

HB 2183 - S COMM AMD

By Committee on Government Operations & Elections

ADOPTED 04/11/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 57.08.050 and 2000 c 138 s 212 are each amended to
4 read as follows:

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

17 Each bid shall be accompanied by a certified or cashier's check or
18 postal money order payable to the order of the county treasurer for a
19 sum not less than five percent of the amount of the bid, or accompanied
20 by a bid bond in an amount not less than five percent of the bid with
21 a corporate surety licensed to do business in the state, conditioned
22 that the bidder will pay the district as liquidated damages the amount
23 specified in the bond, unless the bidder enters into a contract in
24 accordance with the bidder's bid, and no bid shall be considered unless
25 accompanied by such check, cash or bid bond. At the time and place
26 named such bids shall be publicly opened and read and the board of
27 commissioners shall proceed to canvass the bids and may let such
28 contract to the lowest responsible bidder upon plans and specifications
29 on file or to the best bidder submitting the bidder's own plans and
30 specifications. The board of commissioners may reject all bids for

1 good cause and readvertise and in such case all checks, cash or bid
2 bonds shall be returned to the bidders. If the contract is let, then
3 all checks, cash, or bid bonds shall be returned to the bidders, except
4 that of the successful bidder, which shall be retained until a contract
5 shall be entered into for doing the work, and a bond to perform such
6 work furnished with sureties satisfactory to the board of commissioners
7 in the full amount of the contract price between the bidder and the
8 commission in accordance with the bid. If the bidder fails to enter
9 into the contract in accordance with the bid and furnish the bond
10 within ten days from the date at which the bidder is notified that the
11 bidder is the successful bidder, the check, cash, or bid bonds and the
12 amount thereof shall be forfeited to the district. If the bidder fails
13 to enter into a contract in accordance with the bidder's bid, and the
14 board of commissioners deems it necessary to take legal action to
15 collect on any bid bond required by this section, then the district
16 shall be entitled to collect from the bidder any legal expenses,
17 including reasonable attorneys' fees occasioned thereby. A low bidder
18 who claims error and fails to enter into a contract is prohibited from
19 bidding on the same project if a second or subsequent call for bids is
20 made for the project.

21 (2) As an alternative to requirements under subsection (1) of this
22 section, a water-sewer district may let contracts using the small works
23 roster process under RCW 39.04.155.

24 (3) Any purchase of materials, supplies, or equipment, with an
25 estimated cost in excess of ten thousand dollars, shall be by contract.
26 Any purchase of materials, supplies, or equipment, with an estimated
27 cost of less than fifty thousand dollars shall be made using the
28 process provided in RCW 39.04.190. Any purchase of materials,
29 supplies, or equipment with an estimated cost of fifty thousand dollars
30 or more shall be made by competitive bidding following the procedure
31 for letting contracts for projects under subsection (1) of this
32 section.

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

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1 In line 1 of the title, after "projects;" strike the remainder of
2 the title and insert "and amending RCW 57.08.050."

EFFECT: Changes monetary threshold for competitive bidding to
\$10,000.

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