
SENATE BILL 5998

State of Washington 56th Legislature 1999 Regular Session

By Senators McAuliffe, Prentice, Winsley and Jacobsen

Read first time 02/19/1999. Referred to Committee on Education.

1 AN ACT Relating to bids for school district work or purchase; 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 1995 1st sp.s. c 10 s 3 are each
5 amended to 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 fifty 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 (a) fifteen thousand dollars, for districts with

1 fifteen thousand five hundred or more full-time equivalent students; or
2 (b) for districts with fewer than fifteen thousand five hundred full-
3 time equivalent students, fifteen thousand dollars if more than one
4 craft or trade is involved with the school district improvement or
5 repair, or ten thousand dollars if a single craft or trade is involved
6 with the school district improvement or repair. The cost of any public
7 work, improvement or repair for the purposes of this section shall be
8 the aggregate of all amounts to be paid for labor, material, and
9 equipment on one continuous or interrelated project where work is to be
10 performed simultaneously or in close sequence. The bids shall be in
11 writing and shall be opened and read in public on the date and in the
12 place named in the notice and after being opened shall be filed for
13 public inspection.

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

25 (3) Every building, improvement, repair or other public works
26 project, the cost of which is estimated to be in excess of (a) fifteen
27 thousand dollars, for districts with fifteen thousand five hundred or
28 more full-time equivalent students; or (b) for districts with fewer
29 than fifteen thousand five hundred full-time equivalent students,
30 fifteen thousand dollars if more than one craft or trade is involved
31 with the school district improvement or repair, or ten thousand dollars
32 if a single craft or trade is involved with the school district
33 improvement or repair, shall be on a competitive bid process. All such
34 projects estimated to be less than fifty thousand dollars may be
35 awarded to a contractor on the small works roster. The small works
36 roster shall be comprised of all responsible contractors who have
37 requested to be on the list. The board of directors shall establish a
38 procedure for securing telephone and/or written quotations from the
39 contractors on the small works roster to assure establishment of a

1 competitive price and for awarding contracts to the lowest responsible
2 bidder. Such procedure shall require that a good faith effort be made
3 to request quotations from all contractors on the small works roster
4 who have indicated the capability of performing the kind of public
5 works being contracted. Immediately after an award is made, the bid
6 quotations obtained shall be recorded, open to public inspection, and
7 available by telephone inquiry. The small works roster shall be
8 revised at least once each year by publishing notice of such
9 opportunity in at least one newspaper of general circulation in the
10 district. Responsible contractors shall be added to the list at any
11 time they submit a written request. Whenever the estimated cost of a
12 public works project is fifty thousand dollars or more, the public
13 bidding process provided in subsection (1) of this section shall be
14 followed.

15 (4)(a) Subject to (b) of this subsection, the contract for the work
16 or purchase shall be awarded to the lowest responsible bidder as
17 defined in RCW 43.19.1911 but the board may by resolution reject any
18 and all bids and may make further calls for bids in the same manner as
19 the original call.

20 (b) The board may, after review, reject the bid of any bidder,
21 including the lowest bid, if the board determines that it is in the
22 best interests of the safety and well-being of the students, the
23 public, and the employees of the school.

24 (c) On any work or purchase the board shall provide bidding
25 information to any qualified bidder or the bidder's agent, requesting
26 it in person.

27 (5) In the event of any emergency when the public interest or
28 property of the district would suffer material injury or damage by
29 delay, upon resolution of the board declaring the existence of such an
30 emergency and reciting the facts constituting the same, the board may
31 waive the requirements of this section with reference to any purchase
32 or contract: PROVIDED, That an "emergency", for the purposes of this
33 section, means a condition likely to result in immediate physical
34 injury to persons or to property of the school district in the absence
35 of prompt remedial action.

1 (6) This section does not apply to the direct purchase of school
2 buses by school districts and educational services in accordance with
3 RCW 28A.160.195.

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