
SENATE BILL 5595

State of Washington

55th Legislature

1997 Regular Session

By Senators Haugen, Wood, Hale and Winsley

Read first time 02/03/97. Referred to Committee on Government Operations.

1 AN ACT Relating to competitive bidding procedures; and adding a new
2 section 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 of any municipality to provide exemptions from
12 competitive bidding procedures.

13 (2) Competitive bidding procedures, bonding requirements, and
14 retainage requirements for public works may be waived by the
15 municipality for public works contracts with an estimated value of less
16 than twenty thousand dollars. The governing body of the municipality
17 may designate a person or persons authorized to waive such procedures
18 and requirements for public works contracts with an estimated value of

1 less than twenty thousand dollars. The governing body or its designee
2 may, in its sole discretion:

3 (a) Waive competitive bidding procedures for any qualifying
4 contract if the municipality has publicly and formally adopted rules or
5 guidelines establishing a process for ensuring competitive prices on
6 such projects. The process must include a provision for the listing
7 and posting of contracts awarded under this subsection in the same
8 manner that contracts awarded from a small works roster are listed and
9 posted under RCW 39.04.200; or

10 (b) Notwithstanding any provision of chapters 39.08 and 60.28 RCW,
11 waive the requirement for bonds from contractors under RCW 39.08.010
12 and the requirements for withholding retainage from the contractors
13 under RCW 60.28.011 if, by resolution, the governing body pledges to
14 pay any liens filed against the municipality under the procedures of
15 chapters 39.08 and 60.28 RCW when ordered by the superior court of the
16 county where filed.

17 (3) The joint legislative audit and review committee shall review
18 the implementation of this exemption created for public works contracts
19 with an estimated value of twenty thousand dollars or less and report
20 back to the appropriate legislative committees no later than January 1,
21 2002.

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