

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5185

56th Legislature
1999 Regular Session

Passed by the Senate February 12, 1999
YEAS 45 NAYS 2

President of the Senate

Passed by the House April 6, 1999
YEAS 91 NAYS 1

**Speaker of the
House of Representatives**

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5185** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5185

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Haugen, Benton, T. Sheldon, Finkbeiner, Goings, Gardner, Prentice, Sellar and Winsley)

Read first time 02/04/1999.

1 AN ACT Relating to highway work done by state forces; and amending
2 RCW 47.28.030.

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

4 **Sec. 1.** RCW 47.28.030 and 1984 c 194 s 1 are each amended to read
5 as follows:

6 A state highway shall be constructed, altered, repaired, or
7 improved, and improvements located on property acquired for right of
8 way purposes may be repaired or renovated pending the use of such right
9 of way for highway purposes, by contract or state forces. The work or
10 portions thereof may be done by state forces when the estimated costs
11 thereof is less than ((thirty)) fifty thousand dollars and effective
12 July 1, 2005, sixty thousand dollars: PROVIDED, That when delay of
13 performance of such work would jeopardize a state highway or constitute
14 a danger to the traveling public, the work may be done by state forces
15 when the estimated cost thereof is less than ((fifty)) eighty thousand
16 dollars and effective July 1, 2005, one hundred thousand dollars. When
17 the department of transportation determines to do the work by state
18 forces, it shall enter a statement upon its records to that effect,
19 stating the reasons therefor. To enable a larger number of small

1 businesses, and minority, and women contractors to effectively compete
2 for ((highway)) department of transportation contracts, the department
3 may adopt rules providing for bids and award of contracts for the
4 performance of work, or furnishing equipment, materials, supplies, or
5 operating services whenever any work is to be performed and the
6 engineer's estimate indicates the cost of the work would not exceed
7 ((fifty)) eighty thousand dollars and effective July 1, 2005, one
8 hundred thousand dollars. The rules adopted under this section:

9 (1) Shall provide for competitive bids to the extent that
10 competitive sources are available except when delay of performance
11 would jeopardize life or property or inconvenience the traveling
12 public; and

13 (2) Need not require the furnishing of a bid deposit nor a
14 performance bond, but if a performance bond is not required then
15 progress payments to the contractor may be required to be made based on
16 submittal of paid invoices to substantiate proof that disbursements
17 have been made to laborers, materialmen, mechanics, and subcontractors
18 from the previous partial payment; and

19 (3) May establish prequalification standards and procedures as an
20 alternative to those set forth in RCW 47.28.070, but the
21 prequalification standards and procedures under RCW 47.28.070 shall
22 always be sufficient.

23 The department of transportation shall comply with such goals and
24 rules as may be adopted by the office of minority and women's business
25 enterprises to implement chapter 39.19 RCW with respect to contracts
26 entered into under this chapter. The department may adopt such rules
27 as may be necessary to comply with the rules adopted by the office of
28 minority and women's business enterprises under chapter 39.19 RCW.

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