

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5770**

60th Legislature  
2007 Regular Session

Passed by the Senate April 16, 2007  
YEAS 45 NAYS 4

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**President of the Senate**

Passed by the House April 9, 2007  
YEAS 80 NAYS 18

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5770** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 5770

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AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington                      60th Legislature                      2007 Regular Session

By Senate Committee on Higher Education (originally sponsored by  
Senators Shin, Schoesler and Kilmer)

READ FIRST TIME 02/22/07.

1            AN ACT Relating to work performed by institutions of higher  
2 education; and amending RCW 28B.10.350 and 28B.50.330.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 28B.10.350 and 2001 c 38 s 1 are each amended to read  
5 as follows:

6            (1) When the cost to The Evergreen State College((~~τ~~)) or any  
7 regional ((~~university~~,)) or state university((~~τ~~)) of any building,  
8 construction, renovation, remodeling, or demolition, other than  
9 maintenance or repairs, will equal or exceed the sum of ((~~thirty-five~~))  
10 fifty-five thousand dollars, or thirty-five thousand dollars if the  
11 work involves one trade or craft area, complete plans and  
12 specifications for ((~~such~~)) the work shall be prepared ((~~and such~~)),  
13 the work shall be put out for public bid((~~s~~)), and the contract shall  
14 be awarded to the ((~~lowest~~)) responsible bidder ((~~if in accordance with~~  
15 the bid specifications: PROVIDED, That when the estimated cost of such  
16 building, construction, renovation, remodeling, or demolition equals or  
17 exceeds the sum of twenty five thousand dollars, such project shall be  
18 deemed a public works and "the prevailing rate of wage," under chapter  
19 39.12 RCW shall be applicable thereto: PROVIDED FURTHER, That when

1 ~~such building, construction, renovation, remodeling, or demolition~~  
2 ~~involves one trade or craft area and the estimated cost exceeds fifteen~~  
3 ~~thousand dollars, complete plans and specifications for such work shall~~  
4 ~~be prepared and such work shall be put out for public bids, and the~~  
5 ~~contract shall be awarded to the lowest responsible bidder if in~~  
6 ~~accordance with the bid specifications. This subsection shall not~~  
7 ~~apply when a contract is awarded by the small works roster procedure~~  
8 ~~authorized in RCW 39.04.155 or under any other procedure authorized for~~  
9 ~~an institution of higher education)) who submits the lowest responsive~~  
10 bid.

11 (2) Any building, construction, renovation, remodeling, or  
12 demolition project that exceeds the dollar amounts in subsection (1) of  
13 this section is subject to the provisions of chapter 39.12 RCW.

14 (3) The Evergreen State College((~~τ~~)) or any regional  
15 ((~~university~~~~τ~~)) or state university may require a project to be put to  
16 public bid even when it is not required to do so under subsection (1)  
17 of this section. Any project publicly bid under this subsection is  
18 subject to the provisions of chapter 39.12 RCW.

19 ((~~3~~)) (4) Where the estimated cost ((~~to The Evergreen State~~  
20 ~~College, any regional university, or state university~~)) of any  
21 building, construction, renovation, remodeling, or demolition is less  
22 than ((~~twenty-five~~)) fifty-five thousand dollars or the contract is  
23 awarded by the small works roster procedure authorized in RCW  
24 39.04.155, the publication requirements of RCW 39.04.020 ((~~shall be~~  
25 ~~inapplicable~~)) do not apply.

26 ((~~4~~)) (5) In the event of any emergency when the public interest  
27 or property of The Evergreen State College((~~τ~~)) or a regional  
28 ((~~university~~~~τ~~)) or state university would suffer material injury or  
29 damage by delay, the president of such college or university may  
30 declare the existence of ((~~such~~)) an emergency and, reciting the facts  
31 constituting the same, may waive the requirements of this section with  
32 reference to any contract in order to correct the condition causing the  
33 emergency((~~∴ PROVIDED, That an "emergency,"~~)). For the purposes of  
34 this section, "emergency" means a condition likely to result in  
35 immediate physical injury to persons or to property of ((~~such~~)) the  
36 college or university in the absence of prompt remedial action or a  
37 condition which immediately impairs the institution's ability to  
38 perform its educational obligations.

1       (6) This section does not apply when a contract is awarded by the  
2 small works roster procedure authorized in RCW 39.04.155 or under any  
3 other procedure authorized for an institution of higher education.

4       **Sec. 2.** RCW 28B.50.330 and 1993 c 379 s 108 are each amended to  
5 read as follows:

6       (1) The boards of trustees of college districts are empowered in  
7 accordance with the provisions of this chapter to provide for the  
8 construction, reconstruction, erection, equipping, demolition, and  
9 major alterations of buildings and other capital assets, and the  
10 acquisition of sites, rights-of-way, easements, improvements, or  
11 appurtenances for the use of the aforementioned colleges as authorized  
12 by the college board in accordance with RCW 28B.50.140; to be financed  
13 by bonds payable out of special funds from revenues hereafter derived  
14 from income received from such facilities, gifts, bequests, or grants,  
15 and such additional funds as the legislature may provide, and payable  
16 out of a bond retirement fund to be established by the respective  
17 district boards in accordance with rules and regulations of the state  
18 board. With respect to building, improvements, or repairs, or other  
19 work, where the estimated cost exceeds (~~twenty-five~~) fifty-five  
20 thousand dollars, or thirty-five thousand dollars if the work involves  
21 one trade or craft area, complete plans and specifications for (~~such~~)  
22 the work shall be prepared (~~and such~~), the work shall be put out for  
23 a public bid(~~s~~), and the contract shall be awarded to the (~~lowest~~)  
24 responsible bidder (~~if in accordance with the bid specifications:~~  
25 PROVIDED, That when such building, construction, renovation, remodel-  
26 ing, or demolition involves one trade or craft area and the estimated  
27 cost exceeds ten thousand dollars, complete plans and specifications  
28 for such work shall be prepared and such work shall be put out for  
29 public bids, and the contract shall be awarded to the lowest  
30 responsible bidder if in accordance with the bid specifications)) who  
31 submits the lowest responsive bid. Any project regardless of dollar  
32 amount may be put to public bid.

33       (2) This (~~subsection shall~~) section does not apply when a  
34 contract is awarded by the small works roster procedure authorized in  
35 RCW (~~39.04.150: PROVIDED FURTHER, That any project regardless of~~  
36 dollar amount may be put to public bid)) 39.04.155.

1        (3) Where the estimated cost to any college of any building,  
2 improvements, or repairs, or other work, is less than (~~twenty-five~~  
3 ~~thousand dollars~~) fifty-five thousand dollars, or thirty-five thousand  
4 dollars if the work involves one trade or craft area, the publication  
5 requirements of RCW 39.04.020 (~~shall be inapplicable~~) do not apply.

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