
SENATE BILL 5631

State of Washington

57th Legislature

2001 Regular Session

By Senators Patterson, Winsley and Rasmussen

Read first time 01/29/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to allowing metropolitan park districts to use a
2 small works roster process; and adding a new section to chapter 35.61
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.61 RCW
6 to read as follows:

7 (1) All work ordered, the estimated cost of which is in excess of
8 five thousand dollars, shall be let by contract and competitive
9 bidding. Before awarding any such contract the board of park
10 commissioners shall publish a notice in a newspaper of general
11 circulation where the district is located at least once thirteen days
12 before the last date upon which bids will be received, inviting sealed
13 proposals for such work, plans, and specifications which must at the
14 time of publication of such notice be on file in the office of the
15 board of park commissioners subject to the public inspection. The
16 notice shall state generally the work to be done and shall call for
17 proposals for doing the same to be sealed and filed with the board of
18 park commissioners on or before the day and hour named therein.

1 Each bid shall be accompanied by a certified or cashier's check or
2 postal money order payable to the order of the metropolitan park
3 district for a sum not less than five percent of the amount of the bid,
4 or accompanied by a bid bond in an amount not less than five percent of
5 the bid with a corporate surety licensed to do business in the state,
6 conditioned that the bidder will pay the metropolitan park district as
7 liquidated damages the amount specified in the bond, unless the bidder
8 enters into a contract in accordance with the bidder's bid, and no bid
9 shall be considered unless accompanied by such check, cash, or bid
10 bond. At the time and place named such bids shall be publicly opened
11 and read and the board of park commissioners shall proceed to canvass
12 the bids and may let such contract to the lowest responsible bidder
13 upon plans and specifications on file or to the best bidder submitting
14 the bidder's own plans and specifications. The board of park
15 commissioners may reject all bids for good cause and readvertise and in
16 such case all checks, cash, or bid bonds shall be returned to the
17 bidders. If the contract is let, then all checks, cash, or bid bonds
18 shall be returned to the bidders, except that of the successful bidder,
19 which shall be retained until a contract is entered into for doing the
20 work, and a bond to perform such work furnished with sureties
21 satisfactory to the board of park commissioners in the full amount of
22 the contract price between the bidder and the metropolitan park
23 district in accordance with the bid. If the bidder fails to enter into
24 the contract in accordance with the bid and furnish the bond within ten
25 days from the date at which the bidder is notified that the bidder is
26 the successful bidder, the check, cash, or bid bonds and the amount
27 thereof shall be forfeited to the metropolitan park district. If the
28 bidder fails to enter into a contract in accordance with the bidder's
29 bid, and the board of park commissioners deems it necessary to take
30 legal action to collect on any bid bond required by this section, then
31 the metropolitan park district is entitled to collect from the bidder
32 any legal expenses, including reasonable attorneys' fees occasioned
33 thereby. A low bidder who claims error and fails to enter into a
34 contract is prohibited from bidding on the same project if a second or
35 subsequent call for bids is made for the project.

36 (2) As an alternative to requirements under subsection (1) of this
37 section, a metropolitan park district may let contracts using the small
38 works roster process under RCW 39.04.155.

1 (3) The park board may waive the competitive bidding requirements
2 of this section pursuant to RCW 39.04.280 if an exemption contained
3 within RCW 39.04.280 applies to the purchase or public work.

--- **END** ---