

2 SSB 5408 - S AMD - 431

3 By Senators West and Rinehart

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.160  
8 RCW to read as follows:

9 (1) The superintendent of public instruction shall establish a  
10 minimum number of school bus categories considering the capacity and  
11 type of vehicles required by school districts in Washington. The  
12 superintendent shall establish competitive specifications for each  
13 category of school bus. The competitive specifications shall meet  
14 federal motor vehicle safety standards, minimum state specifications as  
15 established by rule by the superintendent, and supported options as  
16 determined by the superintendent.

17 (2) After establishing school bus categories and competitive  
18 specifications, the superintendent of public instruction shall solicit  
19 competitive price quotes from school bus dealers to be in effect for  
20 one year and establish a list of the lowest competitive price quotes  
21 obtained under this subsection.

22 (3) The superintendent shall base the level of reimbursement to  
23 school districts and educational service districts for school buses on  
24 the lowest quote in each category.

25 (4) Notwithstanding RCW 28A.335.190, school districts and  
26 educational service districts may purchase at the quoted price directly  
27 from the dealer who is providing the lowest competitive price quote on  
28 the list established under subsection (2) of this section. School  
29 districts and educational service districts may make their own  
30 selections for school buses, but shall be reimbursed at the rates  
31 determined under this section and RCW 28A.160.200. District-selected  
32 options shall not be reimbursed by the state.

33 (5) This section does not prohibit school districts or educational  
34 service districts from conducting their own competitive bid process.

35 (6) The superintendent of public instruction may adopt rules under  
36 chapter 34.05 RCW to implement this section.

1       **Sec. 2.** RCW 28A.160.200 and 1990 c 33 s 146 are each amended to  
2 read as follows:

3       (~~The superintendent shall determine the vehicle acquisition~~  
4 ~~allocation in the following manner:~~

5       ~~(1) By May 1st of each year, the superintendent shall develop~~  
6 ~~preliminary categories of student transportation vehicles to ensure~~  
7 ~~adequate student transportation fleets for districts. The~~  
8 ~~superintendent shall take into consideration the types of vehicles~~  
9 ~~purchased by individual school districts in the state. The categories~~  
10 ~~shall include, but not be limited to, variables such as vehicle~~  
11 ~~capacity, type of chassis, type of fuel, engine and body type, special~~  
12 ~~equipment, and life of vehicle. The categories shall be developed in~~  
13 ~~conjunction with the local districts and shall be applicable to the~~  
14 ~~following school year. The categories shall be designed to produce~~  
15 ~~minimum long range operating costs, including costs of equipment and~~  
16 ~~all costs incurred in operating the vehicles. Each category~~  
17 ~~description shall include the estimated state-determined purchase~~  
18 ~~price, which shall be based on the actual costs of the vehicles~~  
19 ~~purchased for that comparable category in the state during the~~  
20 ~~preceding twelve months and the anticipated market price for the next~~  
21 ~~school fiscal year. By June 15th of each year, the superintendent~~  
22 ~~shall notify districts of the preliminary vehicle categories and state-~~  
23 ~~determined purchase price for the ensuing school year. By October 15th~~  
24 ~~of each year, the superintendent shall finalize the categories and the~~  
25 ~~associated state-determined purchase price and shall notify districts~~  
26 ~~of any changes. While it is the responsibility of each district to~~  
27 ~~select each student transportation vehicle to be purchased by the~~  
28 ~~district, each district shall be paid a sum based only on the amount of~~  
29 ~~the state-determined purchase price and inflation as recognized by the~~  
30 ~~reimbursement schedule established in this section as set by the~~  
31 ~~superintendent for the category of vehicle purchased.~~

32       ~~(2))~~ (1) The superintendent shall develop a reimbursement schedule  
33 to pay districts for the cost of student transportation vehicles  
34 purchased after September 1, 1982. While it is the responsibility of  
35 each district to select and pay for each student transportation vehicle  
36 purchased by the district, each district shall be paid a sum based on  
37 the category of vehicle, anticipated lifetime of vehicles of this  
38 category, and state reimbursement rate for the category plus inflation  
39 as recognized by the reimbursement schedule established in this section

