

**Subject: Resolution #756 – Amending the City’s Procurement Policies in Resolution No. 590 to allow Piggybacking in Accordance with State law**

**Dept. Origin:** Mayor’s Office  
**Prepared by:** Jennifer Robertson  
 City Attorney’s Office  
**For Agenda of:** September 20, 2022  
**Exhibits:** Resolution #756

**Proposed Council Action:**

Approve Resolution #756.

	Initial & Date
<b>Concurred by Mayor:</b>	_____
<b>Approved/form by City Atty:</b>	<u>JSR/9-16-22</u>
<b>Approved by City Engineer:</b>	_____
<b>Approved by Department Head:</b>	_____

**INFORMATION / BACKGROUND**

In 2014 the City Council adopted Resolution No. 590 which established updated Procurement Policies for use by the City in public works contracting and purchasing. Since that time, State law has changed allowing smaller cities, like Ruston, to use a process called “piggybacking.” Piggybacking is the process of using another public agency's active contract for purchases of products, services, or public works. Local government agencies piggyback on contracts awarded by “host” agencies, allowing the piggybacking agencies to save time and obtain better prices and terms than they might be able to on their own. This can take the form of using the contract from another Washington city, a State agency, a federal contract, or local government from another state. There are cooperatives that exist that assemble many of these contracts into one location for use by cities. However, any contract that the City would choose to use through a cooperative must have used procedures consistent with Washington law. (See RCW 39.34.030 and 39.32.090.)

In order to utilize this process, the City’s Procurement Policies need to be modified. The attached resolution updates Resolution No. 590 to allow this expanded piggybacking process.

**FISCAL CONSIDERATION**

Use of piggybacking can save the City time and money. Amending the Procurement Policies will make this possible.

**RECOMMENDATION / MOTION**

Approve Resolution #756.

**MOTION:** I move to approve Resolution #756 regarding procedures for procurement of materials, equipment and supplies and public works contracting, amending Resolution No. 590 to allow for piggybacking as permitted under Washington law.

**RESOLUTION NO. 756**

**A RESOLUTION OF THE CITY OF RUSTON, WASHINGTON, REGARDING PROCEDURES FOR PROCUREMENT OF MATERIALS, EQUIPMENT AND SUPPLIES AND PUBLIC WORKS CONTRACTING, AMENDING RESOLUTION NO. 590 TO ALLOW FOR PIGGYBACKING AS PERMITTED UNDER WASHINGTON LAW.**

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WHEREAS, the City adopted Procurement Policies in 2014 by adoption of Resolution No. 590; and

WHEREAS, since that time, State law has changed allowing smaller cities, like Ruston, to use the piggybacking procedures for contracts entered into by other government agencies in accordance with RCW 39.34.030 and 39.32.090; and

WHEREAS, the City Council finds it in the best interest of the City to amend the City's procurement policies to allow for the City to use piggybacking for its purchasing and public works contracts; **NOW, THEREFORE,**

**THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY RESOLVES AS FOLLOWS:**

**Section 1. Amendment of Resolution No. 590, Section 6.2.5.** Section 6.2.5 of the City's adopted Procurement Policy is amended to read as follows:

**6.2.5 Interlocal Agreements.**<sup>1</sup> Bidding is not required when purchases of materials, supplies or equipment or public works services are made under State, Federal or Cooperative standard contracts or similar contracts executed by and through other local governments (in Washington or in other States) which have complied with state bidding requirements, provided that the requirements in RCW 39.34.030 are satisfied. ~~The government's bid process must have been conducted within the previous 12 month period to be valid for use by Ruston. In addition, Ruston must conduct a screening process whereby it can justify the purchase through an Interlocal Agreement.~~ The screening process and results must be clearly documented in writing as part of utilizing these procedures. ~~All other procurement~~

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<sup>1</sup> Chapter 39.34 RCW.

~~approval requirements must be met.~~

RESOLVED this 20th day of September, 2022.

APPROVED:

\_\_\_\_\_  
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Judy Grams, City Clerk

FILED WITH THE CITY CLERK: 09/16/2022  
PASSED BY THE CITY COUNCIL: \_\_\_\_\_  
RESOLUTION NO.: 756