08/24/82

Ord. 226 04/24/84

Ord. 355 09/26/89

Ord. 441 12/17/91

Ord. 562 02/21/95

Ord. 695 08/01/00

Ord. 770 02/22/05

Ord. 843 06/02/09

3.12.010 Definitions.

For purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and vice versa.

(1) "Agency" means any department, agency, commission, bureau, or other unit in the county government using supplies or procuring contractual services as provided for in this chapter.

(2) "County" means the County of Clallam.

(3) "Board" means the Board of Clallam County Commissioners.

(4) "County Official" means elected officials, the County Administrator, Department Heads, and County Road Engineer appointed by the Board of County Commissioners, or their designees.

(5) "Purchase" means, in addition to acquisition of an ownership interest of goods, materials, supplies and equipment, the lease or rental of such property, those services identified by the Board by policy or required to be bid by State law and contracting for public works.

(6) "Supplies" means goods, supplies, materials, and equipment.

(7) "Purchase price" means the cost of the item or service, taxes, shipping, and all other fees.

(8) "Public work" means those projects contemplated by RCW Title 39.

3.12.020 Exemptions.

The following are exempt from the bidding provisions of this chapter:

(1) Services except as otherwise provided by the Board by policy and those services required to be bid by State law;

(2) The purchase of insurance and bonds;

(3) Those purchases of goods, materials, supplies, and equipment to be made at a public or private auction where the items can be obtained at a competitive price.

3.12.030 Provisions mandatory.

Except as provided herein, it shall be unlawful for any County Official to make any purchase within the scope of this chapter contrary to the provisions thereof and any such purchase shall be ultra vires and the County shall not be bound thereby unless so approved by the Board.

3.12.040 Multiyear contracts authorized.

In no event shall contracts for purchases exceed five years in length. Contracts which are let for a term less than five years may be extended, for a total period not to exceed five years, without the necessity of complying with the bid solicitation processes contained therein, but only if the additional years were requested to be bid in the bid specifications.

3.12.050 Purchases under \$25,000.

(1) All purchases estimated to have a purchase price in an amount less than \$5,000, and public works estimated to involve less than \$10,000, may be made without observing a bid solicitation process. It is the intent of this chapter that County Officials have flexibility and discretion for the expenditure of funds for minor purchases and public works.

(2) For all purchases estimated to have a purchase price in an amount between \$5,000 and \$25,000 inclusive, the County Official shall secure written bids from at least three different vendors whenever possible to assure that a competitive price is established and for awarding the contract for the purchase to the lowest responsible bidder. The solicitation of bids may be made by telephone, mail, electronic facsimile, or electronic mail. Bids shall be in writing, which includes prices published by vendors such as catalogs and/or advertisements, electronic facsimile, and electronic mail.

Immediately after the award is made, the solicitation and written bids shall be recorded in the records of the office or department, open to public inspection and made available by telephone inquiry.

A copy of the record or written bid shall be attached to the voucher submitted to the County Auditor for payment, along with a copy of any contract, invoice, or purchase order and shall clearly identify that the purchase was made pursuant to this section. Alternatively, the Board may establish procedures for the recording of bids and/or indexing of contracts.

(3) At least twice each year, the Clerk of the Board shall publish in the County's legal newspaper a notice of the existence of vendor lists and shall solicit the names of vendors for the lists. For purchases, solicitations for bids shall be made to those on the vendor lists. Nothing herein shall preclude the direct solicitation of bids from vendors not on the vendor list in addition to the use of the vendor lists.

(4) A list of the contracts awarded or purchases made pursuant to subsection (2) of this section shall be posted at least once every two months by the Auditor upon information provided by County Officials. The list shall

contain the name of the vendor awarded the contract or purchase, the amount of the contract or purchase, a brief description of the items purchased, the date of award, and the location where the bids for these contracts or purchases are available for public inspection.

