
SECOND SUBSTITUTE SENATE BILL 5405

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Education (originally sponsored by Senators Pelz, Oke, McAuliffe and Winsley)

Read first time 02/04/94.

1 AN ACT Relating to school district competitive bidding; and
2 amending RCW 28A.335.190.

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

4 **Sec. 1.** RCW 28A.335.190 and 1990 c 33 s 362 are each amended to
5 read as follows:

6 (1) ~~((When, in the opinion of the board of directors of any school~~
7 ~~district, the cost of any furniture, supplies, equipment, building,~~
8 ~~improvements, or repairs, or other work or purchases, except books,~~
9 ~~will equal or exceed the sum of twenty thousand dollars, complete plans~~
10 ~~and specifications for such work or purchases shall be prepared and~~
11 ~~notice by publication given in at least one newspaper of general~~
12 ~~circulation within the district, once each week for two consecutive~~
13 ~~weeks, of the intention to receive bids therefor and that~~
14 ~~specifications and other information may be examined at the office of~~
15 ~~the board or any other officially designated location: PROVIDED, That~~
16 ~~the board without giving such notice may make improvements or repairs~~
17 ~~to the property of the district through the shop and repair department~~
18 ~~of such district when the total of such improvements or repair does not~~
19 ~~exceed the sum of seventy-five hundred dollars. The cost of any public~~

1 work, improvement or repair for the purposes of this section shall be
2 the aggregate of all amounts to be paid for labor, material, and
3 equipment on one continuous or interrelated project where work is to be
4 performed simultaneously or in close sequence. The bids shall be in
5 writing and shall be opened and read in public on the date and in the
6 place named in the notice and after being opened shall be filed for
7 public inspection.

8 (2) Every purchase of furniture, equipment or supplies, except
9 books, the cost of which is estimated to be in excess of seventy five
10 hundred dollars, shall be on a competitive basis. The board of
11 directors shall establish a procedure for securing telephone and/or
12 written quotations for such purchases. Whenever the estimated cost is
13 from seventy five hundred dollars up to twenty thousand dollars, the
14 procedure shall require quotations from at least three different
15 sources to be obtained in writing or by telephone, and recorded for
16 public perusal. Whenever the estimated cost is in excess of twenty
17 thousand dollars, the public bidding process provided in subsection (1)
18 of this section shall be followed.

19 (3) Every building, improvement, repair or other public works
20 project, the cost of which is estimated to be in excess of seventy five
21 hundred dollars, shall be on a competitive bid process. All such
22 projects estimated to be less than twenty thousand dollars may be
23 awarded to a contractor on the small works roster. The small works
24 roster shall be comprised of all responsible contractors who have
25 requested to be on the list. The board of directors shall establish a
26 procedure for securing telephone and/or written quotations from the
27 contractors on the small works roster to assure establishment of a
28 competitive price and for awarding contracts to the lowest responsible
29 bidder. Such procedure shall require that a good faith effort be made
30 to request quotations from all contractors on the small works roster
31 who have indicated the capability of performing the kind of public
32 works being contracted. Immediately after an award is made, the bid
33 quotations obtained shall be recorded, open to public inspection, and
34 available by telephone inquiry. The small works roster shall be
35 revised at least once each year by publishing notice of such
36 opportunity in at least one newspaper of general circulation in the
37 district. Responsible contractors shall be added to the list at any
38 time they submit a written request. Whenever the estimated cost of a
39 public works project is twenty thousand dollars or more, the public

1 ~~bidding process provided in subsection (1) of this section shall be~~
2 ~~followed.~~

3 ~~(4) The contract for the work or purchase shall be awarded to the~~
4 ~~lowest responsible bidder as defined in RCW 43.19.1911 but the board~~
5 ~~may by resolution reject any and all bids and make further calls for~~
6 ~~bids in the same manner as the original call. On any work or purchase~~
7 ~~the board shall provide bidding information to any qualified bidder or~~
8 ~~the bidder's agent, requesting it in person.~~

9 ~~(5))~~ When a school district board of directors authorizes the
10 construction of any public works project or improvement or the purchase
11 of furniture, equipment, or supplies, except books, the board shall
12 follow the requirements of RCW 35.23.352.

13 (2) In the event of any emergency when the public interest or
14 property of the district would suffer material injury or damage by
15 delay, upon resolution of the board declaring the existence of such an
16 emergency and reciting the facts constituting the same, the board may
17 waive the requirements of this section with reference to any purchase
18 or contract: PROVIDED, That an "emergency", for the purposes of this
19 section, means a condition likely to result in immediate physical
20 injury to persons or to property of the school district in the absence
21 of prompt remedial action.

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