

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ORDINANCE NO. 23-074

RELATING TO PURCHASING AND CONTRACTING; AMENDING CHAPTER 3.04  
SNOHOMISH COUNTY CODE

BE IT ORDAINED:

**Section 1.** Snohomish County Code Section 3.04.005, last amended by Amended Ordinance No. 12-074 on February 6, 2013, is amended to read:

**3.04.005 Definitions.**

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Architectural and engineering (A/E) services" means professional services rendered by any person, other than an employee of the county, contracting to perform activities within the scope of the general definition of professional practice in Chapter 18.08, 18.43, or 18.96 RCW.

(2) "Application" means a completed statement of qualifications together with a request to be considered for the award of one or more contracts for professional services.

(3) "Bidding" means formal sealed bidding as required by state law.

(4) "County official" means the county assessor, the county auditor, the county clerk, the county sheriff, the county treasurer, and the prosecuting attorney.

(5) "Director" means the director of the department of finance.

~~((4))~~(6) "Department" means the department of finance.

~~((5))~~(7) "Division" means the division of purchasing.

~~((6))~~(8) "Environmentally preferable products and services" means products and services (including construction services) that have a positive impact (or reduced negative effect) on human health and the environment when compared with competing products and services that serve the same purpose.

~~((7))~~(9) "Manager" means the purchasing manager.

1 ((8))(10) "Person" means any individual, organization, group, association,  
2 partnership, firm, joint venture, corporation, or any combination thereof.

3  
4 ((9))(11) "Prosecuting attorney" means the prosecuting attorney or a  
5 designated member of the civil division of the prosecutor's office.

6  
7 ((10))(12) "SCC" means Snohomish County Code.  
8  
9

10 **Section 2.** Snohomish County Code Section 3.04.015, last amended by  
11 Ordinance No. 94-095 on October 12, 1994, is amended to read:

12  
13 **3.04.015 Exemptions.**

14  
15 The following shall be exempt from the requirements of this chapter:

16  
17 (1) Settlements of claims for taxes or damages of any sort, whether based upon  
18 tort, contract, or otherwise;

19  
20 (2) Contracts of employment, whether negotiated through duly authorized labor  
21 representatives or not, and payroll disbursements or any other payments  
22 incidental to such contracts;

23  
24 (3) Travel and living expenses of officers and employees;

25  
26 (4) Insurance and surety bond purchases;

27  
28 (5) The following proprietary purchases:

29  
30 (a) Utility billing (water, power, etc.),

31  
32 (b) Postage, permit, fee, license involving a single source or  
33 governmental agency,

34  
35 (c) Any care, training, or professional services for the physically and/or  
36 mentally ill by any county agency;

37  
38 (6) Interdepartmental transactions;

39  
40 (7) Performance of work by day labor by county employees as allowed by state  
41 law;

42  
43 (8) The furnishing of any property, materials, construction, work or labor by any  
44 person or entity in accord with any condition of any variance, rezoning, platting,  
45 replatting, conditional use permit, or any other permit issued by the county;  
46

1 (9) Foods. If the products being purchased by the county are of a perishable  
2 nature, such as meats, fish, fresh or frozen fruits and vegetables, bakery  
3 products, dairy and poultry items, the purchase may be made by the department  
4 involved by direct negotiation, subject to the approval of the purchasing manager  
5 and such regulations as may be required by the county executive. Nonperishable  
6 foods (dry stores) shall be placed on bid at least once annually to determine the  
7 existence of a competitive base. If such a base at reasonable prices does not  
8 exist, the food involved may be purchased by direct negotiation by the  
9 department involved, subject to the approval of the executive;

10  
11 (10) Purchases, sales, leases, or licenses~~((, or other contracts))~~ affecting real  
12 property;

13  
14 (11) Any sale, lease, licensing, or other disposal of any other personal property  
15 or services by the county (see chapter 4.46 SCC);

16  
17 (12) Any acquisition of property by the county by the exercise of the power of  
18 eminent domain;

19  
20 (13) ~~((All contracts funded by a federal and/or state grant-in-aid program or  
21 project and which are controlled by applicable federal or state law, rule or  
22 regulation; and all contracts with subgrantees or subrecipients under grants-in-aid  
23 programs))~~Subawards, as that term is defined by 2 C.F.R. § 200.1, funded by  
24 federal or state grants;