3.12.060 Formal purchasing procedures.

- (1) For all purchases estimated to have a purchase price in an amount in excess of \$25,000 or \$10,000 for public works, sealed bids shall be solicited by notice published at least one time each week for two consecutive weeks in the legal newspaper for the County. The first publication shall occur at least 13 calendar days prior to the last date upon which bids will be received and the latest publication shall occur at least five calendar days prior to bid opening.
- (2) For purchases hereunder, it shall be the duty of each County Official to implement those provisions by:
 - (a) Preparing specifications, quantity requirements, and bid forms and initiating the requested bid procedures;
 - (b) Preparing advertisements and calls for bids for Board consideration establishing:
 - (i) The date, hour, and manner of bid acceptance and the time after which bids will not be received;
 - (ii) The character of the work to be done, or the materials, supplies, equipment or services to be purchased; and
 - (iii) Where the specifications may be seen or obtained;
 - (c) Filing a copy of bid specifications with the Clerk of the Board and providing copies of bid documents for vendors;
 - (d) Ensuring the Clerk of the Board receives and holds bids for the Board until time of opening. Bids shall be submitted sealed to the Clerk of the Board and shall be identified as bids on the envelopes and shall further identify the project for which the bid or qualification is submitted and the bid opening date. Bids shall be opened and read in public at a meeting of the Board at the time and place stated in the public notices;
 - (e) Tabulating, evaluating, and submitting recommendations of award, and preparing and transmitting notification of award to successful bidders upon approval of the Board;
 - (f) Maintaining records on bid solicitation and submissions, and the contractor's performance of its contract responsibilities.
- (3) No bids shall be submitted by electronic facsimile or electronic mail.
- (4) Nothing herein shall be construed to apply to public works projects subject to the small works roster.

3.12.070 Awarding of bids/lowest responsible bidder.

- (1) Contracts may be awarded to the lowest responsible bidder or any or all bids may be rejected for good cause after bid opening, and further calls for bids may be made in the same manner as the original call. Immaterial

irregularities in bid proposals may be waived. Timely receipt of bids by the Clerk of the Board is deemed material and bids not received by the Clerk of the Board by the time specified shall not be considered by the Board. When determining "lowest responsible bidder," in addition to price, the following shall be considered:

- (a) The ability, capacity, and skill of the bidder to perform the contract;
- (b) Whether the bidder can perform the contract promptly, or within the time specified, without delay or interference;
- (c) The bidder's ability to perform the contract in a manner that is conducive to the prudent use of energy and natural resources;
- (d) The quality of performance of previous contracts with the County or with other contractees;
- (e) The sufficiency of financial resources. If it is known that a contractor is in default on the payment of taxes or other public monies due the County, State, or federal government it shall not have its bid accepted;
- (f) The quality, availability, and adaptability of the supplies or contractual services to the particular use required;
- (g) The ability of the bidder to provide future maintenance and service for the subject of the contract;
- (h) The number and scope of conditions attached to the bid;
- (i) The contractor's character, integrity, judgment, and reputation in the community and industry.

(2) When bids are not rejected and a contract is not awarded to the lowest bidder, a full and complete statement of the reasons therefor shall be prepared by the County Official and retained with any other papers relating to the transaction.

(3) If two or more lowest responsible bids are essentially equivalent in quality, cost, and ability to perform, the contract shall be awarded to one of the lowest responsible bidders by drawing lots in public view.

(4) "Good cause" as used in subsection (1) of this section means, but is not limited to:

- (a) Unavailable, inadequate, ambiguous specifications, terms, conditions, or requirements were cited in the solicitation;
- (b) Specifications, terms, conditions, or requirements have been revised;
- (c) The supplies or services being contracted for are no longer required;
- (d) The solicitation did not provide for consideration of all factors of cost to the agency;
- (e) Bids received indicate that the needs of the agency can be satisfied by a less expensive article differing from that for which the bids were solicited;
- (f) All otherwise acceptable bids received are at unreasonable prices or only one bid is received and the agency cannot determine the reasonableness of the bid price;
- (g) No responsive bid has been received from a responsible bidder; or

(h) The bid process was not fair or equitable.

