
SENATE BILL 5524

State of Washington

55th Legislature

1997 Regular Session

By Senators Haugen, Horn, Jacobsen, Hale and Winsley

Read first time 01/29/97. Referred to Committee on Government Operations.

1 AN ACT Relating to competitive bidding procedures for emergency
2 public works; and adding new sections to chapter 39.04 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.04 RCW
5 to read as follows:

6 (1) This section provides uniform exemptions to competitive bidding
7 procedures utilized by municipalities when awarding contracts for
8 public works. The statutes governing a specific type of municipality
9 may also include other exemptions from competitive bidding procedures.
10 The purpose of this section is to supplement and not to limit the
11 current powers, requirements, or practices of any municipality to
12 provide exemptions from competitive bidding procedures.

13 (2) Competitive bidding procedures for public works may be waived
14 by the municipality for public works contracts in the event of an
15 emergency under section 2 of this act.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 39.04 RCW
17 to read as follows:

1 (1) The governing body of the municipality may designate by
2 resolution a person or persons who shall declare that an emergency
3 situation exists for the purpose of waiving competitive bidding
4 requirements and awarding all necessary contracts for public works on
5 behalf of the municipality to address the emergency situation.

6 (2) A written finding of the existence of an emergency must be made
7 by the governing body or its designee and duly entered of record.

8 (3) For emergency purchases of public works of less than fifty
9 thousand dollars, the governing body or its designee shall contact at
10 least three contractors to the extent practicable under the
11 circumstances and provide them with a scope of work. The governing
12 body or its designee shall award the contract to the contractor who
13 best meets the needs of the municipality as outlined in the scope of
14 work. The designee, if designated, shall make a quarterly report to
15 the governing body setting forth for each emergency contract, the name
16 of the contractor, a summary of the services performed, the amount of
17 the emergency contract, and a summary of the written finding made
18 pursuant to subsection (2) of this section.

19 (4) In addition to the requirements of subsection (3) of this
20 section, for emergency contracts that have a value of fifty thousand
21 dollars or more, the designee shall, within three working days of the
22 declaration of the emergency, report to the governing body the
23 emergency contracts and estimate the time during which emergency
24 contracting procedures will be used to provide relief from the
25 emergency.

26 (5) Beginning on July 1, 1999, and on July 1st of each succeeding
27 odd-numbered year, the dollar limits specified in this section shall be
28 adjusted as follows: The office of financial management shall
29 calculate such limits by adjusting the previous biennium's limits by
30 the appropriate federal inflationary index reflecting the rate of
31 inflation for the previous biennium. Such amounts shall be rounded to
32 the nearest one hundred dollars.

33 (6) An emergency is defined for purposes of this chapter as a
34 situation in which the public interest or property of the municipality
35 would suffer material injury or damage by delay.

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