25  
26 (14) Contracts for the purpose of debt collection with collection agencies holding  
27 a valid license as required by chapter 19.16 RCW when said contracts have  
28 been reviewed and approved by the executive;

29  
30 (15) Any contract for goods and services required for the prosecution of litigation  
31 including expert witnesses, expert witness costs, medical evaluations, other  
32 expert evaluations, transcripts, court reporter's fees, copying and other items  
33 relating to litigation, which contracts may be negotiated by the prosecuting  
34 attorney;

35  
36 (16) Interlocal agreements under the authority of chapter 39.34 RCW and  
37 intergovernmental agreements for services. These agreements may be  
38 negotiated by the county executive, the head of any executive department, or  
39 county official. Intergovernmental agreements for services shall be approved in  
40 accordance with SCC 3.04.140. Interlocal agreements under the authority of  
41 chapter 39.34 RCW shall be approved in accordance with state law and the  
42 county charter.

43  
44 (17) Contracts funded by federal, state, or private grants or awards that require  
45 the use of a specific supplier, subrecipient, or contractor to carry out a grant  
46 project or program as a condition of the grant or grant award; and contracts

1 funded by a federal or state grant to the extent the grant requires procurement to  
2 be accomplished pursuant to other law, rule, regulation, or process;

3  
4 (18) Contracts funded by the taxes and charges set forth in chapters 4.40,  
5 4.41, and 4.118 Snohomish County Code.

6  
7 (19) Any other transaction the procedures with respect to which are controlled  
8 by any other code section or for which an exemption to competitive bidding  
9 requirements is provided under state law.

10  
11 **Section 3.** Snohomish County Code Section 3.04.030, last amended by  
12 Amended Ordinance No. 07-015 on March 21, 2007, is amended as to read:

13  
14 **3.04.030 Purchasing manager.**

15  
16 The manager shall be the administrative head of the division and shall be the  
17 purchasing agent of the county. Under the direction and supervision of the  
18 director, ~~((he))~~ the manager shall administer the purchasing and contracting  
19 procedures as provided in this chapter and shall prepare and submit annual  
20 budget estimates for the division as provided in SCC 4.26.030. ~~((The manager~~  
21 ~~may appoint such officers and employees as are required to perform the duties of~~  
22 ~~the division, in compliance with county personnel system requirements.))~~ The  
23 manager shall be deemed an employee covered by the blanket employees'  
24 performance bond purchased by the county. In the absence of the manager, the  
25 manager's powers and duties shall be performed by his or her designee in the  
26 division unless the director shall direct otherwise.

27  
28 **Section 4.** Snohomish County Code Section 3.04.060, last amended by  
29 Amended Ordinance No. 10-021 on June 7, 2010, is amended as to read:

30  
31 **3.04.060 Powers and duties.**

32  
33 In addition to the general powers and duties as set forth elsewhere in this  
34 chapter, the manager shall perform such duties as are provided by this chapter  
35 including:

36  
37 ~~((Prepare and submit an inventory as required by SCC 3.04.075))~~ Prepare  
38 reports as required by the executive;

39  
40 (2) Prepare and make available to all departments and divisions of the county  
41 such forms as are necessary to carry out the purposes of this chapter;

42  
43 (3) In accordance with procedures approved by the county executive, use a  
44 purchase order number system for transactions wherein the county contracts for  
45 the purchase of supplies, materials, equipment or other tangible personal

1 property, public work, or services as provided herein, and maintain records with  
2 respect to such transactions;

3  
4 (4) Review and revise conditions and clauses of bid solicitations, as deemed  
5 appropriate to clarify the award process and eliminate ambiguities;

6  
7 (5) Prepare and make bid calls, postings, newspaper advertising, solicitations,  
8 provide information, receive telephone or written bids and quotations, and  
9 otherwise participate in the awarding of contracts for purchases as provided in  
10 this chapter;

11  
12 (6) Recommend rules and regulations governing the relationship and procedures  
13 between the purchasing division, other divisions and departments of government  
14 and suppliers, all as approved by the director;

15  
16 (7) Publish written purchasing procedures and guidelines for use by all county  
17 departments and divisions which implement overall county purchasing and  
18 material control policies, and review such procedures annually and update as  
19 deemed appropriate by the purchasing manager;

20  
21 (8) Establish bid opening, advertising and recommend bid award dates; and

22  
23 (9) Pursue contractor compliance with county policy on human rights as  
24 provided in SCC 2.460.170.