(5) Negotiations can be entered into exclusively with the lowest responsible bidder in order to determine if the lowest responsible bid may be improved. This negotiation opportunity shall not be used to permit a bidder to change a nonresponsive bid into a responsive bid.

(6) A low bidder who claims error and fails to enter into a contract is prohibited from bidding on the same purchase or project if a second or subsequent call for bids is made for the purchase or project.

3.12.080 Single source vendors.

(1) Solicitation of bids may be dispensed with where the purchases are clearly and legitimately limited to a single source of supply or which involve special facilities or market conditions. Terms may be established by direct negotiation.

(2) Any contract let under the provisions of this chapter shall be supported by a report setting forth the factual basis for not soliciting bids which report shall be open to public inspection.

(3) Used goods, materials, supplies, or equipment may be purchased under this section due to the uniqueness of the condition, features, and wear and tear of the item.

3.12.090 Specifications.

(1) Unless otherwise specifically provided in the bid specifications, reference to any goods, materials, supplies, or equipment by trade name, make, or catalog number shall be regarded as establishing a standard of quality and shall not be construed as limiting competition. All bids that offer a different trade name, make, or catalog number shall state whether the item offered is equal to the specification or an alternate and shall supply literature, if available, along with the bid. Bid specifications shall include a summary of this section. The County Official soliciting the bid shall determine whether the item is equal or alternate and such determination is final.

(2) In the event of discrepancies or omissions in the bid specifications, or ambiguity as to their meaning, the bidder shall immediately notify the County Official soliciting the bid who may issue written instructions and/or addenda and provide copies thereof to all those prospective bidders to whom specifications have been provided. Oral representations shall not be made and bidders shall not rely upon them except when made in a pre-bid conference that all prospective bidders may attend.

(3) Options to be exercised by the County to extend the term of a contract or increase the quantity of the goods, materials, supplies, equipment, or services to be purchased shall, if desired, be included in the specifications.

3.12.100 Dollar limit adjustments.

The dollar limits set forth in this chapter shall be adjusted automatically to reflect changes in limits established by the State Legislature in RCW 36.32.245, 36.32.250, and 39.04.155, as now or hereafter amended, and those limits are incorporated herein by reference as if fully set forth.

3.12.110 Small works roster – Public works.

(1) A small works roster shall be maintained for public work projects and shall be comprised of all contractors requesting inclusion and who are, where required by law, properly licensed or registered to perform work in the State of Washington. Whenever possible, participation by women and minority contractors shall be actively solicited. Bids provided in response to a solicitation hereunder shall be in writing and may include prices published by vendors such as catalogs and advertisements, electronic facsimile, and electronic mail.

(2) At least once a year, a notice of the existence of the roster shall be published in a newspaper of general circulation and names of contractors shall be solicited for the roster. In addition, responsible contractors may be added to the roster at any time they submit a written request and necessary records. As a condition of being placed on the roster, eligible contractors shall complete forms prescribed by the County and file information and certifications as determined by the County.

(3) The solicitation of bids may be made by telephone, mail, electronic facsimile, or electronic mail. Solicitations for bids shall include the date, hour and manner of bid submissions, the time after which bids will not be received, and an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. Detailed plans and specifications need not be included in the solicitation. Immediately after the award is made, the bids shall be recorded in the records of the office or department, open to public inspection, and made available by telephone inquiry. A copy of the record or written bid shall be attached to the voucher submitted to the County Auditor for payment, along with a copy of any contract, invoice, or purchase order and shall clearly identify that the purchase was made pursuant to this chapter.

(4) Whenever projects are done by contract for which the estimated cost is greater than \$10,000 but less than \$200,000, in lieu of utilizing formal bid procedures, proposals from appropriate contractors on the small works roster may be invited. Whenever possible, not less than five (5) separate appropriate contractors shall be requested to submit proposals on any individual contract. Solicitations may be invited from all appropriate contractors. However, if the estimated cost of the work is from \$100,000 to \$200,000, contractors not contacted by the County shall be notified that bids on the work are being sought. Such notice to the remaining contractors may be made by:

- (a) Publishing notice in a legal newspaper in general circulation in the area where the work is being done;
- (b) Notice by first class mail; or
- (c) Notice by electronic facsimile or electronic mail.

