

Ordinance No. 119953

Council Bill No. ~~113206~~ 113206

The City of Seattle

Council Bill/Ordinance

AN ORDINANCE relating to public works projects; authorizing the Director of the Executive Services Department to establish and administer a Small Works Roster for public works projects and adding a new SMC 20.40.020.

5/17/00 FB
5-22-00 Pass.

CF No.

Date Introduced: <u>5-8-00</u>		
Date 1st Referred: <u>5-8-00</u>	To: (committee) <u>Finance, Budget & Economic Development</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>5-22-00</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>5-23-00</u>	Date Approved: <u>MAY 10 2000</u>	
Date Returned to City Clerk: <u>MAY 10 2000</u>	Date Published:	T.O. _____ P.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Jan Peago

Councilmember

Committee Action:

5/17/00 FBED Do pass 3-0

5-22-00 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee: _____

(initials)

Law Department

Law Dept. Review

OMP
Review

(initials)

City Clerk
Review

(initials)

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ORDINANCE 119953

AN ORDINANCE relating to public works projects; authorizing the Director of the Executive Services Department to establish and administer a Small Works Roster for public works projects and adding a new SMC 20.40.020.

WHEREAS, RCW 39.04.155 and 35.22.620 authorize Washington State first class cities to establish and use a Small Works Roster for public works projects; and

WHEREAS, the City has a need for a Small Works Roster; and

WHEREAS, as an initial step toward establishing a Small Works Roster, the Executive Services Director believes it is in the best interest of the City to adopt rules and regulations for the use of the Small Works Roster, and enter into an inter-agency agreement with the Port of Seattle, substantially as contained in Attachment A to this ordinance and other contractual documents as required to establish such a Small Works Roster; and

WHEREAS, the City believes that this will provide some opportunities for small businesses as prime contractors to compete on City projects; Now, therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Executive Services Director is authorized to establish a Small Works Roster for public works projects as authorized for first class Washington cities by RCW 39.04.155 and 35.22.620 as now or hereafter amended. The Director is further authorized to sign an inter-agency agreement with the Port of Seattle, consistent with the draft contained in Attachment A to this ordinance, for the use of the Port's existing small works roster database as a basis for the City's new Small Works Roster program, to execute other contractual documents as required, and to adopt rules and regulations regarding the use of the Small Works Roster.

Section 2. There hereby is added a new Seattle Municipal Code (SMC) Section 20.40.020, Small Works Roster, as follows:

20.40.020 Small Works Roster



1 The Executive Services Director shall establish and administer a Small Works Roster for use on
2 City of Seattle public works projects that meet the requirements of Revised Code of Washington (RCW)
3 39.04.155 and 35.22.620, as now or hereafter amended. The Executive Services Director shall adopt
4 rules and regulations regarding procedures for the use of the Small Works Roster. The Executive
5 Services Director may also execute inter-agency agreements or other contractual documents as required
6 to establish such a Small Works Roster.

7 **Section 3.** Any act pursuant to the authority and prior to the effective date of this ordinance is
8 hereby ratified and confirmed.

9 **Section 4.** This ordinance shall take effect and be in force thirty (30) days from and after its
10 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
11 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

12 Passed by the City Council the 22nd day of May, 2000, and signed by me in
13 open session in authentication of its passage this 22nd day of May, 2000.

14 Margaret Peyer
15 President of the City Council

16 Approved by me this 30 day of MAY, 2000.

17 Paul Sium
18 Mayor

19 Filed by me this 30th day of May, 2000.

20 Janet E. Peyer
21 City Clerk

22
23 (Seal)



**Small Public Works Interagency Agreement
Attachment 1**

Pursuant to RCW 39.34.030, this Interagency Agreement by and between the Port of Seattle (the "Port") and the City of Seattle (the "City") is entered into this ____ day of _____, 2000, for a period of one year.

