



CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Ellen Miller-Wolfe, Economic Development Manager

Date: March 4, 2009

Subject: Response to Ronald A. Parker Associated Earth Sciences, Inc.

RECOMMENDATION:

City Council approves the attached response to Ronald Parker regarding the issue of whether the City of Kirkland can direct its purchases to local firms.

BACKGROUND DISCUSSION:

The City Council received a letter from Ronald Parker recommending that the City purchase as many of their goods and services within the City limits. The draft response will be sent with Council's consent.

RECEIVED

Associated Earth Sciences, Inc.



Celebrating Over 25 Years of Service

FEB 25 2009

CITY OF KIRKLAND
CITY MANAGER'S OFFICE

February 23, 2009

Kirkland City Council
City of Kirkland
123 Fifth Ave
Kirkland, WA 98033

Attention: Jim Lauinger, Bob Sternoff, Jessica Greenway, Dave Asher, Joan McBride,
Mary-Alyce Burleigh, Tom Hodgson.

Subject: City of Kirkland Statement to:
Buy Locally

Dear Council Members:

Several weeks ago I attended a meeting where a City of Kirkland official stated the purchasing model of "buy locally". I interpret this to mean that the City would like businesses to purchase as many of their goods and services within the City limits. As a 27 year old city of Kirkland business, we have been actively buying locally for years.

The purpose of this letter is to recommend that the City of Kirkland buy locally, too. From my perspective this should include engineering services. There is only one geotechnical/environmental/hydro-geology firm in the City of Kirkland, that being Associated Earth Sciences, Inc.

I trust that you agree with the concept and implementation of buying locally. Buying locally not only helps the local firms but it also provides taxes back to the City. In addition, it reduces our carbon footprints with less travel. Your support in this matter is vital to the future financial health of your local engineering firms.

I thank you in advance for your consideration and efforts.

Sincerely,
Associated Earth Sciences, Inc.


Ronald A. Parker
President and COO

Kirkland ▪ Everett ▪ Tacoma
425-827-7701 425-259-0522 253-722-2992
www.aesgeo.com

March 17, 2008

DRAFT

Mr. Ronald A. Parker, President and COO
Associated Earth Sciences, Inc.
911 5th Avenue
Kirkland, WA 98033

RE: Local Preference in Procurement of A & E Services

Dear Mr. Parker:

Thank you for your letter of February 23, 2009 concerning the issue of whether the City of Kirkland can direct its purchases to local firms. We appreciate that in these times businesses are looking for new opportunities to maintain their economic viability. We also acknowledge that public projects are an important source of work for engineering firms such as Associated Earth Sciences, Inc. (AES).

The City is guided in its procurement of engineering and architectural services by RCW 39.80, a copy of which is attached; specific conditions that may affect AES are highlighted in yellow. The City of Kirkland is required by State regulation to negotiate professional architectural and engineering services contracts with the most qualified firm through what is termed "Qualifications Based Selection", which is different than contracts for construction projects where the City is required to make awards to the "lowest responsible bidder," in accordance with RCW 39.04.155(3).

While the City cannot give preference to local firms, we believe that there are ways that your firm can be in a better position to compete for local projects. Staff has already worked with you to make sure that your firm is listed on the Shared Procurement Portal's Architectural and Engineering Roster, which is routinely used by City staff in matching a firm's qualifications with the scope and needs of specific capital projects. We also suggest that in the event that your firm adds new disciplines or areas of expertise that you make sure that AES is listed on all appropriate roster categories.

Lastly, your letter references a new program that the City is developing with private partners to provide an electronic directory of businesses licensed and operating in Kirkland (Buy Local). Our hope is that this tool will provide added exposure for local businesses and also garner support from residents to patronize these businesses. The "buy local" campaign is expected to launch in June.

AES is a valued business in Kirkland. We are pleased that you are a participating Green Business Program company and appreciate your continued involvement with the City. Please contact Ellen Miller-Wolfe, Economic Development Manager, at 425-587-3014 or emwolfe@ci.kirkland.wa.us for any additional information or assistance.

Sincerely,

Kirkland City Council

By James L. Lauinger, Mayor

Attachment

RCW 39.80.040

Procurement of architectural and engineering services — Submission of statement of qualifications and performance data — Participation by minority and women-owned firms.

In the procurement of architectural and engineering services, the agency shall encourage firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data. The agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then shall select therefrom, based upon criteria established by the agency, the firm deemed to be the most highly qualified to provide the services required for the proposed project. Such agency procedures and guidelines shall include a plan to insure that minority and women-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for services. The level of participation by minority and women-owned firms shall be consistent with their general availability within the professional communities involved.

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And:

RCW 39.80.050

Procurement of architectural and engineering services — Contract negotiations.

(1) **The agency shall negotiate a contract with the most qualified firm** for architectural and engineering services at a price which the agency determines is fair and reasonable to the agency. In making its determination, the agency shall take into account the estimated value of the services to be rendered as well as the scope, complexity, and professional nature thereof.

(2) If the agency is unable to negotiate a satisfactory contract with the firm selected at a price the agency determines to be fair and reasonable, negotiations with that firm shall be formally terminated and the agency shall select other firms in accordance with RCW [39.80.040](#) and continue in accordance with this section until an agreement is reached or the process is terminated.

For the Small Works Roster requirements:

Limited Public Works Process (public work less than \$35,000) – RCW 39.04.155(3)

For limited public works projects, a state agency or authorized local government shall solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster **and shall award the contract to the lowest responsible bidder** as defined under RCW [39.04.010](#).

Small Works Roster between \$35,000 and \$200,000 – RCW 39.04.155(2)(c)

Quotations may be invited from **all appropriate contractors on the appropriate small works roster**. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, **in a manner that will equitably distribute the opportunity** among the contractors on the appropriate roster.