
HOUSE BILL 3055

State of Washington

59th Legislature

2006 Regular Session

By Representatives Williams and Hunt

Read first time 01/18/2006. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to agency personal service contracts; and amending
2 RCW 39.29.008.

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

4 **Sec. 1.** RCW 39.29.008 and 1993 c 433 s 6 are each amended to read
5 as follows:

6 Personal services may be procured only to resolve a particular
7 agency problem or issue or to expedite a specific project that is
8 temporary in nature. An agency may procure personal services only if:

9 (1) It documents that:

10 ~~((1))~~ (a) The service is critical to agency responsibilities or
11 operations, or is mandated or authorized by the legislature;

12 ~~((2))~~ (b) Sufficient staffing or expertise is not available
13 within the agency to perform the service; ~~((and~~

14 ~~+3))~~ (c) Other qualified public resources are not available to
15 perform the service; and

16 (d) Procedures are in place to monitor, audit, and enforce the
17 terms of the contract and the agency can report on the status and
18 results of the contract upon request.

1 (2)(a) An agency must establish a contract review committee to
2 ensure compliance with the requirements under subsection (1) of this
3 section and RCW 39.29.100 and 41.06.142 to assist in preparing the
4 proposal or personal service contract. The committee must have
5 representation from all staffing levels.

6 (b) An agency must notify the contract review committee, exclusive
7 bargaining unit representative, and the appropriate committees of the
8 legislature about:

9 (i) Who the contractors are;

10 (ii) The work the contractors are doing;

11 (iii) Where the work will be performed and whether any work will be
12 done out-of-state or offshore;

13 (iv) Any problems that may have occurred under prior contracts
14 including, but not limited to, breach of contract, cost overruns,
15 failure to perform in a timely manner, or failure to complete; and

16 (v) Other contracts the contractors have, or had, with the agency
17 or other agencies of state government.

18 (c) An agency, through the contract review committee, shall
19 establish and include in any proposal for purchase of personal services
20 and subsequent contract written criteria regarding those terms of the
21 contract for which a breach in performance requires the cancellation of
22 the contract and the procurement of a new contract under subsection (1)
23 of this section.

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