1 as set by the superintendent. Categories and reimbursement rates of  
2 vehicles shall be those established under section 1 of this act. The  
3 accumulated value of the payments and the potential investment return  
4 thereon shall be designed to be equal to the replacement ~~((value))~~ cost  
5 of the vehicle less its salvage value at the end of its anticipated  
6 lifetime. The superintendent shall revise at least annually the  
7 reimbursement payments based on the current and anticipated future cost  
8 of comparable categories of transportation equipment. Reimbursements  
9 to school districts for approved transportation equipment shall be  
10 placed in a separate ~~((vehicle))~~ transportation vehicle fund  
11 established for each school district under RCW 28A.160.130. However,  
12 educational service districts providing student transportation services  
13 pursuant to RCW 28A.310.180(4) and receiving moneys generated pursuant  
14 to this section shall establish and maintain a separate ~~((vehicle))~~  
15 transportation vehicle account in the educational service district's  
16 general expense fund for the purposes and subject to the conditions  
17 under RCW 28A.160.130 and 28A.320.300.

18 ~~((+3))~~ (2) To the extent possible, districts shall operate  
19 vehicles acquired under this section not less than the number of years  
20 or useful lifetime now, or hereafter, assigned to the ~~((class))~~  
21 category of vehicles by the superintendent. School districts shall  
22 properly maintain the transportation equipment acquired under the  
23 provisions of this section, in accordance with rules established by the  
24 office of the superintendent of public instruction. If a district  
25 fails to follow generally accepted standards of maintenance and  
26 operation, the superintendent of public instruction shall penalize the  
27 district by deducting from future reimbursements under this section an  
28 amount equal to the original cost of the vehicle multiplied by the  
29 fraction of the useful lifetime or miles the vehicle failed to operate.

30 ~~((+4))~~ (3) The superintendent shall annually develop a  
31 depreciation schedule to recognize the cost of depreciation to  
32 districts contracting with private carriers for student transportation.  
33 Payments on this schedule shall be a straight line depreciation based  
34 on the original cost of the appropriate category of vehicle.

35 **Sec. 3.** RCW 28A.335.190 and 1994 c 212 s 1 are each amended to  
36 read as follows:

37 (1) When, in the opinion of the board of directors of any school  
38 district, the cost of any furniture, supplies, equipment, building,

1 improvements, or repairs, or other work or purchases, except books,  
2 will equal or exceed the sum of fifty thousand dollars, complete plans  
3 and specifications for such work or purchases shall be prepared and  
4 notice by publication given in at least one newspaper of general  
5 circulation within the district, once each week for two consecutive  
6 weeks, of the intention to receive bids therefor and that  
7 specifications and other information may be examined at the office of  
8 the board or any other officially designated location: PROVIDED, That  
9 the board without giving such notice may make improvements or repairs  
10 to the property of the district through the shop and repair department  
11 of such district when the total of such improvements or repair does not  
12 exceed the sum of (a) fifteen thousand dollars, for districts with  
13 fifteen thousand five hundred or more full-time equivalent students; or  
14 (b) for districts with fewer than fifteen thousand five hundred full-  
15 time equivalent students, fifteen thousand dollars if more than one  
16 craft or trade is involved with the school district improvement or  
17 repair, or ten thousand dollars if a single craft or trade is involved  
18 with the school district improvement or repair. The cost of any public  
19 work, improvement or repair for the purposes of this section shall be  
20 the aggregate of all amounts to be paid for labor, material, and  
21 equipment on one continuous or interrelated project where work is to be  
22 performed simultaneously or in close sequence. The bids shall be in  
23 writing and shall be opened and read in public on the date and in the  
24 place named in the notice and after being opened shall be filed for  
25 public inspection.

