

ESSB 5418 - H AMD TO LG COMM AMD (H-2648.1/19) **587**

By Representative Pollet

WITHDRAWN 04/16/2019

1 On page 2, beginning on line 24 of the striking amendment, after
2 "section" strike all material through "specifications." on page 3,
3 line 3 and insert ", 'lowest responsible bidder' means a bid that
4 meets the criteria under RCW 39.04.350 and has the lowest bid;
5 provided, that if the city issues a written finding that the lowest
6 bidder has delivered a project to the city within the last three years
7 which was late, over-budget or did not meet specifications, and the
8 city does not find in writing that such bidder has shown how they
9 would improve performance to be likely to meet project specifications
10 then the city may choose the second lowest bidder whose bid is within
11 five percent of the lowest bid and meets the same criteria as the
12 lowest bidder."

EFFECT: Defines "lowest responsible bidder" as the person with the lowest bid. However, authorizes a city to award the contract to the second lowest bidder (whose bid is within 5% of the lowest bid) if the city finds in writing that the lowest bidder has delivered a project to the city within the last 3 years that was late, over budget, or not meeting specifications and has not shown how they would improve performance to be likely to meet project specifications.

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