

FINAL BILL REPORT

HB 2615

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Synopsis as Enacted

Brief Description: Modifying the interlocal cooperation act regarding notice requirements for contracting.

Sponsors: By Representatives Jarrett, Moeller, Ericksen, Clibborn, Edwards, Schindler, Romero and Tom.

House Committee on State Government

Senate Committee on Government Operations & Elections

Background:

The Inter-Local Agreement Act (Act) was established in 1967. The Act allows any agency to jointly exercise any powers or privileges granted by law with any other public agency having the same powers or privileges. Public agencies entering into inter-local agreements may supply property, as well as personnel and services, to a joint undertaking.

A public agency, for purposes of inter-local agreements, includes any agency, political subdivision, or unit of local government in this state including, but not limited to municipal corporations, quasi municipal corporations, special purpose districts, and local service districts, as well as any state agency, federal agency, Indian tribe recognized by the federal government, and political subdivision of another state.

An inter-local agreement must be filed with the county auditor before it can take effect and must specify the following:

- duration of the agreement;
- the precise organization, composition and nature of any separate legal or administrative entity, including delegated powers;
- its purpose;
- financing and budget provisions;
- methods for termination and disposal of property; and
- any other necessary information.

If an inter-local agreement deals with services or facilities over which a state agency or officer has control, then the agreement must be submitted to the state agency or officer for approval. No time limit is specified in statute for the state agency or officer to respond to the proposed agreement.

An inter-local agreement does not release a public agency of any obligation or responsibility imposed by law except to the extent of actual and timely performance by a joint board or other legal or administrative entity created by the agreement.

Summary:

For public agencies purchasing or contracting through a bid, proposal, or contract awarded by another public agency or group of public agencies, the obligation to provide notice for bids or proposals is satisfied if the public agency awarding the bid, proposal, or contract complied with its own statutory requirements and either: (a) posted the bid or solicitation notice on a web site established and maintained by a public agency, purchasing cooperative, or similar service provider, for purposes of posting public notice of bid or proposal solicitations; or (b) provided an access link on the state's web portal to the notice.

Votes on Final Passage:

House	94	0
Senate	49	0

Effective: June 10, 2004