
SUBSTITUTE HOUSE BILL 2902

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Children & Family Services (originally sponsored by Representatives Cooke, Ballasiotes, Carrell, McDonald, B. Thomas, Boldt, Mitchell and Lambert)

Read first time 01/29/98. Referred to Committee on .

1 AN ACT Relating to contracting with entities that provide services
2 for the WorkFirst program that are normally provided by civil servants;
3 amending RCW 74.08A.290 and 41.06.380; and declaring an emergency.

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

5 **Sec. 1.** RCW 74.08A.290 and 1997 c 58 s 316 are each amended to
6 read as follows:

7 (1) It is the intent of the legislature that the department is
8 authorized to engage in competitive contracting using performance-based
9 contracts to provide all work activities ((authorized)) defined in this
10 chapter ((58, Laws of 1997, including the job search component
11 authorized in section 312 of this act)).

12 (2) The department may use competitive performance-based
13 contracting to select which vendors will participate in the WorkFirst
14 program. Performance-based contracts shall be awarded based on factors
15 that include but are not limited to the criteria listed in RCW
16 74.08A.410, past performance of the contractor, demonstrated ability to
17 perform the contract effectively, financial strength of the contractor,
18 and merits of the proposal for services submitted by the contractor.
19 Contracts shall be made without regard to whether the contractor is a

1 public or private entity. For the purpose of implementing this
2 chapter, the department may contract with private or public entities
3 for services that are ordinarily provided by and capable of being
4 provided by civil servants regardless of any rights, express or
5 implied, created by the state civil service law, chapter 41.06 RCW.

6 (3) The department may contract for an evaluation of the
7 competitive contracting practices and outcomes to be performed by an
8 independent entity with expertise in government privatization and
9 competitive strategies. The evaluation shall include quarterly
10 progress reports to the fiscal committees of the legislature and to the
11 governor, starting at the first quarter after the effective date of the
12 first competitive contract and ending two years after the effective
13 date of the first competitive contract.

14 (4) The department shall seek independent assistance in developing
15 contracting strategies to implement this section. Assistance may
16 include but is not limited to development of contract language, design
17 of requests for proposal, developing full cost information on
18 government services, evaluation of bids, and providing for equal
19 competition between private and public entities.

20 **Sec. 2.** RCW 41.06.380 and 1979 ex.s. c 46 s 2 are each amended to
21 read as follows:

22 (1) Nothing contained in this chapter shall prohibit any
23 department, as defined in RCW 41.06.020, from purchasing services by
24 contract with individuals or business entities if such services were
25 regularly purchased by valid contract by such department prior to April
26 23, 1979: PROVIDED, That no such contract may be executed or renewed
27 if it would have the effect of terminating classified employees or
28 classified employee positions existing at the time of the execution or
29 renewal of the contract.

30 (2) This chapter shall not be construed to prohibit the department
31 of social and health services from carrying out the provisions of
32 chapter 74.08A RCW.

33 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

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