25  
26 **Section 5.** Snohomish County Code Section 3.04.075, last amended by  
27 Ordinance No. 89-027 on May 17, 1989, is repealed.

28  
29 **Section 6.** Snohomish County Code Section 3.04.090, last amended by  
30 Ordinance No. 89-027 on May 17, 1989, is amended to read:

31  
32 **3.04.090 Standardization.**

33  
34 (1) Equipment and supplies in general use throughout the various departments  
35 of the county shall be standardized insofar as possible. In order to secure  
36 economies through volume purchasing, county departments shall be supplied  
37 with standardized items as determined by the director. Items not normally  
38 stocked may be purchased only if the standard item is not suitable or cannot  
39 efficiently perform the task at hand or the item is needed for a particular  
40 application. ~~((The manager will maintain a continuous review of inventory items  
41 and will replace and resupply such so as to maintain an adequate inventory of  
42 standardized equipment and supplies.~~

43  
44 ~~(2) County officials and departments shall purchase all office supplies through  
45 the division, except as permitted elsewhere in this chapter; PROVIDED, That  
46 officers and departments may make purchases of office supplies not on hand in~~

1 the division where total price does not exceed \$50.00, the supplies are required  
2 to perform official duties before they can be provided through usual purchasing  
3 procedures, and such purchase is made in accord with regulations adopted by  
4 the manager. PROVIDED FURTHER, That the total amount of such purchases  
5 by any office or department shall not exceed \$500.00 in any calendar year.  
6

7 ~~(3) Equipment, parts, materials, and supplies other than office supplies in an~~  
8 ~~amount not more than \$500.00 may be purchased by county officials and~~  
9 ~~departments in accord with regulations adopted by the manager. Purchases~~  
10 ~~between \$500.00 and \$1,000 may only be made by a department when~~  
11 ~~specifically authorized in writing by the manager when he deems such to be in~~  
12 ~~the best interest of the county.~~  
13

14 ~~(4) The director or his manager shall review the buying practices of all county~~  
15 ~~departments at least annually to determine whether or not they are following the~~  
16 ~~provisions of this chapter, where applicable, and are using good judgment in their~~  
17 ~~purchase actions. The time and place of the review will be determined by the~~  
18 ~~manager and will consider any information or records available from the division.~~  
19 ~~The manager shall submit a summary of his findings and such recommendations~~  
20 ~~as appropriate to the county executive following the completion of his review.)~~  
21  
22

23 **Section 7.** Snohomish County Code Section 3.04.100, last amended by  
24 Ordinance No. 89-027 on May 17, 1989, is repealed.  
25

26 **Section 8.** Snohomish County Code Section 3.04.110, last amended by  
27 Ordinance No. 89-027 on May 17, 1989, is repealed.  
28

29 **Section 9.** Snohomish County Code Section 3.04.120, last amended by  
30 Amended Ordinance No. 07-117 on December 12, 2007, is amended to read:  
31

32 **3.04.120 ((Competitive))Formal sealed bidding.**  
33

34 ~~((The bid requirements of SCC 3.04.130(2), (3), (4), (5), (9) and (10)))~~Formal  
35 sealed bidding shall be complied with on all purchases~~(,)~~ and leases of  
36 personal property and ~~((contract))~~contracts for public work, ~~((labor and services~~  
37 ~~))~~supplies, materials, and equipment, except the following:  
38

39 (1) Purchases as provided in SCC 3.04.160;  
40

41 (2) ~~((Negotiated contracts as provided in SCC 3.04.190;~~  
42

43 ~~(3))~~ Proprietary purchases as provided in SCC 3.04.180;  
44

45 ~~((4) Consultant and special service contracts as provided in SCC 3.04.190;~~  
46

- 1       ~~(5))~~(3) Emergencies as provided in SCC 3.04.200;  
2  
3       ~~((6))~~(4) ~~((Intergovernmental services as provided in SCC 3.04.210;~~  
4  
5       ~~(7))~~ Cooperative purchasing as provided in SCC 3.04.220;  
6  
7       ~~((8))~~(5) Exemptions as provided in SCC 3.04.015; ~~((and))~~  
8  
9       ~~((9))~~(6) Contracts for small works as provided in SCC 3.04.135~~((:)); and~~  
10       (7) As otherwise provided by this chapter or state law.