WHEREAS the Port is authorized and has established and maintained a small works roster for the award of public works contracts pursuant to RCW 39.04.155 and RCW 53.08.120; and

WHEREAS the Port has entered into a Software License and Service Agreement with Globe-1 Incorporated, a copy of which is appended hereto, to provide and enhance the Port's small works database; and

WHEREAS the City is authorized to establish and maintain a small works roster for the award of public works contracts pursuant to RCW 39.04.155 and RCW 35.22.620; and

WHEREAS the City seeks to utilize the Port's existing small works roster database as a basis for the City's new small works program and the Port wishes to share its small works roster database;

THE PARTIES agree to the following terms and conditions:

1. The Port will grant the City access to its electronic small works database consistent with the terms and conditions of the Globe-1 Software License and Service Agreement;
2. The City will obtain any necessary permission, right of use, or sub-license required by Globe-1 for use of the Port's electronic small works database;
3. The City will make all necessary arrangements with Globe-1 for the installation of the software and hardware necessary for access to the Port's electronic small works database, and the City's use of the small works roster shall be traced separately from the Port's use of the database;
4. The City will pay all costs and expenses, including licensing, installation, service, and training costs, to Globe-1 (or the Port as the case may be), associated with obtaining access to the Port's electronic small works roster.
5. The City agrees to abide by the terms and conditions of the Globe-1 Software License and Service Agreement and any sub-license or other necessary agreement required prior to the use of Globe-1's software, and will defend and hold the Port harmless from any loss or damage, or any alleged loss or damage, including direct and consequential damages, expenses, costs, or claims of any sort, including attorney fees and costs, arising out of the breach or alleged breach of said agreements, or the use of the Port's electronic small works database by the City, its agents or assigns.

City of Seattle

Port of Seattle



STATE OF WASHINGTON - KING COUNTY

119117
City of Seattle, City Clerk

—ss.

No. FULL ORDINAN

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:119953 ORDINANCE

was published on

06/08/00

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

R. Patterson

Subscribed and sworn to before me on

06/08/00

McQuinn

Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 119953

AN ORDINANCE relating to public works projects, authorizing the Director of the Executive Services Department to establish and administer a Small Works Roster for public works projects and adding a new SMC 20.40.020.

WHEREAS, RCW 39.04.155 and 35.22.620 authorize Washington State first class cities to establish and use a Small Works Roster for public works projects; and

WHEREAS, the City has a need for a Small Works Roster; and

WHEREAS, as an initial step toward establishing a Small Works Roster, the Executive Services Director believes it is in the best interest of the City to adopt rules and regulations for the use of the Small Works Roster, and enter into an inter-agency agreement with the Port of Seattle, substantially as contained in Attachment A to this ordinance and other contractual documents as required to establish such a Small Works Roster; and

WHEREAS, the City believes that this will provide some opportunities for small businesses as prime contractors to compete on City projects. Now, therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. The Executive Services Director is authorized to establish a Small Works Roster for public works projects as authorized for first class Washington cities by RCW 39.04.155 and 35.22.620 as now or hereafter amended. The Director is further authorized to sign an inter-agency agreement with the Port of Seattle, consistent with the draft contained in Attachment A to this ordinance, for the use of the Port's existing small works roster database as a basis for the City's new Small Works Roster program, to execute other contractual documents as required, and to adopt rules and regulations regarding the use of the Small Works Roster.

SECTION 2. There hereby is added a new Seattle Municipal Code (SMC) Section 20.40.020, Small Works Roster, as follows:

20.40.020 SMALL WORKS ROSTER

The Executive Services Director shall establish and administer a Small Works Roster for use on City of Seattle public works projects that meet the requirements of Revised Code of Washington (RCW) 39.04.155 and 35.22.620, as now or hereafter amended. The Executive Services Director shall adopt rules and regulations regarding procedures for the use of the Small Works Roster. The Executive Services Director may also execute inter-agency agreements or other contractual documents as required to establish such a Small Works Roster.

SECTION 3. Any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

SECTION 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of May, 2000, and signed by me in open session in authentication of its passage this 22nd day of May, 2000.

MARGARET FACELER,

President of the City Council.

Approved by me this 30th day of May, 2000.

PAUL SCHELL,

Mayor.

Filed by me this 30th day of May, 2000.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN,
City Clerk.

(See City Clerk for Attachment).

Date of official publication in Daily Journal of Commerce, Seattle, June 8, 2000.
6/8(119117)