(5) Whenever public works projects are done by contract for which the estimated cost is greater than \$10,000 but less than \$35,000, in lieu of utilizing the procedures contained in subsection (4) of this section bids may be solicited from a minimum of three (3) contractors on the small works roster. A list of contractors contacted for projects and the contracts awarded during the previous twenty-four (24) months under this subsection shall be maintained including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date of contract award.

(6) Once a contractor on the small works roster has been offered an opportunity to submit a proposal, that contractor shall not be offered another opportunity on any contract until all other appropriate contractors, including minority and women contractors, have been afforded an opportunity to submit a proposal on a contract.

(7) When considering awarding a public work contract under this section, the contract shall be awarded or bids rejected in conformance with the process set forth in CCC 3.12.070, except insofar as inconsistent with the provisions herein.

(8) A list of the contracts awarded hereunder, except for limited public works projects, shall be posted at least once every year. The list shall contain the name of the vendor awarded the contract, the amount of the contract, a brief description of the items purchased, the date of award, and the location where the bids for these contracts are available for public inspection.

(9) Every effort shall be made to equitably distribute the available work among all contractors on the roster so that no contractor or contractors are favored.

3.12.120 Bid deposit.

(1) In addition to those bids requiring a deposit pursuant to State law, the County may require a bid deposit in an amount not less than five (5) percent of the total bid for purchases made hereunder. If required, such requirement shall be included in the bid specifications.

(2) Bid deposits shall be in one or more of the same forms authorized by State law for public works contracts.

(3) If the bidder to whom a contract is awarded fails to enter into a contract consistent with the bid proposal or fails to furnish a required contractor's bond, within ten (10) days after the notice of award, the bid deposit may be forfeited to the County and the contract may be awarded to the next lowest responsible bidder. Furthermore, a low bidder who claims error and fails to enter into a contract is prohibited from bidding on the same purchase or public work if a second or subsequent call for bids is made for the purchase or public work.

(4) Bid deposits may be returned, except for the apparent three (3) lowest responsible bidders, at any time after bid opening.

(5) The bid deposits of all unsuccessful bidders shall be returned after the contract is awarded, the contract is executed by the successful bidder, and the contractor's bond is furnished and accepted by the County.

3.12.130 Contractor's bond.

All performance and payment bonds provided pursuant to State law shall be issued by a surety company as surety who must agree to be bound by the laws of the State of Washington and subject to its jurisdiction. No bonds issued by individual sureties shall be accepted. Bonds shall be in a form consistent with State law.

3.12.140 Contract execution.

(1) The Board shall execute any contract, but may, by policy, delegate signing authority to County Officials, excluding their designees, for any such contracts and/or change orders hereunder. Notwithstanding a delegation of signing authority by the Board, nothing herein is intended to preclude County Officials from presenting the contract to the Board for its action.

(2) Where the Board has executed the contract and the contract provides for an option to extend the term of the contract or increase the quantities to be purchased, the County Official responsible for the management of that contract shall have the authority to exercise the option and execute any documents necessary to do so.

(3) All purchases and/or services shall be evidenced by a purchase order, invoice, contract of sale or the like. The Board shall establish, by policy, the requirements for written contracts.

3.12.150 Bond sale procedures.

Bonds shall be sold or refunded in the manner provided in State law.

3.12.160 Subdivisions prohibited.

No purchase shall be subdivided for the purpose of having a lesser dollar limit and, consequently, less formal procedures apply. Simultaneous purchases which, though similar, are unrelated or otherwise not constituent parts of a separate project, do not constitute subdivisions for purposes of this section.