11  
12       **Section 10.** Snohomish County Code Section 3.04.130, last amended by  
13 Ordinance No. 13-040 on June 12, 2013, is repealed.

14  
15       **Section 11.** Snohomish County Code Section 3.04.135, last amended by  
16 Amended Ordinance No. 09-084 on September 9, 2009, is amended to read:

17  
18       **3.04.135       Small works, roster.**

19  
20       (1) Pursuant to RCW 39.04.155, the division shall develop and administer a  
21 small works roster process for awarding contracts for construction, building,  
22 renovation, remodeling, alteration, repair, or improvement of real property with an  
23 estimated cost of ~~(((\$300,000))~~\$350,000 or less. The small works roster process  
24 shall include a limited public works process for projects estimated to cost less  
25 than ~~(((\$35,000))~~\$50,000. The county may exercise its discretion to use the  
26 competitive thresholds set forth in this section or, if higher, those set forth in  
27 RCW 39.04.155.

28  
29       (2) Pursuant to SCC 3.04.060(7), the manager shall adopt and publish written  
30 procedures and guidelines necessary to implement this section.

31  
32       (3) The small works roster process may be administered by interlocal agreement  
33 as provided in RCW 39.04.155 and Chapter 39.34 RCW or by contract with a  
34 non-governmental service provider, including but not limited to the Municipal  
35 Research and Services Center of Washington, provided that all such agreements  
36 or contracts must be approved in accordance with SCC 3.04.140 and 3.04.210.

37  
38       **Section 12.** Snohomish County Code Section 3.04.140, last amended by  
39 Amended Ordinance No. 08-065 on June 4, 2008, is amended to read:

40  
41       **3.04.140       Award, execution, by whom.**

42  
43       (1) Contracts for intergovernmental (1) services shall be awarded and approved by  
44 the county council except those for ~~(((\$50,000))~~\$100,000 or less which may be  
45 awarded and approved by the county executive.  
46

1 ~~((Consultant contracts and special service contracts not subject to bidding~~  
2 ~~requirements for \$25,000 or less))~~Contracts for services for less than \$10,000  
3 that are neither architectural and engineering services nor services incidental to  
4 public work may be awarded and approved by the head of any executive  
5 department or a county official. Contracts for services for \$50,000 or less that are  
6 neither architectural and engineering services nor services incidental to public  
7 work may be awarded and approved by the county executive. Contract  
8 amendments for services that are neither architectural and engineering services  
9 nor services incidental to public work and that in aggregate increase a contract  
10 by no more than 20% of the original contract amount may be approved by the  
11 county executive. The executive may delegate by executive order such award,  
12 approval or signature authority as the executive deems appropriate.

13  
14 (3) ~~Contracts subject to bidding requirements for ((~~~~\$250,000))~~\$1,000,000 or less,  
15 ~~for ((programs and projects))~~public work, supplies, materials, and equipment for  
16 which sufficient appropriation authority exists and which implement programs,  
17 projects, or functions the county council has specifically authorized by motion or  
18 ordinance, may be awarded and approved by the county executive. The  
19 executive may delegate by executive order such award, approval, or signature  
20 authority as the executive deems appropriate. Contracts subject to bidding  
21 requirements for more than \$1,000,000 for public work, supplies, materials, and  
22 equipment, shall be awarded and approved by county council.

23  
24 (4) Amendments, change orders, and orders for extra supplies, materials,  
25 equipment, or public work ~~((for))~~that in aggregate increase a contract by no more  
26 than ((~~\$200,000~~))\$350,000 ~~((or less))~~ or 20% of the original contract amount,  
27 whichever is lower, on contracts subject to bidding requirements for which  
28 sufficient appropriation authority exists and where the extra supplies, materials,  
29 equipment, or public work was addressed or could be reasonably assumed to be  
30 addressed in the original bid documents, may be awarded and approved by the  
31 county executive, except as provided in subsection (6) of this section. The  
32 executive may delegate by executive order such award, approval or signature  
33 authority as the executive deems appropriate.

34  
35 (5) ~~Contracts incidental to litigation for ((~~~~\$50,000~~))\$100,000 or less may be  
36 awarded and approved by the prosecuting attorney.

37  
38 (6) Options in purchase contracts to extend performance may be exercised by  
39 the manager, with the concurrence of the official or department head involved,  
40 when it is in the best interests of the county to do so.

