
HOUSE BILL 1980

State of Washington

57th Legislature

2001 Regular Session

By Representatives Keiser, Conway, Miloscia, Cox, Cairnes, Esser and Schual-Berke

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1 AN ACT Relating to authorizing school boards to accept bids based
2 on students' best interests; and 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 2000 c 138 s 201 are each amended to
5 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. Whenever
34 the estimated cost of a public works project is fifty thousand dollars
35 or more, the public bidding process provided in subsection (1) of this
36 section shall be followed unless the contract is let using the small
37 works roster process in RCW 39.04.155 or under any other procedure
38 authorized for school districts. One or more school districts may
39 authorize an educational service district to establish and operate a

1 small works roster for the school district under the provisions of RCW
2 39.04.155.

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

8 (b) The board may, after review, reject the bid of any bidder, if
9 the board determines that it is in the best interests of the safety and
10 well-being of the students, the public, or the employees of the school.

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

14 (5) In the event of any emergency when the public interest or
15 property of the district would suffer material injury or damage by
16 delay, upon resolution of the board declaring the existence of such an
17 emergency and reciting the facts constituting the same, the board may
18 waive the requirements of this section with reference to any purchase
19 or contract: PROVIDED, That an "emergency", for the purposes of this
20 section, means a condition likely to result in immediate physical
21 injury to persons or to property of the school district in the absence
22 of prompt remedial action.

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

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