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## Government Operations & Elections Committee

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### HB 2578

**Brief Description:** Exempting from public inspection certain public works proposals and documents.

**Sponsors:** Representatives Dunshee, DeBolt and MacEwen.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Exempts from disclosure proposals and related evaluation documents pertaining to competitive solicitations for alternative public works contracts.</li></ul>
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**Hearing Date:** 1/31/14

**Staff:** Marsha Reilly (786-7135).

**Background:**

Public works contracts of a large dollar amount that meet certain criteria and have been approved by the Capital Projects Advisory Review Board (CPARB) may be awarded through alternative contracting procedures in which the selection of a contractor is based on factors other than low bid. Design-build is an alternative contracting method that melds design and construction activities into a single contract. General Contractor/Construction Manager (GCCM) is an alternative contracting method that utilizes the services of a project management firm which bears significant responsibility and risk in the contracting process. Under a job order contract, a contractor agrees to perform an indefinite quantity of public works jobs, defined by individual work orders, over a fixed period of time.

Generally, all proceedings, records, contracts, and other public records relating to alternative public works transactions are public records and available for public inspection and copying. However, trade secrets or other proprietary information submitted by a bidder, offeror, or contractor are not subject to the Public Records Act if the bidder, offeror, or contractor

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specifically state in writing the reasons why protection is necessary and identifies the data or materials to be protected.

**Summary of Bill:**

For alternative public works contracting methods, proposals submitted in response to a competitive solicitation and related evaluation documents are exempt from disclosure until the public body announces that a contract agreement has been executed or the selection process is terminated.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.