

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1548**

57th Legislature  
2001 Regular Legislative Session

Passed by the House March 5, 2001  
Yeas 93 Nays 0

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**Speaker of the House of Representatives**

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**Speaker of the House of Representatives**

Passed by the Senate April 4, 2001  
Yeas 40 Nays 8

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**President of the Senate**

Approved

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1548** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

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**Chief Clerk**

FILED

\_\_\_\_\_  
Governor of the State of Washington

**Secretary of State  
State of Washington**

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HOUSE BILL 1548

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Passed Legislature - 2001 Regular Session

State of Washington                      57th Legislature                      2001 Regular Session

By Representatives Kirby and Carrell

Read first time 01/29/2001. Referred to Committee on State Government.

1            AN ACT Relating to allowing metropolitan park districts to use a  
2 small works roster process; and adding a new section to chapter 35.61  
3 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 35.61 RCW  
6 to read as follows:

7            (1) All work ordered, the estimated cost of which is in excess of  
8 five thousand dollars, shall be let by contract and competitive  
9 bidding. Before awarding any such contract the board of park  
10 commissioners shall publish a notice in a newspaper of general  
11 circulation where the district is located at least once thirteen days  
12 before the last date upon which bids will be received, inviting sealed  
13 proposals for such work, plans, and specifications which must at the  
14 time of publication of such notice be on file in the office of the  
15 board of park commissioners subject to the public inspection. The  
16 notice shall state generally the work to be done and shall call for  
17 proposals for doing the same to be sealed and filed with the board of  
18 park commissioners on or before the day and hour named therein.

1 Each bid shall be accompanied by a certified or cashier's check or  
2 postal money order payable to the order of the metropolitan park  
3 district for a sum not less than five percent of the amount of the bid,  
4 or accompanied by a bid bond in an amount not less than five percent of  
5 the bid with a corporate surety licensed to do business in the state,  
6 conditioned that the bidder will pay the metropolitan park district as  
7 liquidated damages the amount specified in the bond, unless the bidder  
8 enters into a contract in accordance with the bidder's bid, and no bid  
9 shall be considered unless accompanied by such check, cash, or bid  
10 bond. At the time and place named such bids shall be publicly opened  
11 and read and the board of park commissioners shall proceed to canvass  
12 the bids and may let such contract to the lowest responsible bidder  
13 upon plans and specifications on file or to the best bidder submitting  
14 the bidder's own plans and specifications. The board of park  
15 commissioners may reject all bids for good cause and readvertise and in  
16 such case all checks, cash, or bid bonds shall be returned to the  
17 bidders. If the contract is let, then all checks, cash, or bid bonds  
18 shall be returned to the bidders, except that of the successful bidder,  
19 which shall be retained until a contract is entered into for doing the  
20 work, and a bond to perform such work furnished with sureties  
21 satisfactory to the board of park commissioners in the full amount of  
22 the contract price between the bidder and the metropolitan park  
23 district in accordance with the bid. If the bidder fails to enter into  
24 the contract in accordance with the bid and furnish the bond within ten  
25 days from the date at which the bidder is notified that the bidder is  
26 the successful bidder, the check, cash, or bid bonds and the amount  
27 thereof shall be forfeited to the metropolitan park district. If the  
28 bidder fails to enter into a contract in accordance with the bidder's  
29 bid, and the board of park commissioners deems it necessary to take  
30 legal action to collect on any bid bond required by this section, then  
31 the metropolitan park district is entitled to collect from the bidder  
32 any legal expenses, including reasonable attorneys' fees occasioned  
33 thereby. A low bidder who claims error and fails to enter into a  
34 contract is prohibited from bidding on the same project if a second or  
35 subsequent call for bids is made for the project.

36 (2) As an alternative to requirements under subsection (1) of this  
37 section, a metropolitan park district may let contracts using the small  
38 works roster process under RCW 39.04.155.

1       (3) The park board may waive the competitive bidding requirements  
2 of this section pursuant to RCW 39.04.280 if an exemption contained  
3 within RCW 39.04.280 applies to the purchase or public work.

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