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## Capital Budget Committee

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### SB 5017

**Brief Description:** Clarifying school district procurement requirements for personal service contracts for construction management, value engineering, constructibility review, and building commissioning.

**Sponsors:** Senators Wellman, Honeyford, Mullet and Wilson, C..

Brief Summary of Bill
<ul style="list-style-type: none"><li>• Modifies the list of school district purchases that require public notification and bidding to include construction work by a contractor who meets the public works responsible bidder criteria, rather than "other work" generally.</li></ul>



**Hearing Date:** 3/16/21

**Staff:** John Wilson-Tepeli (786-7115).

#### **Background:**

##### School District Bid Requirements.

When the estimated cost of furniture, supplies, equipment, building, improvements, repairs, or other work or purchase exceeds certain thresholds, a school district must follow a public notification and bidding process. The contract for the work or purchase must be awarded to the lowest responsible bidder after considering the following:

- the ability, capacity, and skill of the bidder to perform the contract;
- the character, integrity, reputation, judgment, experience, and efficiency of the bidder;
- whether the bidder can perform the contract within the timeframe required;
- the quality of performance from previous contracts;
- the bidder's past compliance with state law regarding contracts and with state wage

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- payment laws; and
- other relevant information.

Responsible Bidder Criteria.

A contractor bidding on a public works project must meet certain responsible bidder criteria, to be awarded a public works contract. To be a responsible bidder, the bidder must:

- be a registered contractor;
- have a current Unified Business Identifier number;
- have applicable industrial insurance coverage, an Employment Security Department number, and a state excise tax registration number;
- not be disqualified from bidding due to previous non-compliance with registration or prevailing wage requirements; and
- not have been found out of compliance with certain apprenticeship requirements, if the project is subject to apprenticeship utilization requirements.

**Summary of Bill:**

The list of school district purchases that require public notification and bidding is modified to include "other construction work by a contractor" that meets the public works responsible bidder criteria. This work is not specifically mentioned in the current list of purchases, which instead makes a general reference to "other work or purchases" as requiring public notification and bidding.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.