
HOUSE BILL 1791

State of Washington 52nd Legislature 1991 Regular Session

By Representatives D. Sommers, Mielke, Tate, Padden, Moyer and Paris.

Read first time February 11, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to purchases of equipment from a county road fund
2 or equipment rental and revolving fund; and amending RCW 36.82.130.

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

4 **Sec. 1.** RCW 36.82.130 and 1982 c 145 s 1 are each amended to read
5 as follows:

6 (1) No items of equipment may be purchased by any county and paid
7 for from the county road fund or equipment rental and revolving fund
8 where the sales price thereof is in excess of three thousand five
9 hundred dollars, except upon a call for bids published at least once a
10 week for two consecutive weeks prior to the day of receiving and
11 opening such bids. The call for bids shall specify the equipment to be
12 purchased and the time and place when bids will be received and opened.
13 Bids shall be publicly opened and read, and award shall be made to the
14 lowest and best bidder: PROVIDED, That in the event of any evidence of
15 collusion as between bidders, or in the event that it is considered

1 that an insufficient number of bids have been received, or for other
2 good cause, the board may reject all bids and readvertise for bids.

3 (2)(a) For purposes of this section, the lowest and best bidder
4 shall be the bidder submitting the lowest bid in dollar amount and
5 proposing to supply equipment of an equal or better quality and
6 capability than that specified in the call for bids. However, in the
7 event an award is not made to the lowest and best bidder, the county
8 legislative authority shall make written findings of fact detailing the
9 reasons for rejecting the bid of the lowest and best bidder.

10 (b) The attorney general shall enforce the provisions of this
11 section. Upon judicial determination that in awarding a purchase
12 contract under this section to a bidder other than the lowest and best
13 bidder, the county legislative authority either acted in an arbitrary
14 and capricious manner or failed to make the required findings of fact,
15 the county shall pay to the lowest and best bidder an amount equal to
16 twenty-five percent of the bidder's bid price, plus any and all fees
17 incurred in enforcement of this provision, including reasonable
18 attorneys' fees.