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SENATE BILL 6283

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State of Washington 57th Legislature

2002 Regular Session

By Senators Gardner, Swecker, T. Sheldon, Haugen and Rasmussen

Read first time 01/14/2002. Referred to Committee on State & Local Government.

1 AN ACT Relating to competitive bidding requirements for public  
2 hospital districts; and amending RCW 70.44.140.

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

4 **Sec. 1.** RCW 70.44.140 and 2000 c 138 s 213 are each amended to  
5 read as follows:

6 (1) All materials purchased and work ordered, the estimated cost of  
7 which is in excess of ((five)) fifty thousand dollars, shall be by  
8 contract. Before awarding any such contract, the commission shall  
9 publish a notice at least thirteen days before the last date upon which  
10 bids will be received, inviting sealed proposals for such work. The  
11 plans and specifications must at the time of the publication of such  
12 notice be on file at the office of the public hospital district,  
13 subject to public inspection: PROVIDED, HOWEVER, That the commission  
14 may at the same time, and as part of the same notice, invite tenders  
15 for the work or materials upon plans and specifications to be submitted  
16 by bidders. The notice shall state generally the work to be done, and  
17 shall call for proposals for doing the same, to be sealed and filed  
18 with the commission on or before the day and hour named therein. Each  
19 bid shall be accompanied by bid proposal security in the form of a

1 certified check, cashier's check, postal money order, or surety bond  
2 made payable to the order of the commission, for a sum not less than  
3 five percent of the amount of the bid, and no bid shall be considered  
4 unless accompanied by such bid proposal security. At the time and  
5 place named, such bids shall be publicly opened and read, and the  
6 commission shall proceed to canvass the bids, and may let such contract  
7 to the lowest responsible bidder upon plans and specifications on file,  
8 or to the best bidder submitting his or her own plans and  
9 specifications: PROVIDED, HOWEVER, That no contract shall be let in  
10 excess of the estimated cost of the materials or work, or if, in the  
11 opinion of the commission, all bids are unsatisfactory, they may reject  
12 all of them and readvertise, and in such case all bid proposal security  
13 shall be returned to the bidders. If the contract is let, then all bid  
14 proposal security shall be returned to the bidders, except that of the  
15 successful bidder, which is retained until a contract shall be entered  
16 into for the purchase of such materials for doing such work, and a bond  
17 to perform such work furnished, with sureties satisfactory to the  
18 commission, in an amount to be fixed by the commission, not less than  
19 twenty-five percent of contract price in any case, between the bidder  
20 and commission, in accordance with the bid. If such bidder fails to  
21 enter into the contract in accordance with the bid and furnish such  
22 bond within ten days from the date at which the bidder is notified that  
23 he or she is the successful bidder, the bid proposal security and the  
24 amount thereof shall be forfeited to the public hospital district. A  
25 low bidder who claims error and fails to enter into a contract is  
26 prohibited from bidding on the same project if a second or subsequent  
27 call for bids is made for the project.

28 (2) As an alternative to the requirements of subsection (1) of this  
29 section, a public hospital district may let contracts using the small  
30 works roster process under RCW 39.04.155.

31 (3) Any purchases with an estimated cost of up to fifteen thousand  
32 dollars may be made using the process provided in RCW 39.04.190.

33 (4) The commission may waive the competitive bidding requirements  
34 of this section pursuant to RCW 39.04.280 if an exemption contained  
35 within that section applies to the purchase or public work.

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