

CLARK COUNTY
STAFF REPORT

DEPARTMENT/DIVISION: General Services

DATE: October 26, 2010

REQUEST: That the Board of Commissioners (BOCC) approve the attached amendment to Board of County Commissioners Resolution 2009-09-01. The amended language directs the General Services Department to implement purchasing policies and procedures to ensure that all county contracts awarded using formal competitive procedures are awarded to vendors which are in compliance with federal employment verification laws.

CHECK ONE: XXX Consent _____ County Administrator

BACKGROUND: On September 1, 2009 the BOCC passed Resolution 2009-09-01 (subsequently amended on October 1, 2009) in response to economic conditions prevailing at the time. Clark County had an unemployment rate approaching 14 percent. One of the worst rates in Washington. This created economic hardship for local governments, private businesses, and individual citizens. This circumstance, our responsibility to ensure that tax dollars are spent appropriately, and requirements imposed on employers by the federal Immigration Reform and Control Act of 1986 moved the county to use its role as purchaser of goods and services to ensure that employers who receive contracts funded by county tax dollars comply with federal immigration laws. General Services developed a policy requiring contractors awarded contracts in excess of one million dollars to comply with federal employment verification laws.

At the time that policy was implemented employers could verify existing employees and new hires. In 2010 a federal policy changed so that non-federal contractors could only verify new hires. This policy change rendered our policy obsolete and ineffective. During a September 29, 2010 annual E-Verify report work session with the BOCC we were directed to revise the policy to include all contracts awarded using formal competitive processes. In addition, all bidders and proposers were to demonstrate at the time of application that they had a current Memorandum of Agreement with the Department of Homeland Security or had an application pending.

COMMUNITY OUTREACH: A public meeting to discuss these changes was held on October 19, 2010 and a public hearing on this resolution has been scheduled for Tuesday, October 26, 2010. The required public notice of hearing was published, as required.

BUDGET AND POLICY IMPLICATIONS: This resolution, if approved, amends existing county policy. Resources necessary to implement the resolution are budgeted for in the 2009-2010 county budget.

FISCAL IMPACTS: Yes No

ACTION REQUESTED That the Board of Commissioners (BOCC) approve the attached amendment to Board of County Commissioners Resolution 2009-09-01. The amended language directs the General Services Department to implement purchasing policies and procedures to ensure that all county contracts awarded using formal competitive procedures are awarded to vendors which are in compliance with federal employment verification laws.

DISTRIBUTION: General Services file, Mark McCauley, Mike Westerman


Mark McCauley
Director, General Services

APPROVED: _____
CLARK COUNTY, WASHINGTON
Board of County Commissioners

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