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**ENGROSSED HOUSE BILL 1989**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Dent and Takko

AN ACT Relating to water storage asset management services; and adding a new section to chapter 35.21 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 35.21 RCW to read as follows:

(1) Each municipality shall publish in advance its requirements to procure asset management service of its water storage assets. Such service may include the inspection, cleaning, maintenance, repair, and testing of the water storage asset. The announcement must concisely state the scope and nature of the equipment and services for which a water storage asset management service contract is required and encourage firms to submit proposals to meet these requirements.

(2) The municipality may negotiate a fair and reasonable asset service contract that includes the provision of contract services with the firm that is identified, based on the criteria that is established by the municipality, to be the firm that submits the best proposal. If a municipality chooses to negotiate a water storage asset management contract under this section, no otherwise applicable statutory procurement requirement applies.

(3) If the municipality is unable to negotiate a satisfactory water storage asset management contract with the firm that submits the best proposal, negotiations with that firm must be formally terminated and the municipality may select another firm in accordance with this section and continue negotiation until a water storage asset service contract is reached or the selection process is terminated.

(4) For the purposes of this section:

(a) "Water storage asset" means the water storage structures and distribution systems, such as the water tank, tower, well, meter or water filter.

(b) "Water storage asset management services" means the financing, designing, improvement, operation, maintenance, administration, asset management, or any combination thereof of a water storage asset.

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