

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to execute an Intergovernmental Cooperative Purchasing Agreement to join in a Shared Architects and Engineering Roster with the City of Lynnwood
DEPARTMENT:	Finance
PRESENTED BY:	Cathy Robinson, Purchasing Officer Debbie Tarry, Finance Director

PROBLEM/ISSUE STATEMENT:

The Cities of Shoreline and Lynnwood would like to enter into an Intergovernmental Cooperative Purchasing Agreement, as allowed under RCW 39.34, Interlocal Cooperative Act to permit the City of Shoreline to join the Joint Agency Architects and Engineering Roster headed by the City of Lynnwood. Council approval is required to authorize the City Manager to execute an interlocal agreement.

ALTERNATIVES ANALYZED:

The City of Shoreline has an established Architectural and Engineering (A&E) Roster system in place. The current A&E roster system requires consultants to sign up for a separately maintained City of Shoreline roster and requires Shoreline staff to duplicate work accomplished by the Joint Agency Roster maintained by the City of Lynnwood. This new shared roster was implemented by Lynnwood in April 2004, and currently has three other local governmental agencies participating in the Joint Agency A&E Roster system. The benefit of the Joint Agency A&E Roster system allows for a larger vendor pool to draw from and provides an easier process for vendors to participate. Participating in the Joint Agency A&E Roster complies with all State laws and the City's adopted policies.



FINANCIAL IMPACT:

Participating in the Joint Agency A&E Roster allows the City of Shoreline to save money in advertising costs and costs associated with A&E Roster administration. An increased competitive pool may result in lower consultant contract prices. There is no cost to the City of Shoreline to participate in the Joint Agency A&E Roster system. The City of Lynnwood already has an established A&E Roster for its use. There is no increase in the baseline work and operation cost to Lynnwood, regardless of who accesses the roster for common use. Therefore, there is no need for Lynnwood to defray the cost. A benefit to Lynnwood from the new shared roster is that it should become attractive to numerous consultants and will draw a number of new and larger companies onto the roster list, increasing the competitive nature of the qualification process. In March 2001, the City of Lynnwood successfully developed a shared small works roster for construction projects under \$200,000. Currently, this roster has over 650 contractors listed on the roster and 43 local government agencies participating.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an interlocal agreement (Attachment A) with the City of Lynnwood for participation in a cooperative purchasing agreement to join in a Shared Architects and Engineering Roster.

Approved By:

City Manager  City Attorney 

INTRODUCTION

On May 29, 2001, the Council approved Ordinance 272, Procurement of Goods and Services, which allows the City of Shoreline to enter into an interlocal contract or agreement with other local governments to establish a cooperative purchasing agreement. The Cities of Shoreline and Lynnwood would like to enter into an intergovernmental Cooperative Purchasing Agreement and the City of Shoreline would like to join the Joint Agency Architects and Engineering Roster maintained by the City of Lynnwood. Council approval is required to authorize the City Manager to execute an interlocal agreement.

BACKGROUND

Ordinance 272 allows the City to enter into cooperative purchasing agreements with other local agencies.

An Architects and Engineering (A&E) Roster is a streamline way to procure architects and engineering services under \$50,000. The City advertises at least once a year for consultants to apply to be added to our A&E Roster. Consultants submit a company brochure and the required qualification documents and are added to our roster. When the City solicits Requests for Qualifications for services, estimated to cost less than \$50,000, we use the A&E Roster. For services over \$50,000, the City's adopted policies require advertising the Request for Qualifications for each contract, unless otherwise exempted.

The City of Lynnwood took the lead in developing a Joint Agency Architects and Engineering Roster system. In addition to the City of Lynnwood, three local agencies are participating in this Joint Agency Architects and Engineering system. Those agencies are: the cities of Brier, Monroe and Snohomish.

In March 2001, the City of Lynnwood successfully developed a shared small works roster for construction projects under \$200,000. Currently, this roster has over 650 contractors listed on the roster and 43 local government agencies participating.

DISCUSSION

The City of Lynnwood, as the lead agency for the Joint Agency Architects and Engineering system, advertises for the Joint A&E Roster twice a year in March and October. The advertisements are published in all papers required to meet the legal requirements of the participating agencies, such as the Everett Herald, Seattle Times, Tacoma Tribune, and Daily Journal of Commerce. To encourage the participation of minority and women owned businesses, the City of Lynnwood also advertises in the Diversity News and Asian Weekly. Consultants obtain an application from and submit the completed form to the City of Lynnwood. City of Lynnwood staff reviews and checks the applications. Job references are checked if no consecutive 5-year business history or public projects are indicated. Consultants are notified of acceptance by postcard or e-mail. Approved consultants are added to the City of Lynnwood's A&E Roster database and copies of the consultant's brochures and qualification documents posted

on the website. Consultants and participating agencies can access the database, brochures and qualification documents via the City of Lynnwood's website.

