

FINAL BILL REPORT

HB 1548

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Synopsis as Enacted

Brief Description: Expanding the small works roster process to include metropolitan park districts.

Sponsors: By Representatives Kirby and Carrell.

House Committee on State Government
Senate Committee on State & Local Government

Background:

I. Local Government Contracting Procedures.

A. Competitive Bidding

Many units of local government must follow formal competitive bidding procedures when awarding public works projects over a certain dollar amount. Local government required to use formal competitive bidding must advertise the projects in advance, and typically all bid proposals must be accompanied by a check or a bond certifying that the bidder will enter into a contract in accordance with its bid. The local government generally must award the project to the lowest possible bidder.

Municipalities may forego the competitive bidding process for:

- purchases that are limited to a single source;
- purchases involving special facilities or market conditions;
- purchases necessitated by an emergency;
- purchases of insurance or bonds; and
- public works necessitated by an emergency.

B. Small Works Roster.

In addition to formal competitive bidding, most local governments may use the small works roster process to award public works projects under \$200,000. Under the small works roster process, a local government must construct lists of responsible contractors. The local government then contacts at least five contractors on the roster in a manner that will equitably distribute the opportunity among the contractors on the roster. The local government then awards the contract to the lowest responsible bidder.

II. Metropolitan Park Districts.

Any city with a population over 4,999 may create a metropolitan park district to manage, control, improve, maintain, and acquire parks, parkways, and boulevards. Metropolitan park districts may acquire land through the power of eminent domain, and may make improvements to parks, parkways, boulevards, avenues, aviation landings, and playgrounds.

There are currently no statutory procedures for metropolitan park district contracting.

Summary:

Metropolitan park districts must use formal competitive bidding procedures when entering into contracts for work over \$5,000. The park district must give notice in a newspaper of general circulation 13 days before the last day upon which bids will be received. Bids must be accompanied by a check or a bond guaranteeing that the bidder will enter into a contract in accordance with the bid. The park district must award the contract to the lowest responsible bidder, but may also reject all bids for good cause.

As an alternative to competitive bidding, the park district may utilize the small works roster process.

The park district may waive the competitive bidding requirements altogether for the same reasons provided for municipalities.

Votes on Final Passage:

House 93 0

Senate 40 8

Effective: July 22, 2001