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HOUSE BILL 1129

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State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Schoesler, Hankins and G. Chandler

Read first time 01/15/1999. Referred to Committee on State Government.

1            AN ACT Relating to work performed for institutions of higher  
2 education; and amending RCW 28B.10.350 and 28B.10.355.

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

4            **Sec. 1.** RCW 28B.10.350 and 1993 c 379 s 109 are each amended to  
5 read as follows:

6            (1) When the labor cost to The Evergreen State College, any  
7 regional university, or state university, of any building,  
8 construction, renovation, remodeling, or demolition other than  
9 maintenance or repairs will equal or exceed the sum of (~~twenty-five~~)  
10 fifty thousand dollars, complete plans and specifications for such work  
11 shall be prepared and such work shall be put out for public bids and  
12 the contract shall be awarded to the lowest responsible bidder if in  
13 accordance with the bid specifications: PROVIDED, That when the  
14 estimated cost of such building, construction, renovation, remodeling,  
15 or demolition equals or exceeds the sum of twenty-five thousand  
16 dollars, such project shall be deemed a public works and "the  
17 prevailing rate of wage," under chapter 39.12 RCW shall be applicable  
18 thereto: PROVIDED FURTHER, That when such building, construction,  
19 renovation, remodeling, or demolition involves one trade or craft area

1 and the estimated labor cost exceeds (~~ten~~) twenty thousand dollars,  
2 complete plans and specifications for such work shall be prepared and  
3 such work shall be put out for public bids, and the contract shall be  
4 awarded to the lowest responsible bidder if in accordance with the bid  
5 specifications. This subsection shall not apply when a contract is  
6 awarded by the small works procedure authorized in RCW 28B.10.355.

7 (2) The Evergreen State College, any regional university, or state  
8 university may require a project to be put to public bid even when it  
9 is not required to do so under subsection (1) of this section.

10 (3) Where the estimated cost to The Evergreen State College, any  
11 regional university, or state university of any building,  
12 construction, renovation, remodeling, or demolition is less than  
13 twenty-five thousand dollars or the contract is awarded by the small  
14 works procedure authorized in RCW 28B.10.355, the publication  
15 requirements of RCW 39.04.020 shall be inapplicable.

16 (4) In the event of any emergency when the public interest or  
17 property of The Evergreen State College, regional university, or state  
18 university would suffer material injury or damage by delay, the  
19 president of such college or university may declare the existence of  
20 such an emergency and reciting the facts constituting the same may  
21 waive the requirements of this section with reference to any contract  
22 in order to correct the condition causing the emergency: PROVIDED,  
23 That an "emergency," for the purposes of this section, means a  
24 condition likely to result in immediate physical injury to persons or  
25 to property of such college or university in the absence of prompt  
26 remedial action or a condition which immediately impairs the  
27 institution's ability to perform its educational obligations.

28 **Sec. 2.** RCW 28B.10.355 and 1993 c 379 s 110 are each amended to  
29 read as follows:

30 Each board of regents of the state universities and each board of  
31 trustees of the regional universities and The Evergreen State College  
32 may establish a small works roster. The small works roster authorized  
33 by this section may be used for any public works project for which the  
34 estimated labor cost is less than one hundred thousand dollars. Each  
35 board shall adopt rules to implement this section.

36 The roster shall be composed of all responsible contractors who  
37 have requested to be on the list. Each board shall establish a  
38 procedure for securing telephone or written quotations from the

1 contractors on the small works roster to assure establishment of a  
2 competitive price and for awarding contracts to the lowest responsible  
3 bidder. This procedure shall require either that a good faith effort  
4 be made to request quotations from all contractors on the small works  
5 roster who have indicated the capability of performing the kind of  
6 public works being contracted or that the board shall solicit  
7 quotations from at least five contractors in a manner that will  
8 equitably distribute the opportunity among contractors on the roster.  
9 Immediately after an award is made, the bid quotations obtained shall  
10 be recorded, open to public inspection and available by telephone  
11 inquiry. Each board may adopt a procedure to prequalify contractors  
12 for inclusion on the small works roster. No board may be required to  
13 make available for public inspection or copying under chapter 42.17 RCW  
14 financial information required to be provided by the prequalification  
15 procedure.

16 The small works roster shall be revised at least once each year by  
17 publishing notice of such opportunity in at least one newspaper of  
18 general circulation in the state. Responsible contractors shall be  
19 added to the list at any time they submit a written request.

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