S-1057.2

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**SENATE BILL 5702**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators Warnick and Hobbs

AN ACT Relating to the fairness of public works bidding; and amending RCW 39.04.105.

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

**Sec.**  RCW 39.04.105 and 2003 c 300 s 1 are each amended to read as follows:

(1) Within two business days of the opening of the bid period on a public works project that is the subject of competitive bids, the municipality shall provide all bidders with copies of the bids the municipality received for the project. The municipality shall then allow at least two full business days after providing bidders with copies of all bids before executing a contract for the project. Intermediate Saturdays, Sundays, and legal holidays are not counted.

(2) When a ((~~municipality receives~~)) bidder submits a written protest ((~~from~~)) to a ((~~bidder~~)) municipality for a public works project ((~~which~~)) that is the subject of competitive bids within two business days of the municipality providing all of the bidders with copies of the bids the municipality received for the project, the municipality shall not execute a contract for the project with anyone other than the protesting bidder without first providing at least two full business days' written notice of the municipality's intent to execute a contract for the project((~~; provided that the protesting bidder submits notice in writing of its protest no later than two full business days following bid opening~~)). Intermediate Saturdays, Sundays, and legal holidays are not counted. A protesting bidder's failure to submit notice of its protest within the applicable period shall not limit the protesting bidder's right to seek equitable relief to enjoin contract execution by the municipality as provided by applicable law.

**--- END ---**