



Signatory Authority Policy

Adopted 10/10/2018

Purpose: The purpose of this policy is to provide direction on the delegation of authority to the Library Director for matters related to Signatory Authority of Library Contracts.

Definitions:

Authorized Signatory: An individual authorized pursuant to the Board of Trustees' Signatory Authority Policy to sign Contracts with external parties on behalf of the Board of Trustees of Jefferson County Library.

Contract: Any agreement, or understanding, between two or more parties for performing, or refraining from performing, some specified act or acts, in exchange for a valuable benefit known legally as consideration, including memorandums of understanding, letters of intent, amendments or modifications to existing Contracts, and other similar documents.

Personal Services: Activities, such as consulting, which have a primarily intellectual final product.

Professional Services: Any contracted services provided by someone other than an employee of the Library within the scope of the general definitions of professional practice in RCW 18.

Public Work: All work, construction, alteration, repair, or improvement, other than ordinary maintenance, executed at the cost of Jefferson County Library, or which is by law a lien or charge on any property therein.

Purchased Services: Routine and repetitive in nature, which support an agency's day-to-day operation.

Signatory Authority: The legal authority to bind Jefferson County Library in a Contract.

Small Public Works Roster: A process through which there is competition for public works contracts following notification, normally through a request for quotes (RFQ), to some or all public works contractors who have requested placement on a roster kept by the Library.

Background: The Jefferson County Library Board of Trustees under RCW 27.12.210(5) has the exclusive control of the finances of the Library; and, under RCW 27.12.210(10), has the authority to adopt rules for the efficient management and control of the Library. The Board of Trustees now wishes to provide a

master policy providing for the delegation of authority for matters related to Library Contracts for the purpose of expeditious administration of the Library.

Policy:

SECTION I. PUBLIC WORKS CONTRACTING

a. Major Public Works Construction Work Contracts:

For all contracts which require the performance of work, and where the estimated total cost is to exceed Twenty-five Thousand Dollars (\$25,000), Board of Trustees approval shall be required for:

- i. The solicitation of bids;
- ii. The award of contract; and,
- iii. The acceptance of the work as complete.

The Library Director is authorized to carry out without prior referral to the Board of Trustees all other actions required by applicable statute or necessary for contract administration, including the public opening of sealed bids, preliminary to the acts required to be performed by the Board of Trustees.

b. Change Orders for Major Public Works Construction Work Contracts:

Where major public works contracts for the performance of work have been awarded and under which the work is in progress, and individual changes in plans and/or specifications are necessary to properly accomplish the work, the Library Director is authorized to execute individual change orders to the contract provided the conditions are met as follows:

- i. The accumulated total of all changes orders does not exceed 10% of the original contract amount;
- ii. The revised total of the contract amount is within the approved, appropriate fund budget spending limit;
- iii. Any time extension for completion of said contract which accompanies said change order does not exceed the total of forty-five (45) days, except a change order extending the contract determined time beyond forty-five (45) days where it is to be a result of fire or other casualties not the fault of the contractor; strikes, riots and other civil disorders; unsuitable weather, or other acts which result in suspension of work by order of the project manager; and,
- iv. The project scope does not significantly vary from the approved project budget.

c. Small Works Roster Construction Contracts:

For public works projects with a cost of less than \$25,000, the District will seek competitive quotes as outlined in the Purchasing Policy. The Library Director is authorized to carry out, without prior referral to the Board of Trustees, all actions required by applicable statutes or necessary for contract administration, including:

- i. Solicitation of bids;
- ii. The award of contract, giving weight to the contractor submitting the lowest and most responsive proposal; and,
- iii. The acceptance of the work as complete.

d. Change Orders for Small Works Construction Contracts:

Where small works contracts for the performance of work have been awarded and under which the work is in progress, and individual changes in plans and/or specifications are necessary to properly accomplish the work, the Library Director is authorized to execute individual change orders to the contract provided the conditions are met as follows:

- i. The accumulated total of the original contract plus all change orders does not exceed \$25,000;
- ii. The revised total of the contract is within the approved, appropriate fund budget spending limit;
- iii. Any time extension for completion of said contract which accompanies said change order does not exceed the total of forty-five (45) days, except a change order extending the contract determined time beyond forty-five (45) days where it is to be a result of fire or other casualties not the fault of the contractor; strikes, riots and other civil disorders; unsuitable weather, or other acts which result in suspension of work by order of the Library Director supervising the contract; and,
- iv. If the project scope does not significantly vary from the approved work.

In all other cases it will be brought before the Board of Trustees before obligation of any funds.

e. Emergency Construction Contracts:

If needed for the immediate execution of a contract for work, the Library Director, pursuant to the procedures of RCW 39.04.020 and RCW 39.30.020 (as they may be amended or succeeded), is authorized to declare and make appropriate findings that an emergency situation exists, waive the competitive bidding requirements, and execute all contracts necessary to address the emergency situation.

