

HOUSE BILL REPORT

HB 2832

As Reported by House Committee On:
Local Government

Title: An act relating to contracts with community service organizations for public improvements.

Brief Description: Concerning contracts with community service organizations for public improvements.

Sponsors: Representatives Orwall, Gregerson and Santos.

Brief History:

Committee Activity:

Local Government: 2/4/20, 2/7/20 [DPS].

Brief Summary of Substitute Bill

- Expands the projects for which a municipality may contract with a service organization or other association without regard to competitive bidding laws for public works.
- Changes the consideration to be received by the public entity from at least three times the value of the payment to at least two times the value of the payment.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Pollet, Chair; Duerr, Vice Chair; Kraft, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Appleton, Goehner and Senn.

Staff: Elizabeth Allison (786-7129).

Background:

A county, city, town, school district, metropolitan park district, park and recreation district, port district, or park and recreation service area may, without regard to competitive bidding

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laws for public works, contract with a chamber of commerce; a service organization; a community, youth, or athletic association; or other similar association located and providing service in the immediate neighborhood for: drawing design plans; making improvements to a park, school playground, public square, or port habitat site; installing equipment or artworks; or providing maintenance services for a facility or facilities such as a community or neighborhood project, or environmental stewardship project.

The contracting association may be reimbursed for its expenses. The contracting association may use volunteers in the project and provide them with clothing or tools, meals or refreshments, accident/injury insurance coverage, and reimbursement of their expenses. The consideration to be received by the public entity through the value of the projects must have a value at least equal to three times that of the payment to the contracting association.

Summary of Substitute Bill:

The projects for which a county, city, town, school district, metropolitan park district, park and recreation district, port district, or park and recreation service area may contract without regard to competitive bidding laws are expanded to include making improvements to other public spaces and providing maintenance for equipment or artworks.

"Environmental stewardship project" is changed to an "environmental justice stewardship or sustainability project."

The consideration to be received by the public entity the projects must have a value at least equal to two times the payment to the contracting association.

Substitute Bill Compared to Original Bill:

The substitute bill makes the following changes:

- removes public rights-of-way and landscaping from the projects for which public entities may contract without regard to competitive bidding laws; and
- changes the value to be received by the public entity through the value of the projects to be equal to two times the value of the payment to the contracting association.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) An airport and noise from aircraft have impacts on nearby communities. One way for the port to reach out to the community is to provide public projects. Nonprofits are small and struggle to meet the 3:1 payment requirement for public projects, which leads to inequitable results granting jobs to larger associations with more resources. The bill would allow community groups to work collaboratively with local governments to benefit the community without having to match the 3:1 requirement. A nonprofit program that brings technologies to youth by teaching kids to build a robot to water and care for a garden struggled to meet the 3:1 requirement. The program had to undervalue its work to meet the requirement.

(Opposed) None.

(Other) There may be unintended consequences from reducing the 3:1 payment requirement. Volunteer work under the statute is exempt from public work and prevailing wage requirements, and the 3:1 requirement is a compromise to offset the necessity to pay prevailing wage. Additionally, the 3:1 match confines projects to a small body of work.

Persons Testifying: (In support) Representative Orwall, prime sponsor; David Mendoza, Front and Centered; Andy Gregory, Port of Seattle; and Andrew Powers, Key Tech Labs.

(Other) Josh Swanson, International Union of Operating Engineers.

Persons Signed In To Testify But Not Testifying: None.