
SENATE BILL 6362

State of Washington

53rd Legislature

1994 Regular Session

By Senators Bauer, Prince, Winsley and Drew; by request of Office of Financial Management

Read first time 01/20/94. Referred to Committee on Higher Education.

1 AN ACT Relating to operational flexibility of institutions of
2 higher education; and amending RCW 28B.50.330, 28B.10.350, and
3 43.88.150.

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

5 **Sec. 1.** RCW 28B.50.330 and 1993 c 379 s 108 are each amended to
6 read as follows:

7 The boards of trustees of college districts are empowered in
8 accordance with the provisions of this chapter to provide for the
9 construction, reconstruction, erection, equipping, demolition, and
10 major alterations of buildings and other capital assets, and the
11 acquisition of sites, rights-of-way, easements, improvements, or
12 appurtenances for the use of the aforementioned colleges as authorized
13 by the college board in accordance with RCW 28B.50.140; to be financed
14 by bonds payable out of special funds from revenues hereafter derived
15 from income received from such facilities, gifts, bequests, or grants,
16 and such additional funds as the legislature may provide, and payable
17 out of a bond retirement fund to be established by the respective
18 district boards in accordance with rules and regulations of the state
19 board. With respect to building, improvements, or repairs, or other

1 work, where the estimated cost exceeds (~~twenty-five~~) fifty thousand
2 dollars, complete plans and specifications for such work shall be
3 prepared and such work shall be put out for public bids and the
4 contract shall be awarded to the lowest responsible bidder if in
5 accordance with the bid specifications: PROVIDED, That when such
6 building, construction, renovation, remodeling, or demolition involves
7 one trade or craft area and the estimated cost exceeds (~~ten~~) twenty-
8 five thousand dollars, complete plans and specifications for such work
9 shall be prepared and such work shall be put out for public bids, and
10 the contract shall be awarded to the lowest responsible bidder if in
11 accordance with the bid specifications. This subsection shall not
12 apply when a contract is awarded by the small works procedure
13 authorized in RCW 39.04.150: PROVIDED FURTHER, That any project
14 regardless of dollar amount may be put to public bid.

15 Where the estimated cost to any college of any building,
16 improvements, or repairs, or other work, is less than (~~twenty-five~~)
17 fifty thousand dollars, the publication requirements of RCW 39.04.020
18 shall be inapplicable.

19 **Sec. 2.** RCW 28B.10.350 and 1993 c 379 s 109 are each amended to
20 read as follows:

21 (1) When the cost to The Evergreen State College, any regional
22 university, or state university, of any building, construction,
23 renovation, remodeling, installation, or demolition other than
24 maintenance or repairs will equal or exceed the sum of (~~twenty-five~~)
25 fifty thousand dollars, complete plans and specifications for such work
26 shall be prepared and such work shall be put out for public bids and
27 the contract shall be awarded to the lowest responsible bidder if in
28 accordance with the bid specifications: PROVIDED, That when the
29 estimated cost of such building, construction, renovation, remodeling,
30 installation, or demolition equals or exceeds the sum of (~~twenty-~~
31 ~~five~~) fifty thousand dollars, such project shall be deemed a public
32 works and "the prevailing rate of wage," under chapter 39.12 RCW shall
33 be applicable thereto: PROVIDED FURTHER, That when such building,
34 construction, renovation, remodeling, installation, or demolition
35 involves one trade or craft area and the estimated cost exceeds (~~ten~~)
36 twenty-five thousand dollars, complete plans and specifications for
37 such work shall be prepared and such work shall be put out for public
38 bids, and the contract shall be awarded to the lowest responsible

1 bidder if in accordance with the bid specifications. This subsection
2 shall not apply when a contract is awarded by the small works procedure
3 authorized in RCW 28B.10.355.

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

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

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

25 **Sec. 3.** RCW 43.88.150 and 1991 c 284 s 3 are each amended to read
26 as follows:

27 (1) For those agencies that make expenditures from both
28 appropriated and nonappropriated funds for the same purpose, the
29 governor shall direct such agencies to charge their expenditures in
30 such ratio, as between appropriated and nonappropriated funds, as will
31 conserve appropriated funds.

32 (2) Unless otherwise provided by law, if state moneys are
33 appropriated for a capital project and matching funds or other
34 contributions are required as a condition of the receipt of the state
35 moneys, the state moneys shall be disbursed in proportion to and only
36 to the extent that the matching funds or other contributions have been
37 received and are available for expenditure.

1 (3) The office of financial management shall adopt guidelines for
2 the implementation of this section. The guidelines may account for
3 federal matching requirements or other requirements to spend other
4 moneys in a particular manner.

5 (4) Operating fees of the community and technical colleges, The
6 Evergreen State College, regional universities, and state universities
7 are exempted from the provisions of this section.

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