

HOUSE OF REPRESENTATIVES  
Olympia Washington

BilAnalysis

BilNo. HB 2077

Uniform exemptions/competitive bidding/municipalities PubliArg:3/4/97  
Brief title

Reps. D Schmidt/Scott/Dommers  
Sponsor

Staff Contact Bill Lynch  
Comm. on Govt. Admin.  
Phone: 786-7092

**BACKGROUND:**

The statutory exemptions from competitive bidding differ between various units of local governments for both public works and purchases. Public hospital districts, for example, have no exemptions from competitive bidding. There is no uniform definition of what constitutes an emergency for those units of local government whose governing statutes provide an exemption from competitive bidding for emergencies.

**SUMMARY:**

Uniform exemptions from competitive bidding are established for cities and towns, counties, fire districts, port districts, public utility districts, water-sewer districts, and public hospital districts.

Competitive bidding requirements may be waived by resolution of the municipality's governing body for purchases from sole source suppliers, purchases involving special facilities or market conditions, purchases in the event of an emergency, purchases of insurance or bonds, and public works in the event of an emergency.

The governing body of the municipality must adopt the resolution waiving the competitive bidding procedure prior to the final award of the contract unless an emergency exists. The resolution must state the factual basis for the exception and any economic or health-related justification for the waiver.

If an emergency exists, the person or persons designated by the municipality act in an emergency may declare that an emergency exists, waive the competitive bidding requirements, and award all necessary contracts to address the emergency. The governing body must adopt a resolution citing the factual basis for the emergency at either a regular or special meeting no later than 2 weeks after the award of the contract.

Cont.

An emergency is defined as unforeseen circumstances beyond the control of the municipality either (a) present a real, immediate threat to the proper performance of essential functions or (b) will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill passed.