41  
42 ~~((The county executive shall submit to the county council on a quarterly basis~~  
43 ~~a report showing the parties, contract amount, and purposes of each contract~~  
44 ~~and contract amendment approved and signed by the county executive under~~  
45 ~~this section.))~~The purchasing manager or designee may approve contract  
46 amendments for \$250,000 or less per year that extend or renew contracts that



1 have been previously competed for information technology software or  
2 maintenance services.

3  
4 (8) Except as provided by ordinance, all contracts shall be awarded and  
5 approved by the county council.  
6

7 **Section 13.** Snohomish County Code Section 3.04.160, last amended by  
8 Ordinance No. 13-040 on June 12, 2013, is amended to read:  
9

10 **3.04.160 Purchases, leases, and contracts for personal property,**  
11 **supplies, materials, and equipment.**  
12

13 The manager or ((his)) designee is granted authority to award any contract, lease  
14 or purchase of personal property except as otherwise provided in this chapter  
15 and the county charter, involving less than (((\$5,000))\$10,000, sales tax ((and  
16 shipping charges)) not included, without ((compliance with the requirements of  
17 SCC 3.04.130(2), (3), (4), (5), (9) and (10)))advertisement and without a  
18 solicitation process. On contracts, leases, or purchases valued from at least  
19 (((\$5,000))\$10,000 to less than (((\$25,000))\$50,000, sales tax ((and shipping  
20 charges)) not included, the manager or ((his)) designee shall be responsible for  
21 soliciting telephone and/or written quotations from at least three vendors  
22 whenever possible to assure establishment of a competitive price and for  
23 awarding such contracts for purchase of supplies, equipment, ((services, work))  
24 and materials to the lowest responsible bidder(( as defined in SCC 3.04.130(8))).  
25 Immediately after award is made, the bid quotations obtained shall be open to  
26 public inspection or telephone inquiry. At least twice per year, the county shall  
27 publish in a newspaper of general circulation within the jurisdiction a notice of the  
28 existence of a vendor reference list and solicit vendor names for the list. The  
29 division will prepare specifications and post notice of intent to purchase upon its  
30 ((bulletin board))web site for not less than three working days prior to making any  
31 such contract or purchase, except that the period of posting may be waived by  
32 the manager. A contract pursuant to this section less than (((\$25,000))\$50,000 in  
33 value need not be advertised. The county executive may waive the requirements  
34 of advertisement and competitive bidding for materials and labor to repair or  
35 restore any county motor vehicle, trailer, or other equipment to an operable or  
36 usable condition, or for labor, or materials ((or services)) required to prevent  
37 imminent and material injury or damage to the public or property of the county.  
38 ((Purchases for less than \$5,000 may be made by the manager, subject to such  
39 regulations as the director may approve.))  
40 Purchase transactions for materials, supplies, and equipment((, and services))  
41 valued at (((\$25,000))\$50,000 or more shall be formally bid and advertised. Such  
42 advertisement shall be published in the official county newspaper at least once,  
43 at least 13 days prior to the last date upon which bids will be received.  
44

1 Purchases of supplies, materials and equipment valued at less than \$10,000 may  
2 be approved by the manager, the head of any executive department, and any  
3 county official as defined by SCC 3.04.005(4).

4  
5 Options to extend performance in contracts to purchase materials, supplies, and  
6 equipment may be exercised by the manager with the concurrence of the county  
7 official or department head involved.

8  
9 The County may exercise its discretion to use the competitive thresholds set forth  
10 in this section or, if higher, those set forth in RCW 36.32.245.

11  
12 **Section 14.** Snohomish County Code Section 3.04.175, last amended by  
13 Amended Ordinance No. 09-084, on September 9, 2009, is amended to read:

14  
15 **3.04.175 Public work contracts.**

16  
17 ~~((Competitive bidding and advertising shall not be required for public work~~  
18 ~~contracts valued less than \$40,000 excluding sales tax. Except as authorized by~~  
19 ~~SCC 3.04.135, public work contracts valued at or in excess of \$40,000 excluding~~  
20 ~~sales tax shall be competitively bid and advertised. Such advertisement shall be~~  
21 ~~published in the official county newspaper at least once at least 13 days prior to~~  
22 ~~the last date upon which bids will be received.))~~

23  
24 All public works shall be advertised and competed through formal sealed bidding,  
25 except as otherwise provided by this chapter or state law.