To use the Shared A&E Roster, the City of Shoreline would access the shared roster database from the City of Lynnwood website, selecting only those consultants listed in the specialty of the proposed project. Each consultant listed will have a link to their brochure and qualification documents. The City of Shoreline would determine if any of the firms meet our own qualification criteria for our specific project. The City of Shoreline would prepare our own statement of work and notify the selected consultants of the opportunity to submit a statement of qualifications on our project. City staff would further evaluate the firms qualifications and experience to determine which firm best meets the City's needs.

Benefits to the City of the Joint Agency A&E roster include:

- Less cost for advertising
- Access to larger competitive pool which may result in low consultant contracts
- Free-up City staff by eliminating the processing of A&E applications and maintaining the database and hard copy A&E files

The consultants will benefit by having one place to register for multi-agency Request for Qualifications opportunities.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an interlocal agreement (Attachment A) with the City of Lynnwood for participation in a cooperative purchasing agreement to join in a Shared Architects and Engineering Roster.

ATTACHMENTS

Attachment A: City of Lynnwood Cooperative Purchasing Agreement

COOPERATIVE PURCHASING AGREEMENT

This Cooperative Purchasing Agreement ("Agreement") is made and entered into this ____ day of ____, 2004 between the City of Lynnwood ("City") and the _____ ("joining agency.") Pursuant to RCW 39.34, the Interlocal Cooperation Act, the parties agree to a cooperative purchasing agreement to participate in the Shared Architects and Engineering Roster ("Shared A&E Roster" or "Roster"). Such use is not mandatory and no implication of mandatory use is intended through signature of this Agreement, but instead this Agreement is to allow participating agencies the ability to share such services upon occasion and at such time as benefits the participating agencies. The parties agree to the following:

Shared Architects & Engineers Roster

1. The City of Lynnwood is the lead agency.
2. The joining agency, by this Agreement, expresses an intent to use the Shared A&E Roster that has been established and maintained by the City of Lynnwood to select Architectural and Engineering firms. Such intent does not impose a mandatory or continuous use of the Roster, but simply establishes the eligibility to use the Roster upon the convenience and interest of the joining agency. This interest may be expressed to Lynnwood at any time.
3. The joining agency may use the Shared A&E Roster for interviews and contracts as allowed by and in accordance with their local municipal code(s). The Shared A&E Roster has been established for shared use by the City of Lynnwood and other public agencies.
4. The City of Lynnwood and the joining agency named herein shall each be independently responsible for their own compliance with laws and regulations governing selection.
5. The City of Lynnwood shall advertise the Shared A&E Roster annually on behalf of both parties, shall receive and review firms' applications, maintain the list of Architects and Engineers, and make that list, the applications, and the qualifications available to the joining agency. The City of Lynnwood shall make an initial determination of a firm's responsibility, but this initial decision shall be for the convenience of the joining agency only and shall not constitute a decision of responsibility that the City of Lynnwood may be held liable for. It is instead the responsibility of the joining agency to determine responsibility in whatever manner that the joining agency feels is appropriate and consistent with applicable laws.
6. Each party shall each be independently responsible for executing its contract and/or purchase order directly with the awarded Architectural or Engineering firm.
7. The City of Lynnwood does not accept responsibility or liability for the performance of any Architect or Engineering firm used by the joining agency as a result of this Agreement.
8. Each joining agency shall be independently responsible for any payments directly to firm that is employed as a result of this Agreement.
9. The joining agency hereby agrees to indemnify and hold harmless the City of Lynnwood, its officers, employees and agents from any and all claims, actions, costs, damages and expenses of any nature arising out of or in conjunction with any act authorized by this Agreement.

This Agreement shall remain in force until terminated upon written notice by either party.

Accepted for the City of Shoreline:

Accepted for the City of Lynnwood:

Steve Burkett, City Manager

Nancy Woods, Purchasing & Contracts Manager

Date

Date

APPROVED AS TO FORM:

Ian Sievers, Shoreline City Attorney