3.12.170 Insurance and official bonds.

The purchase of insurance or official bonds may be made by direct negotiation without soliciting bids and the Board shall award purchases based upon the following:

- (1) Cost;
- (2) Company rating by A.M. Best, Standard and Poor, Moody and/or such other rating service recognized and relied upon in the insurance industry;
- (3) Loss control services;
- (4) Claims administration;
- (5) Any other factors that a prudent person would consider when acquiring insurance or faithful performance bonds.

Records of all proposals, communications, and investigations leading to the award shall be retained.

3.12.180 Policies authorized.

The County Administrator or his designee shall have authority to promulgate any rules, procedures, or policies necessary to implement:

- (1) This chapter that are not inconsistent herewith;
- (2) State statutes, as now or hereafter amended, authorizing direct or competitive negotiation which are not inconsistent therewith including, but not limited to, RCW 39.04.270 (Electronic Data Processing and Telecommunications Systems); Chapter 39.80 RCW (Architectural and Engineering Services); RCW 39.04.155 (Small Works Roster); or such other statutes as the Legislature may adopt or amend now or in the future.

3.12.190 Architects and engineers.

The services of architects and engineers who are licensed to practice under the authority of Chapter 18.08, 18.43, or 18.96 RCW shall be acquired pursuant to the procedures set forth in Chapter 39.80 RCW, as now or hereafter amended, and any rules, procedures or policies promulgated in compliance with this chapter.

3.12.200 Electronic data processing and telecommunications systems.

Electronic data processing and telecommunications equipment, software or services shall be acquired pursuant to the procedures set forth in RCW 39.04.270, as now or hereafter amended, and any rules, procedures, or policies promulgated in compliance with this chapter.

3.12.210 Emergencies.

(1) An "emergency" means unforeseen circumstances beyond the control of the County 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.

(2) If an emergency exists, the Board of Commissioners may declare an emergency and award all necessary contracts for purchases or public works on behalf of the County to address the emergency without complying with any of the other provisions of this chapter. In situations requiring an immediate declaration of emergency, the County Administrator may, after making a reasonable attempt to contact each available Commissioner, declare the existence of an emergency. If the County Administrator is unavailable, the Public Works Director, Sheriff, Prosecuting Attorney, Public Health Officer, or Director of the Department of Community Development, in that order, may, after making a reasonable effort to contact each available Commissioner, declare such emergency. All emergencies declared by other than the Board of Commissioners shall be before the Board of Commissioners at their next regular meeting for ratification.

(3) If a contract is awarded under the authority of this section, a written finding of the existence of the emergency shall be made by the County Official and filed in the records of that official's office or department no later than two (2) weeks following the award of the contract.

(4) Any contract entered into hereunder shall contain provisions allowing the County to terminate the contract for convenience or because of the conclusion of the emergency. Such contract termination provisions shall provide that the County shall pay to the contractor only that portion of the contract price corresponding to work completed to the County's satisfaction prior to termination, together with costs necessarily incurred by the contractor in terminating the remaining portion of the work, less any payments previously made.

3.12.220 Cooperative purchasing.

(1) The County may join with other units of local, State, or Federal government in cooperative purchasing plans pursuant to Chapter 39.34 RCW or any other authorizing statute to the extent permitted by State law.

(2) Any such plan shall provide that each of the participating units of government shall be separately invoiced by the vendors or service providers for purchases made under such plans and that the County shall not be obligated for any purchases other than those required for its own use and supplied pursuant to the request of the County.

(3) Any proposed plan shall be approved by the Board.

3.12.230 Intergovernmental purchases.

Purchases or services may be obtained from local, State, or Federal entities upon direct negotiation without complying with the procedures specified herein.

3.12.240 State law.

Except as provided for herein, the provisions of State law control the purchase of goods, material, supplies, equipment, services, and the contracting for public works.

3.12.250 Repealer.

The following resolution and ordinances are repealed and of no force or effect: Resolution 1, 1977; Ordinance No. 76, 1977; No. 165, 1982; No. 226, 1984; No. 355, 1989; No. 441, 1991; No. 562, 1995; and No. 695, 2000.