- 26  
27 (1) Contracts for public work under the authority of the limited public works  
28 process set forth in SCC 3.04.135 may be awarded and approved by the  
29 manager;  
30  
31 (2) Contracts for public work under the authority of the small works roster  
32 process set forth in SCC 3.04.135 may be awarded and approved by the  
33 county executive;  
34  
35 (3) Unit priced contracts, as authorized by RCW 36.32.235(9), may be used for  
36 public works projects for \$350,000 or less and may be awarded and approved  
37 by the county executive;  
38  
39 (4) Job order contracts, as authorized by RCW 39.10.420, may be used for public  
40 works projects for \$350,000 or less and may be awarded and approved by  
41 the county executive; and  
42  
43 (5) Contracts for public work estimated at \$25,000 or less are exempt from  
44 competition and may be awarded and approved by the manager.  
45

1           **Section 15.** Snohomish County Code Section 3.04.180, last amended by  
2 Amended Ordinance No. 08-065 on June 4, 2008, is amended to read:

3  
4           **3.04.180       Proprietary purchases.**

5  
6           Requirements of ((SCC 3.04.130(2), (3), (4), (5), (8), (9), and (10)))advertisement  
7 and solicitation shall not apply to purchases and contracts clearly and legitimately  
8 limited to single sources of supply and purchases involving special training,  
9 special facilities, special services, market conditions, or where compatibility is  
10 required with other county equipment, procedures or systems in which instances  
11 purchase prices and other terms may be established by direct negotiations by the  
12 manager. Such contracts may be approved by the executive except that the  
13 director may approve such contracts ((where they do not exceed the sum  
14 of))valued at less than \$10,000, unless approval by the council is required under  
15 the charter or other provisions of this chapter.

16  
17           **Section 16.** Snohomish County Code Section 3.04.190, last amended by  
18 Amended Ordinance No. 08-065 on June 4, 2008, is repealed.

19  
20           **Section 17.** Snohomish County Code Section 3.04.195, added by Ordinance  
21 No. 82-028 on April 14, 1982, is amended to read:

22  
23           **3.04.195       Award of A/E contracts.**

24  
25           (1) Prior to award of any A/E contract, the county agency requesting the services  
26 shall evaluate current statements of qualifications and performance data on file  
27 or submitted regarding the proposed contract, and shall conduct discussions with  
28 one or more firms regarding anticipated concepts and the relative utility of  
29 alternative methods of approach for furnishing required data.

30  
31           (2) The county agency involved shall select from the interested firms, based  
32 upon criteria established by the executive and contained in the guidelines  
33 required by SCC 3.04.194, the firm deemed most highly qualified to provide the  
34 services required for the proposed contract.

35  
36           (3) The involved agency shall then attempt to negotiate the terms of contract in  
37 accord with county guidelines with the most qualified firm at a price which the  
38 agency determines is fair and reasonable to the agency. In making its  
39 determination, the agency shall take into account the estimated value of the  
40 services to be rendered as well as the scope, complexity, and professional  
41 nature thereof.

42  
43           (4) If the agency is unable to negotiate a satisfactory contract with a firm  
44 selected at a price the agency determines to be fair and reasonable negotiations  
45 with that firm shall be formally terminated and the agency shall select other firms

1 in accordance with (1) and (2) of this section and continue in accordance with  
2 this section until an agreement is reached or the process is terminated.

3  
4 (5) After negotiating terms of contract acceptable to the agency with a firm  
5 selected as provided above, the agency shall refer the contract to the council or  
6 executive, whichever is the responsible authority for awarding such contract(  
7 ~~under SCC 3.04.190~~), together with a record of negotiations conducted with any  
8 other firm. The contract may then be approved, rejected, or referred back to the  
9 interested agency for further negotiations or any other reason by the responsible  
10 authority. Any such contract shall then be signed by the executive.

