

CERTIFICATION OF ENROLLMENT

SENATE BILL 6283

57th Legislature
2002 Regular Session

Passed by the Senate February 13, 2002
YEAS 42 NAYS 5

President of the Senate

Passed by the House March 6, 2002
YEAS 93 NAYS 0

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6283** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

Approved

FILED

Governor of the State of Washington

Secretary of State
State of Washington

SENATE BILL 6283

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By Senators Gardner, Swecker, T. Sheldon, Haugen and Rasmussen

Read first time 01/14/2002. Referred to Committee on State & Local Government.

1 AN ACT Relating to competitive bidding requirements for public
2 hospital districts; and amending RCW 70.44.140.

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

4 **Sec. 1.** RCW 70.44.140 and 2000 c 138 s 213 are each amended to
5 read as follows:

6 (1) All materials purchased and work ordered, the estimated cost of
7 which is in excess of ((five)) fifty thousand dollars, shall be by
8 contract. Before awarding any such contract, the commission shall
9 publish a notice at least thirteen days before the last date upon which
10 bids will be received, inviting sealed proposals for such work. The
11 plans and specifications must at the time of the publication of such
12 notice be on file at the office of the public hospital district,
13 subject to public inspection: PROVIDED, HOWEVER, That the commission
14 may at the same time, and as part of the same notice, invite tenders
15 for the work or materials upon plans and specifications to be submitted
16 by bidders. The notice shall state generally the work to be done, and
17 shall call for proposals for doing the same, to be sealed and filed
18 with the commission on or before the day and hour named therein. Each
19 bid shall be accompanied by bid proposal security in the form of a

1 certified check, cashier's check, postal money order, or surety bond
2 made payable to the order of the commission, for a sum not less than
3 five percent of the amount of the bid, and no bid shall be considered
4 unless accompanied by such bid proposal security. At the time and
5 place named, such bids shall be publicly opened and read, and the
6 commission shall proceed to canvass the bids, and may let such contract
7 to the lowest responsible bidder upon plans and specifications on file,
8 or to the best bidder submitting his or her own plans and
9 specifications: PROVIDED, HOWEVER, That no contract shall be let in
10 excess of the estimated cost of the materials or work, or if, in the
11 opinion of the commission, all bids are unsatisfactory, they may reject
12 all of them and readvertise, and in such case all bid proposal security
13 shall be returned to the bidders. If the contract is let, then all bid
14 proposal security shall be returned to the bidders, except that of the
15 successful bidder, which is retained until a contract shall be entered
16 into for the purchase of such materials for doing such work, and a bond
17 to perform such work furnished, with sureties satisfactory to the
18 commission, in an amount to be fixed by the commission, not less than
19 twenty-five percent of contract price in any case, between the bidder
20 and commission, in accordance with the bid. If such bidder fails to
21 enter into the contract in accordance with the bid and furnish such
22 bond within ten days from the date at which the bidder is notified that
23 he or she is the successful bidder, the bid proposal security and the
24 amount thereof shall be forfeited to the public hospital district. A
25 low bidder who claims error and fails to enter into a contract is
26 prohibited from bidding on the same project if a second or subsequent
27 call for bids is made for the project.

28 (2) As an alternative to the requirements of subsection (1) of this
29 section, a public hospital district may let contracts using the small
30 works roster process under RCW 39.04.155.

31 (3) Any purchases with an estimated cost of up to fifteen thousand
32 dollars may be made using the process provided in RCW 39.04.190.

33 (4) The commission may waive the competitive bidding requirements
34 of this section pursuant to RCW 39.04.280 if an exemption contained
35 within that section applies to the purchase or public work.

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