The Library Director shall submit to the Board of Trustees the proposed ratification of the finding of emergency and any contracts awarded and/or executed pursuant to that finding at the next regularly scheduled Board of Trustee meeting or special meeting.

f. Reports:

Notwithstanding the authorities granted in these preceding Sections I. a, b, c, d and e, the Library Director shall keep the Board of Trustees advised of all Major Public Work contracts by providing monthly reports listing all open Major Public Work contracts, including, but not limited to, the date of award, authorized and original award amounts, and all amendments.

SECTION II. CONTRACTS FOR ACQUISITION OF UTILITIES, BOOKS, MATERIALS, EQUIPMENT, SUPPLIES, DATABASES, AND PURCHASED SERVICES

The Library Director shall have the responsibility for following all statutory requirements and procedures in connection with all contracts for the acquisition of utilities, books, materials, equipment, supplies, databases, and purchased services as outlined in the Purchasing Policy.

The Library Director may designate authority for a Manager to execute purchased services contracts for programming events, as long as the contract amount does not exceed \$500 per program event. The Library Director may designate authority for a Manager to execute purchased services contracts for janitorial, landscaping, and maintenance and repair contracts, as long as the contract amount does not exceed \$5,000.

Utilities, books, materials, equipment, supplies, databases, and services (including services provided by public agencies) may be acquired on the open market when necessary for the normal maintenance and operations of the Jefferson County Library. No prior Board of Trustee approval shall be required but shall, where appropriate, be approved as part of normal monthly voucher examination and shall be within the authorized, appropriate fund budget spending limit.

The Library Director may execute contracts for the acquisition of utilities, books, materials, equipment, supplies, and databases, subject to the following conditions:

- a. The contract or purchase order price for one year does not exceed Ten Thousand Dollars (\$10,000), or if specifically identified in the annual budget, the amount shown in such budget, and the contract provides for no more than two (2) options to extend the contract for one (1) year periods, provided that the basic contract or purchase order price and any contract extensions must be within the approved, appropriate fund budget spending limit;
- b. The award is made to a bidder who has submitted a proposal based on the plans and specifications on file, or, where permissible, based upon the bidder's own plans and specifications and accompanied by a bid proposal deposit as may be

required, and which is, as nearly as practicable, in accordance with the requirements of the bid; and

- c. The successful bidder has provided, where required, a performance bond with sureties, which comply with the requirements of RCW 39.08.

SECTION III. Architectural, Engineering and Technical Services (professional services)

The Library Director is authorized to contract with qualified Professional Services providers to provide such services as required for maintenance, engineering work, or small projects of the Jefferson County Library.

Professional services means professional services rendered by any persons contracting to perform activities within the scope of the professional practice of architecture, engineering, land surveying and landscape architect as defined in RCW Chapters 18.08.320, 18.43.020, and 18.96.030, including as required for preliminary engineering, planning, environmental permitting, construction permitting, project scoping, construction management; or for similar purposes reasonably required in connection with public works. Professional services shall be with qualified firms that are licensed in the State of Washington to provide such services.

Selection and reimbursement for such services shall follow all required statutory procedures as authorized by RCW 39.80, and shall be consistent with normal established fees paid for such services.

Where necessary in the conduct of normal Library operations, the Library Director may arrange for such services subject to the following conditions:

- a. The competitive selection process was utilized, and the fee to the same firm on any single project, or closely related work, does not exceed the amount of twenty thousand dollars (\$20,000) and the funds are within the approved, appropriate fund budget spending limit; or,
- b. The competitive selection process was not utilized, and the fee to the same firm on any single project, or closely related work does not exceed the amount of fifteen thousand dollars (\$15,000), and the funds are within the approved, appropriate fund budget spending limit; or,
- c. the Library Board of Trustees has approved specific expenditures over these amounts for services related to a previously-approved project.

SECTION IV. PERSONAL SERVICES

The Library Director shall be responsible for obtaining personal services when deemed necessary in carrying out normal Jefferson County Library operations and ensuring that all applicable legal requirements are met.

Personal services shall be provided by a consultant with professional or technical expertise to accomplish a specific study, project, task or other work statement, which may not reasonably be required in connection with a public works project meeting the definition of RCW 39.04.010(4). Personal services do not include purchased services or professional services procured using the competitive selection requirements in RCW Chapter 39.80 (a & e).

Where necessary in the conduct of normal Jefferson County Library operations, the Library Director may arrange for such services subject to the following conditions:

- a. The Library Director is authorized to contract for such services where the estimated cost of the proposed service does not exceed the amount of twenty-five thousand dollars (\$25,000), and the funds are within the approved, appropriate fund budget spending limit;
- b. Sole source service contracts more than twenty-five thousand dollars (\$25,000) shall be executed only after authorization by the Board of Trustees;
- c. Selecting, contracting and paying for all such services shall follow all required statutory procedures; and,
- d. The Library Director is authorized to make a determination as to whether substantial change in the scope of work specified in the contract warrants the work to be awarded as a new contract.

Where contracts for services are subject to approval by the Board of Trustees, increases in the approved contract amount may be approved by the Library Director without prior approval of the Board of Trustees for amounts not to exceed 10% of the last Board of Trustee approved total, provided that funds are within the approved, appropriate fund budget spending limit.