11  
12 **Section 18.** Snohomish County Code Section 3.04.200, last amended by  
13 Ordinance No. 86-003 on February 12, 1986, is amended to read:

14  
15 **3.04.200 Emergencies.**

16  
17 The council or the county executive may approve such a contract as they or he  
18 might otherwise approve under the terms of this chapter and the county charter  
19 without compliance with the procedures contained in (~~SCC 3.04.130 (2-6), (9),~~  
20 ~~(10), and (11), 3.04.160, 3.04.191 or 3.04.193 through 3.04.195~~)in this chapter if  
21 the immediate approval of the contract is necessitated by any emergency caused  
22 by fire, flood, explosion, storm, earthquake, epidemic, riot, or insurrection, or for  
23 the immediate preservation of order or of public health or public property, or for  
24 the restoration to a condition of usefulness of any public property the usefulness  
25 of which has been temporarily destroyed, lost, or diminished, or for the relief of a  
26 stricken community overtaken by a calamity, or to perform any mandatory activity  
27 required by any law upon a finding of the existence of such emergency and entry  
28 thereof into the records of the authority having the power to approve such  
29 contract.

30  
31 **Section 19.** A new section 3.04.201 is added to chapter 3.04 of the Snohomish  
32 County Code to read:

33  
34 **3.04.201 Services other than architectural and engineering and public**  
35 **work.**

36  
37 Services that are neither architectural and engineering services nor services  
38 incidental to public work may be negotiated by the county executive, the head of  
39 any executive department or a county official. Such services, except for those  
40 services for which competition has been waived pursuant to SCC 3.04.202 or  
41 3.04.203, shall be selected as follows:

- 42  
43 (1) For services valued at less than \$10,000, the contractor may be selected  
44 without advertisement and without a solicitation process.

1 (2) For services valued from at least \$10,000 to less than \$50,000, the  
2 contractor may be selected using an informal competition process  
3 pursuant to division policy.  
4

5 (3) For services valued at \$50,000 or more, the contractor may be selected  
6 using a formal request for proposal process.  
7

8 At its discretion, the County may use a formal sealed bidding process, instead of  
9 the competitive processes set forth above, for services.  
10

11 **Section 20.** A new section 3.04.202 is added to chapter 3.04 of the Snohomish  
12 County Code to read:

13  
14 **3.04.202 Services for which competition is waived.**

15  
16 Competition for the following services valued from at least \$10,000 is waived by the  
17 county executive or designee:

- 18 (1) Legal services provided by an attorney; specialized legal training or  
19 investigative services contracts; and indigency appointments through the  
20 office of public defense;  
21  
22 (2) Medical and related services requiring a licensed physician, dentist,  
23 optometrist, or other health care provider as defined by RCW 70.02.010(19);  
24  
25 (3) Barber and other hygiene services for inmates in a county detention facility;  
26  
27 (4) Performance-based contracts as defined in RCW 39.35A.020(6) that are  
28 negotiated under chapter 39.35A RCW;  
29  
30 (5) Animal hospital, veterinarian, or animal care services for the following  
31 programs: sheriff's office K-9 program, animal services, court therapy  
32 animals, and the fairgrounds; and  
33  
34 (6) Training required by federal, state, or local law that requires the trainers or  
35 training firms to be certified or approved by the federal, state, or local law.  
36  
37 (7) Extensions or renewals for information technology software or maintenance  
38 services that have been previously competed by the County for the duration  
39 of the use of the services if required duration is longer than defined in the  
40 original competition.  
41

42  
43 **Section 21.** A new section is 3.04.203 added to chapter 3.04 of the Snohomish  
44 County Code to read:

45  
46 **3.04.203 Services for which competition is waivable.**

1  
2 Competition for certain services valued from at least \$10,000 is waivable by the  
3 county executive or designee pursuant to policy issued by the division and approved by  
4 the county executive.  
5

6  
7 PASSED this \_\_\_ day of \_\_\_\_\_, 2023.  
8

9 SNOHOMISH COUNTY COUNCIL  
10 Snohomish County, Washington

11  
12 \_\_\_\_\_  
13 Chairperson  
14

15 ATTEST:

16  
17 \_\_\_\_\_  
18 Deputy Clerk of the Council  
19

20 ( ) APPROVED

21  
22 ( ) EMERGENCY

23  
24 ( ) VETOED  
25

26 DATE: \_\_\_\_\_  
27

28  
29 \_\_\_\_\_  
30 County Executive

31 ATTEST:

32  
33 \_\_\_\_\_  
34  
35  
36 Approved as to form only:

37  
38 /s/Rebecca Wendling 06/29/23

39 Deputy Prosecuting Attorney  
40  
41  
42  
43  
44  
45