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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4320

AN ORDINANCE relating to purchasing by the City; amending Bellevue City Code 4.28.130, .140, .143, and .230 and Sections 10 and 11 of Ordinance No. 2284, Section 11 of Ordinance No. 2822 and Section 2 of Ordinance No. 3328, as amended.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 10 of Ordinance No. 2284 as amended by Section 8 of Ordinance No. 2822 and Section 22 of Ordinance No. 3593 and Bellevue City Code 4.28.130 are amended to read as follows:

4.28.130 Public work or improvement - Estimated cost in excess of two thousand five hundred dollars but less than twenty thousand dollars - Publication of estimates.

When it is determined that a public work or improvement of an estimated cost of twenty thousand dollars or less shall be executed by any means or method other than by contract, and it appears that the estimated probable cost of executing the work will exceed two thousand five hundred dollars, then, at least fifteen days before the work is begun, the Purchasing Manager shall cause such estimate, together with a description of the work, to be published at least once in a newspaper of general circulation within the county; except that when any emergency requires the immediate execution of such public work or improvement, upon a finding of the existence of an emergency by the authority having power to direct such public work or improvement to be done, duly entered of record, publication of description and estimate may be made within seven days after the commencement of the work.

Section 2. Section 11 of Ordinance No. 2284 as amended by Section 23 of Ordinance No. 3593 and Section 3 of Ordinance No. 3847 and Bellevue City Code 4.28.140 are amended to read as follows:

4.28.140 When bids required for public works and improvements.

Except as otherwise authorized by RCW Chapters 39.04 and 39.28, or RCW 35.22.620, relating to emergency public works, or other applicable general state law, as now enacted or as hereafter amended, all public works and improvements shall be done by contract pursuant to public notice and call for competitive bids in accordance with Section 4.28.040 hereof

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whenever the estimated cost of such public work or improvement, including the cost of materials, supplies, equipment and labor will exceed the sum of thirty-five thousand dollars if more than one craft or trade is involved with the public works project, or in excess of twenty thousand dollars if only a single craft or trade is involved with the public works project or the public works project is street signalization or street lighting; provided, the city may use a small works roster pursuant to RCW 35.22.620.

Whenever the estimated cost of the public work or improvement is less than the amounts provided above a contract for the public work or improvement shall be awarded in the manner authorized by Sections 4.28.050, 4.28.060 and 4.28.070 for the purchases of materials, supplies and equipment or, within the limits and to the extent authorized by RCW 35.22.620(2), the public work or improvement shall be performed by city employees.

The City Manager, or his designee, is authorized to accept the public works and improvements performed under any contract awarded hereunder after determining that such work has been satisfactorily completed in accordance with the contract terms thereof.

Section 3. Section 2 of Ordinance No. 3328, as amended by Section 8 of Ordinance No. 4040 and Bellevue City Code 4.28.143 are amended to read as follows:

4.28.143 Equal opportunity requirements for contractual service providers.

All contractors, subcontractors, consultants, vendors and suppliers who contract with the City in a total amount of thirty-five thousand dollars or more within any given year are required to take affirmative action and comply with the following requirements of this section. There shall be included in any contract between such contractual services provider and the City the following provisions:

1. Contractor shall make specific and constant recruitment efforts with minority and women's organizations, schools, and training institutions. This shall be done by notifying relevant minority and women's organizations.
2. Contractor shall seek out eligible minority and women contractors to receive subcontract awards. Appropriate minority and women contractors shall be notified in writing of any bids advertised for subcontract work.
3. Contractor shall provide a written statement to all new employees and subcontractors indicating commitment as an equal opportunity employer and the steps taken to ensure equal treatment of all persons.

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4. Contractor shall actively consider for promotion and advancement available minorities and women.
5. Contractor is encouraged to make specific efforts to encourage present minority and women employees to help recruit qualified members of protected groups.
6. Contractor is encouraged to provide traditional and nontraditional employment opportunities to female and minority youth through after-school and summer employment.
7. Contractor is encouraged to assist in developing the skills of minorities and women by providing or sponsoring training programs.

Willful disregard of the City's nondiscrimination and affirmative action requirements shall be considered breach of contract and suspension or termination of all or part of the contract may follow.

All contractors, subcontractors, vendors, consultants or suppliers of the City required to take affirmative action must sign the affidavit of compliance and submit with the bid proposal or upon the request of the Purchasing Manager. All documents related to compliance steps listed above shall be presented upon the request of the Purchasing Manager. The Purchasing Manager shall serve as the compliance officer for the City and is authorized to develop and issue procedures for the administration of this section.

Section 4. Section 11 of Ordinance No. 2822 as amended by Section 33 of Ordinance No. 3593 and Bellevue City Code 4.28.230 are amended to read as follows:

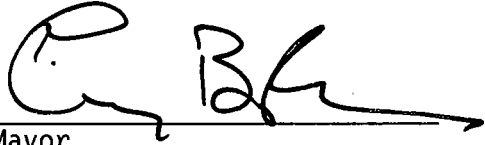
4.28.230 Other contracts.

The City Manager may promulgate procedures by administrative order for the approval of all other contracts not otherwise covered by this chapter. These contracts shall include, but are not be limited to: non-professional service contracts, maintenance agreements and contracts, instructor contracts, entertainment contracts and any other personal service contract.

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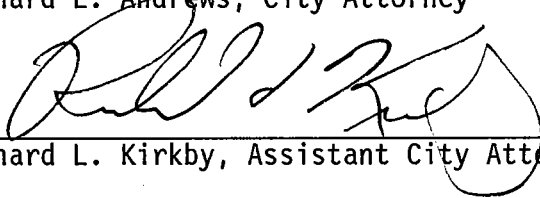
Section 5. This ordinance shall take effect and be in force thirty days after final passage by the City Council.

PASSED by the City Council this 6th day of January, 1992, and signed in authentication of its passage this 6th day of January, 1992.
(SEAL)


Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Kirkby, Assistant City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published January 10, 1992