

ESSB 5418 - H AMD TO LG COMM AMD (H-2648.1/19) **739**

By Representative Kraft

NOT ADOPTED 04/16/2019

1 On page 32, after line 5 of the striking amendment, insert the
2 following:

3 "NEW SECTION. **Sec. 17.** (1) A local government must prepare a
4 written record of the basis of the decision to perform the public
5 works with local government employees rather than following the public
6 works contracting process. The written record must include, at a
7 minimum:

8 (a) A small business impact statement, as described in RCW
9 19.85.040; and

10 (b) A comprehensive impact assessment that includes, at a minimum:

11 (i) An estimate of the cost to complete the public works project,
12 including the fully allocated costs of the public works project, the
13 cost of the employees' salaries and benefits, space, equipment,
14 materials, and overhead and other costs necessary to complete the
15 public works project;

16 (ii) An estimate of the cost to contract out the public works
17 project;

18 (iii) Reasons for proposing the public works project be completed
19 with local government employees; and

20 (iv) Potential adverse impacts on the public from completing the
21 work with local government employees and any cumulative impact the
22 decision may have on future projects.

23 (2) The written report must be sent to the department of
24 enterprise services, and the department of enterprise services must
25 compile all submitted written reports received pursuant to this
26 section and must annually make a report to the appropriate committees
27 of the legislature.

1 (3) The public works written reports required under subsection
2 (1) of this section must include the local government entities
3 subject to the following statutes: RCW 28A.335.190, 28B.10.029, 28B.
4 10.350, 28B.50.330, 35.21.225, 35.21.730, 35.22.620, 35.23.352,
5 35.57.020, 35.61.135, 35A.40.210, 36.100.030, 36.32.235, 36.32.240,
6 36.32.245, 36.32.250, 52.14.110, 53.08.120, 53.08.135, 54.04.070,
7 54.04.082, 57.08.050, 70.44.140, 71.24.300, 74.38.050, 87.03.435,
8 87.03.436, 87.03.437, and 89.30.154 and chapters 17.28, 27.12, 28A.
9 310, 35.82, 36.57, 36.57A, 36.69, 36.73, 39.04, 39.34, 48.62, 70.46,
10 85.38, and 89.08 RCW.

11 (4) For purposes of this section, "local government" refers to
12 all counties, cities, towns, other political subdivisions, and
13 special purpose districts."

14 Correct the title.

EFFECT: Requires local governments, when performing a public works project without using the public works contracting process, to submit a written record of the basis of the decision to perform the public works with local government employees to the Department of Enterprise Services(DES) and requires DES to annually make a report to the appropriate committees of the legislature with the details of all of the submitted written reports.

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