26 (2) Every purchase of furniture, equipment or supplies, except  
27 books, the cost of which is estimated to be in excess of fifteen  
28 thousand dollars, shall be on a competitive basis. The board of  
29 directors shall establish a procedure for securing telephone and/or  
30 written quotations for such purchases. Whenever the estimated cost is  
31 from fifteen thousand dollars up to fifty thousand dollars, the  
32 procedure shall require quotations from at least three different  
33 sources to be obtained in writing or by telephone, and recorded for  
34 public perusal. Whenever the estimated cost is in excess of fifty  
35 thousand dollars, the public bidding process provided in subsection (1)  
36 of this section shall be followed.

37 (3) Every building, improvement, repair or other public works  
38 project, the cost of which is estimated to be in excess of (a) fifteen  
39 thousand dollars, for districts with fifteen thousand five hundred or

1 more full-time equivalent students; or (b) for districts with fewer  
2 than fifteen thousand five hundred full-time equivalent students,  
3 fifteen thousand dollars if more than one craft or trade is involved  
4 with the school district improvement or repair, or ten thousand dollars  
5 if a single craft or trade is involved with the school district  
6 improvement or repair, shall be on a competitive bid process. All such  
7 projects estimated to be less than fifty thousand dollars may be  
8 awarded to a contractor on the small works roster. The small works  
9 roster shall be comprised of all responsible contractors who have  
10 requested to be on the list. The board of directors shall establish a  
11 procedure for securing telephone and/or written quotations from the  
12 contractors on the small works roster to assure establishment of a  
13 competitive price and for awarding contracts to the lowest responsible  
14 bidder. Such procedure shall require that a good faith effort be made  
15 to request quotations from all contractors on the small works roster  
16 who have indicated the capability of performing the kind of public  
17 works being contracted. Immediately after an award is made, the bid  
18 quotations obtained shall be recorded, open to public inspection, and  
19 available by telephone inquiry. The small works roster shall be  
20 revised at least once each year by publishing notice of such  
21 opportunity in at least one newspaper of general circulation in the  
22 district. Responsible contractors shall be added to the list at any  
23 time they submit a written request. Whenever the estimated cost of a  
24 public works project is fifty thousand dollars or more, the public  
25 bidding process provided in subsection (1) of this section shall be  
26 followed.

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

33 (5) In the event of any emergency when the public interest or  
34 property of the district would suffer material injury or damage by  
35 delay, upon resolution of the board declaring the existence of such an  
36 emergency and reciting the facts constituting the same, the board may  
37 waive the requirements of this section with reference to any purchase  
38 or contract: PROVIDED, That an "emergency", for the purposes of this  
39 section, means a condition likely to result in immediate physical

1 injury to persons or to property of the school district in the absence  
2 of prompt remedial action.

3 (6) This section does not apply to the direct purchase of school  
4 buses by school districts and educational services in accordance with  
5 section 1 of this act.

6 NEW SECTION. Sec. 4. (1) By December 15, 1995, the superintendent  
7 of public instruction shall prepare a report comparing:

8 (a) The reimbursement schedule in effect for the 1994-95 school  
9 year with the reimbursement schedule adopted for the 1995-96 school  
10 year;

11 (b) The expected state savings from using the 1995-96 schedule; and

12 (c) The price quotes received by the superintendent of public  
13 instruction with the prices obtained by school districts and  
14 educational service districts.

15 (2) The report shall be submitted to the fiscal committees of the  
16 house of representatives and the senate.

17 NEW SECTION. Sec. 5. (1) Section 1 of this act is necessary for  
18 the immediate preservation of the public peace, health, or safety, or  
19 support of the state government and its existing public institutions,  
20 and shall take effect immediately.

21 (2) Section 2 of this act shall take effect September 1, 1995."

22 **SSB 5408** - S AMD

23 By Senators West and Rinehart

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25 On page 1, line 1 of the title, after "acquisitions;" strike the  
26 remainder of the title and insert "amending RCW 28A.160.200 and  
27 28A.335.190; adding a new section to chapter 28A.160 RCW; creating a  
28 new section; providing an effective date; and declaring an emergency."

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