

POLICY FOR PUBLIC WORKS CONTRACTING

Purpose

The purpose of this policy is to standardize public works contracting practices within the City and to establish processes and guidelines that ensure state and local codes have been complied with.

Applicability

This policy is applicable to all contracting for public works construction, as defined in Idaho state code 54-1901(c). It is intended that this policy meets or exceeds all State code requirements for public works contracting. If a conflict arises, State code shall supersede this policy.

Guidelines

All contracting by the City for public works construction shall follow the guidelines referred to herein. The guidelines for public works contracting are summarized in the attached table. A sample of the simple written contract is also attached.

PUBLIC WORKS CONTRACTING GUIDELINES

	Less than \$1500	\$1500 to \$4999	\$5000 to \$9999	\$10,000 to \$24,999	\$25,000 or more
TYPE OF CONTRACT	Verbal or simple written contract	Simple written contract *	Simple written contract *	Standard written contract **	Standard written contract **
SIGNATURE REQUIRED	Department Head	Department Head	Department Head	Mayor	Mayor
WORKERS COMP	Required	Required	Required	Required	Required
PUBLIC WORKS LICENSE	Not required	Not required	Not required	Required	Required
PERFORMANCE BOND (100% of contract)	Not required	Required if there is liability exposure to City	Required if there is liability exposure to City	Required if there is liability exposure to City	Required
MATERIAL BOND (100% of contract)	Not required	Required if there is liability exposure to City	Required if there is liability exposure to City	Required if there is liability exposure to City	Required
INSURANCE	Policy naming City as additionally insured	Policy naming City as additionally insured	Policy naming City as additionally insured	Policy naming City as additionally insured	Policy naming City as additionally insured
LEGAL DEPT REVIEW	Copy to legal	Copy to legal	Opportunity for Legal to review and comment	Legal review required	Legal review required
COUNCIL APPROVAL	None if budgeted item. Needed if not in budget	None if budgeted item. Needed if not in budget	None if budgeted item. Needed if not in budget	Separate approval required	Separate approval required
BID PROCESS	None required	None required	Obtain 3 price quotations	Obtain 3 price quotations	Follow public bidding process
NOTICE TO STATE TAX COMMISSION	Not required	Not required	Not required	Required	Required
95% IDAHO RESIDENCY (may not apply to Federal grant projects)	Required	Required	Required	Required	Required

* Copy of contract to City clerk with Insurance certificate and Bonds

** Originals to City Clerk with Insurance certificate and Bonds

Date

Company name

Address

Dear Mr. _____:

The purpose of this letter is to confirm our agreement regarding the _____ for the City of Coeur d'Alene.

Your quote dated _____ (attached) provides the city the most competitive price and is therefore accepted. We have agreed that starting on or about _____, 2004 work will commence and be completed by _____, 2004. The scope of work includes _____. It is further agreed that _____ will indemnify, defend and hold the City harmless for any and all causes of action arising from any tortuous act or omission by _____ or any of its employees in performing this job. Payment will be made only after completion of the work and acceptance by the City.

Before commencing work, the following must be provided to this office: 1) proof of workman's compensation insurance, and 2) an insurance policy naming the City as an additional insured with minimum policy amount of \$500,000 for bodily or personal injury, death, or property damage or loss as a result of any one accident or occurrence. Additionally, Idaho law (I.C. 44-1001) requires that for all construction, repair or maintenance work performed for the City, the contractor must employ 95% bona fide Idaho residents unless the contractor employs less than 50 people. In that case up to 10% nonresidents may be employed on the job.

The invoices will be sent to the above address, with attention to _____.

Please acknowledge this agreement and return it via fax (769-2____) to this office.

Sincerely,

Department Head

Contractor Acceptance of Terms

Signature: _____ Date: _____

Title: _____

Cc: City of Coeur d'Alene Legal Department