



**ORDINANCE NO. 3454**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON AMENDING LMC 2.92.050 RELATED TO PROCUREMENT OF GOODS AND SERVICES; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.**

WHEREAS, the City of Lynnwood is a steward of public funds and is responsible to ensure transparency and equity in public purchasing; and

WHEREAS the Municipal Code for the City of Lynnwood outlines specific competitive process thresholds for procurement of goods and services;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Purpose. The purpose of this ordinance is to update the Lynnwood Municipal Code language to exclude sales tax from procurement thresholds.

Section 2: Amendments. Section 2.92.050 is hereby amended to read:

**2.92.050 Procurements of goods and services.**

This section applies to contracts or procurements for goods and services, including personal services. Contracts shall be solicited under the following competitive process thresholds, with the price inclusive of freight and shipping but exclusive of taxes:

A. For purchases and contracts below \$10,000, with the price inclusive of freight and shipping but exclusive of taxes, employees and officials are responsible for selecting goods and services in the open market and ensuring best value for the city.

B. For purchases and contracts between \$10,000 and \$50,000, informal price quotations shall be secured. Employees must:

1. Research the good or service, and provide a clear and open description of the needs of the

41 city;

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43 2. Secure a written price quote from multiple sources;

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45 3. Identify the best price;

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47 4. Provide written quotes to the manager; and

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49 5. Manager reviews the informal price quotations and approves or rejects the purchase.

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51 Procurement may conduct quotations on behalf of departments and offices when requested.

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53 C. Purchases and contracts more than \$50,000 must be formally advertised in a public  
54 manner.

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56 1. The manager or the manager's designee shall advertise solicitations for the submittal of  
57 bids, qualifications or proposals. The notice shall state the date and time for submissions. The  
58 solicitation for submittals shall state the relative importance of price and all other evaluation  
59 factors.

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61 2. All bids submitted shall be reviewed for the responsiveness to the bid requirements and  
62 for the responsibility of the firm to perform the work described. When all factors have been  
63 evaluated, the award of the contract shall be to the lowest responsible, responsive bidder.

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65 3. For requests for proposals or qualifications and other solicitation methods where price is  
66 not the only determining factor, discussions may be conducted with responsible proposers to  
67 determine which proposals should be evaluated in more detail or which proposers should be  
68 requested to enter negotiations, or both. Negotiations may be conducted concurrently or  
69 sequentially. The city may request clarifications and consider adjustments in the proposals  
70 to better understand the proposals and to qualify them for further consideration, though  
71 information discussed or obtained from one proposer shall not be disclosed to competing  
72 proposers during the discussions and negotiations.

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74 4. Contract award, if at all, shall be made to a responsible offeror(s) whose bid or proposal is  
75 determined to be the most advantageous to the city, taking into consideration price and the  
76 other established evaluation factors. (Ord. 3374 § 1 (Exh. A), 2020; Ord. 3297 § 2 (Exh. A),  
77 2018)

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Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase or word of this ordinance.

Section 4. Effective Date: This ordinance or an approved summary thereof consisting of its title shall be published in the City’s official newspaper of record and shall take effect and be in full force five days following its publication.

PASSED BY THE CITY COUNCIL THIS 22nd day of January 2024.

APPROVED:

DocuSigned by:  
*Christine Frizzell* 1/23/2024  
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Christine Frizzell, Mayor

ATTEST/AUTHENTICATED:

DocuSigned by:  
*Luke Lonie*  
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Luke Lonie, City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
*Lisa Marshall*  
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Lisa Marshall, City Attorney