

HOUSE OF REPRESENTATIVES

Olympia, Washington

Bill Analysis

Bill No. HB 1072

Exempting certain proprietary financial information from public inspection
Brief title

Hearing Date 1/26/99

Reps. Romer and D. Schmidt
Sponsor(s)

Staff: Steve Lundin
State Government Committee
Phone: 786-7127

BACKGROUND:

Different procedures are established at agencies and various governmental award contracts for public works projects.

Frequently different sets of procedures have been established at agencies and local governmental award public works contracts depending on the estimated cost of the project with varying requirements as follows:

- o An agency or local governmental award contracts for public works projects a relative estimate in any manner it chooses.
- o An agency or local governmental award contracts using small works cost bidding process award contracts for projects up to a medium estimate. Under this process a limited number of contractors are contacted and asked to submit bids. The contract is awarded to the lowest responsible bidder.
- o An agency or local governmental award contracts using formal competitive bidding process formally award contracts for higher estimated value where a notice published requesting sealed bids and the sealed bids are opened at a designated time and place. The contract is awarded to the lowest responsible bidder.

In addition several different agencies and local governments have been authorized alternative public works contracting procedures for awarding certain public works contracts of very large dollar value. One alternative procedure is the design-build procedure. Another alternative procedure is the general contractor/contract manager procedure. Authority for these alternative procedures

terminated July, 2001. Trade secrets and other proprietary information supplied publicly using either the alternative procurement procedures subject to public inspection on copying, the entity submitting the materials states as follows for this exemption.

The design-build procedure used toward a contract party for both the design and construction of a public facility or portion of a public facility involves the following steps:

- o Publishing and announcing the procedure used with opportunity for public comments.
- o Publishing a call for proposals and design-build that includes a description of the project, various requirements, details, a schedule of the process and relative weight factors that will be used to evaluate proposals.
- o Creation of a committee to evaluate proposals in this process with the public entity selection between three and five finalists submit and in proposals.
- o Awarding a contract to the (1) Negotiating with the firm submitting the highest bid and in proposal to execute a contract, if an agreement is not reached, the firm with the highest bid and in proposal (2) if a final list is established production and specificate in project requirements selecting responsible bid and in proposal with the lowest price.

The Department of General Administration, University of Washington, Washington State University, county with a population greater than 450,000 (King, Pierce and Snohomish Counties) every city with a population in excess of 150,000 (Seattle and Tacoma) and any port district with a population in excess of 500,000 (Port of Seattle and Port of Tacoma) may use the design-build process on any project with an estimated cost of \$10 million or more. In addition, the entity may also use the design-build process on new student housing projects of \$5 million or more estimated and the construction of pre-engineered buildings, prefabricated buildings and any cost.

SUMMARY:

Financial information supplied by an entity person attempting to become a qualified bidder under the alternative procurement procedures subject to public disclosure requirements of the entity submitting the information states as follows for this exemption.

The design-build alternative procurement procedure may be used by eligible government entities toward contracts for the design, fabrication and installation of building engineering systems of any cost.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of session which bill passed.