3.12.260 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter; it being herein expressly declared that this chapter and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that one or more other sections, subsections, paragraphs, sentences, clauses, or phrases be declared invalid or unconstitutional.

3.12.270 Effective date.

This chapter shall take effect ten (10) days after adoption.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

16
5/3/21

Department: BOCC/Finance

WORK SESSION ☒ **Meeting Date:** 5/03/2021

REGULAR AGENDA ☒ **Meeting Date:** 5/11/2021

Required Originals Approved and Attached? ☒
Will Be Provided On:

Item Summary:*

☐ Call for Hearing	☐ Contract/Agreement/MOU**	Contract #
☒ Resolution	☐ Proclamation	☐ Budget Item
☐ Draft Ordinance	☐ Final Ordinance	☐ Other

Documents exempt from public disclosure attached: ☐

Executive Summary:

This resolution approves the creation of the new NonDept - American Rescue Plan Act fund, (19961.291).

The County will be receiving \$15 million in stimulus funds as a result of the American Rescue Plan Act, which will be eligible for use through December 31, 2024. This new funding will require periodic reporting and must be invested to earn interest separately. Creation of this new fund allows the County to meet all accounting and reporting requirements.

Budgetary Impact:(Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget Action is required, has it been submitted and a copy attached?** ☐

Budget changes will be processed in June, 2021.

Recommended Action:(Does the Board need to act? If so, what is the department's recommendation?)

Please review and approve.

County Official signature & print name: Debi Cook 

Name of Employee attending meeting: Debi Cook, Mark Lane

Relevant Departments: BOCC, Finance

Date Submitted: 4/28/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy Agenda Item Sum - Res American Rescue Plan Act 4-28-2021.docx
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies) Revised: 3-04-2019



RESOLUTION _____, 2021

CREATION OF NEW NONDEPT - AMERICAN RESCUE PLAN ACT SPECIAL REVENUE
FUND

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. The County will be receiving approximately \$15 million in stimulus funds from the US Department of Treasury as a result of the American Rescue Plan Act enacted in March 2021, the first half of which is anticipated to be received in May 2021 with the remaining half to be paid to the County a year later in 2022. These funds will be eligible for use through December 31, 2024.
2. These funds will require periodic reporting to the US Department of Treasury of use of funds and unused funds. It is anticipated these funds will also need to be invested and earn interest separate from other County funds during the duration the County holds such funds.
3. Creation of this fund will allow the County to better meet anticipated accounting and reporting requirements for these new funds, help preserve year-to-year comparability of other County funds financial results, and enhance visibility of how such funds are used for purposes of our annual audit, internal reporting to the Board of County Commissioners, and external reporting to the public.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clallam County Commissioners, in consideration of the above findings of fact:

1. NonDept – American Rescue Plan Act (19961.291), a Special Revenue Fund, is now established.

PASSED AND ADOPTED this day of May, 2021

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST:

Randy Johnson

Loni Gores, Clerk of the Board

Bill Peach



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

ES
SB/ai
@
1:30pm

Department: **PARKS**

EXECUTIVE SESSION ☒ Meeting Date: **May 3, 2021 at 1:30pm**

Required originals approved and attached? ☐

Will be provided on:

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other Land Purchase |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Parks, Fairs, and Facilities Department would like to meet in Executive Session with the Board of County Commissioners to discuss the acquisition of real estate by purchase. The parcel under consideration is potential park land located in Clallam Bay and was previously discussed at Work Session on March 29, 2021.

Pursuant to RCW 42.30.110(1)(b), a governing body may hold an executive session "to consider the acquisition of real estate by ... purchase when public knowledge regarding such consideration would cause a likelihood of increased price."

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
A budget change will be necessary if the County decides to purchase this parcel.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Consider purchase of property.

County Official signature & print name:  Elizabeth Stanley

Name of Employee/Stakeholder attending meeting: Hannah Merrill, Elizabeth Stanley

Relevant Departments: Parks, Fair, and Facilities

Date submitted: April 28, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)