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HOUSE BILL 1719

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives P. Sullivan, Cox, Hunt, Simpson and Williams

Read first time 02/02/2005.            Referred to Committee on State  
Government Operations & Accountability.

1            AN ACT Relating to school district bidding requirements; and  
2 amending RCW 28A.335.190 and 28A.525.020.

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~~) one hundred thousand dollars(~~(, for~~

1 ~~districts with fifteen thousand five hundred or more full-time~~  
2 ~~equivalent students; or (b) for districts with fewer than fifteen~~  
3 ~~thousand five hundred full-time equivalent students, fifteen thousand~~  
4 ~~dollars if more than one craft or trade is involved with the school~~  
5 ~~district improvement or repair, or ten thousand dollars if a single~~  
6 ~~craft or trade is involved with the school district improvement or~~  
7 ~~repair)) for the period July 1, 2005, through June 30, 2007. The cost~~  
8 of any public work, improvement or repair for the purposes of this  
9 section shall be the aggregate of all amounts to be paid for labor,  
10 material, and equipment on one continuous or interrelated project where  
11 work is to be performed simultaneously or in close sequence. The bids  
12 shall be in writing and shall be opened and read in public on the date  
13 and in the place named in the notice and after being opened shall be  
14 filed for public inspection.

15 (2) Every purchase of furniture, equipment or supplies, except  
16 books, the cost of which is estimated to be in excess of (~~fifteen~~)  
17 thirty thousand dollars, shall be on a competitive basis. The board of  
18 directors shall establish a procedure for securing telephone and/or  
19 written quotations for such purchases. Whenever the estimated cost is  
20 from (~~fifteen~~) thirty thousand dollars up to fifty thousand dollars,  
21 the procedure shall require quotations from at least three different  
22 sources to be obtained in writing or by telephone, and recorded for  
23 public perusal. Whenever the estimated cost is in excess of fifty  
24 thousand dollars, the public bidding process provided in subsection (1)  
25 of this section shall be followed.

26 (3) Every building, improvement, repair or other public works  
27 project, the cost of which is estimated to be in excess of (~~(a)~~  
28 ~~fifteen~~) one hundred thousand dollars(~~(, for districts with fifteen~~  
29 ~~thousand five hundred or more full-time equivalent students; or (b) for~~  
30 ~~districts with fewer than fifteen thousand five hundred full-time~~  
31 ~~equivalent students, fifteen thousand dollars if more than one craft or~~  
32 ~~trade is involved with the school district improvement or repair, or~~  
33 ~~ten thousand dollars if a single craft or trade is involved with the~~  
34 ~~school district improvement or repair)) for the period July 1, 2005,  
35 through June 30, 2007, shall be on a competitive bid process. Whenever  
36 the estimated cost of a public works project is (~~fifty~~) one hundred  
37 thousand dollars or more for the period July 1, 2005, through June 30,  
38 2007, the public bidding process provided in subsection (1) of this~~

1 section shall be followed unless the contract is let using the small  
2 works roster process in RCW 39.04.155 or under any other procedure  
3 authorized for school districts. One or more school districts may  
4 authorize an educational service district to establish and operate a  
5 small works roster for the school district under the provisions of RCW  
6 39.04.155.

7 (4) The contract for the work or purchase shall be awarded to the  
8 lowest responsible bidder as defined in RCW 43.19.1911 but the board  
9 may by resolution reject any and all bids and make further calls for  
10 bids in the same manner as the original call. On any work or purchase  
11 the board shall provide bidding information to any qualified bidder or  
12 the bidder's agent, requesting it in person.

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

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

25 **Sec. 2.** RCW 28A.525.020 and 1969 ex.s. c 223 s 28A.47.060 are each  
26 amended to read as follows:

27 The state board of education shall have the power and it shall be  
28 its duty (1) to prescribe rules (~~((and regulations))~~) governing the  
29 administration, control, terms, conditions, and disbursements of  
30 allotments to school districts to assist them in providing school plant  
31 facilities; (2) to approve allotments to districts that apply for state  
32 assistance whenever the board deems such action advisable and in so  
33 doing to give due consideration to the findings, reports, and  
34 recommendations of the superintendent of public instruction pertaining  
35 thereto; (3) to authorize the payment of approved allotments by warrant  
36 of the state treasurer; (~~((and))~~) (4) in the event that the amount of  
37 state assistance applied for exceeds the funds available for such

1 assistance during any biennium, to make allotments on the basis of the  
2 urgency of need for school facilities in the districts that apply for  
3 assistance and/or to prorate allotments among such districts in  
4 conformity with procedures and (~~regulations applicable thereto which~~)  
5 rules that shall be established by the state board; and (5) effective  
6 July 1st of each odd-numbered year, adjust the dollar amounts in RCW  
7 28A.335.190 for inflation as defined in RCW 28A.400.205(2) rounded to  
8 the nearest ten dollars.

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