

# HOUSE BILL REPORT

## SB 5061

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### As Reported by House Committee On:

State Government

**Title:** An act relating to awarding contracts for building engineering systems.

**Brief Description:** Awarding contracts for building engineering systems.

**Sponsors:** By Senators Winsley and Patterson.

### Brief History:

#### Committee Activity:

State Government: 3/23/01, 3/28/01 [DP].

#### Brief Summary of Bill

- Authorizes state agencies and local governments to award contracts for building engineering systems using a competitive process or a request for proposal process for the specific system, or a competitive process as part of a larger project, with final specifications being approved by an appropriate design, engineering, and/or public regulatory body.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** Do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Miloscia, Democratic Vice Chair; Schindler, Republican Vice Chair; Haigh, Lambert, McDermott and D. Schmidt.

**Staff:** Steve Lundin (786-7127).

### Background:

Differing procedures are established for state agencies and various local governments to award contracts for public works projects.

Many procedures involve the publishing of plans for a project and the request for sealed bids to be submitted. The sealed bids are opened and the contract is awarded, if at all, to the lowest responsible bidder.

Several different state agencies and local governments have been authorized to use alternative public works contracting procedures to award contracts on certain public works contracts of a relatively high dollar value. One alternative procedure is the design-build procedure. Another alternative procedure is the general contractor/construction manager (GCCM) procedure. These alternative bidding procedures involve a number of specified steps, including a request for proposals, selection of a contractor using a described procedure, and negotiation with the selected contractor. Among other projects, the construction or erection of pre-engineered metal buildings or prefabricated modular buildings may be done using the design-build procedure.

Special contracting procedures are provided for state agencies and local governments to contract for architectural and engineering services.

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**Summary of Bill:**

A state agency or local government may award contracts of any value for the design, fabrication, and installation of building engineering systems using: (1) A competitive bidding process or request for proposals process where bidders are required to provide final specifications and a bid price, with the final specifications being approved by an appropriate design, engineering, and/or public regulatory body; or (2) a competitive bidding process for the final design, fabrication, and installation of building engineering systems that are part of a larger project with the final specifications for the building engineering systems being approved by an appropriate design, engineering, and/or public regulatory body.

The provisions of contracting for architectural and engineering services do not apply to the design of building engineering systems.

Building engineering systems are systems where contracts have customarily been awarded with the contractor providing final approved specifications, including fire alarm systems, building sprinkler systems, pneumatic tubing systems, chlorination and chemical feed systems, emergency generator systems, pile systems, and curtain wall systems.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Public owners and the design community joined together to prepare this bill. Industry designs and constructs these systems as a package. A project under

the design-build procedures in the alternative public works procedures must have a minimum value of \$10 million. Building engineering systems rarely cost that much. This is a fair procurement method.

**Testimony Against:** None.

**Testified:** Doug Holen, University of Washington.