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**SUBSTITUTE SENATE BILL 6754**

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**State of Washington**

**59th Legislature**

**2006 Regular Session**

**By** Senate Committee on Early Learning, K-12 & Higher Education  
(originally sponsored by Senators McAuliffe, Schoesler, Pridemore and Rasmussen)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to work performed by institutions of higher  
2 education; and amending RCW 28B.10.350 and 28B.50.330.

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

4 **Sec. 1.** RCW 28B.10.350 and 2001 c 38 s 1 are each amended to read  
5 as follows:

6 (1) When the cost to The Evergreen State College, or any regional  
7 university, or state university, of any building, construction,  
8 renovation, remodeling, or demolition other than maintenance or repairs  
9 will equal or exceed the sum of (~~thirty-five~~) fifty thousand dollars,  
10 complete plans and specifications for such work shall be prepared and  
11 such work shall be put out for public bids and the contract shall be  
12 awarded to the lowest responsible bidder if in accordance with the bid  
13 specifications: PROVIDED, That when the estimated cost of such  
14 building, construction, renovation, remodeling, or demolition equals or  
15 exceeds the sum of twenty-five thousand dollars, such project shall be  
16 deemed a public works and "the prevailing rate of wage," under chapter  
17 39.12 RCW shall be applicable thereto: PROVIDED FURTHER, That when  
18 such building, construction, renovation, remodeling, or demolition  
19 involves one trade or craft area and the estimated cost exceeds

1 ((fifteen)) twenty thousand dollars, complete plans and specifications  
2 for such work shall be prepared and such work shall be put out for  
3 public bids, and the contract shall be awarded to the lowest  
4 responsible bidder if in accordance with the bid specifications. This  
5 subsection shall not apply when a contract is awarded by the small  
6 works roster procedure authorized in RCW 39.04.155 or under any other  
7 procedure authorized for an institution of higher education.

8 (2) The Evergreen State College, any regional university, or state  
9 university may require a project to be put to public bid even when it  
10 is not required to do so under subsection (1) of this section.

11 (3) Where the estimated cost to The Evergreen State College, or any  
12 regional university, or state university of any building, construction,  
13 renovation, remodeling, or demolition is less than twenty-five thousand  
14 dollars or the contract is awarded by the small works roster procedure  
15 authorized in RCW 39.04.155, the publication requirements of RCW  
16 39.04.020 shall be inapplicable.

17 (4) In the event of any emergency when the public interest or  
18 property of The Evergreen State College, regional university, or state  
19 university would suffer material injury or damage by delay, the  
20 president of such college or university may declare the existence of  
21 such an emergency and reciting the facts constituting the same may  
22 waive the requirements of this section with reference to any contract  
23 in order to correct the condition causing the emergency: PROVIDED,  
24 That an "emergency," for the purposes of this section, means a  
25 condition likely to result in immediate physical injury to persons or  
26 to property of such college or university in the absence of prompt  
27 remedial action or a condition which immediately impairs the  
28 institution's ability to perform its educational obligations.

29 **Sec. 2.** RCW 28B.50.330 and 1993 c 379 s 108 are each amended to  
30 read as follows:

31 The boards of trustees of college districts are empowered in  
32 accordance with the provisions of this chapter to provide for the  
33 construction, reconstruction, erection, equipping, demolition, and  
34 major alterations of buildings and other capital assets, and the  
35 acquisition of sites, rights-of-way, easements, improvements, or  
36 appurtenances for the use of the aforementioned colleges as authorized  
37 by the college board in accordance with RCW 28B.50.140; to be financed

1 by bonds payable out of special funds from revenues hereafter derived  
2 from income received from such facilities, gifts, bequests, or grants,  
3 and such additional funds as the legislature may provide, and payable  
4 out of a bond retirement fund to be established by the respective  
5 district boards in accordance with rules and regulations of the state  
6 board. With respect to building, improvements, or repairs, or other  
7 work, where the estimated cost exceeds (~~twenty-five~~) fifty thousand  
8 dollars, complete plans and specifications for such work shall be  
9 prepared and such work shall be put out for public bids and the  
10 contract shall be awarded to the lowest responsible bidder if in  
11 accordance with the bid specifications: PROVIDED, That when such  
12 building, construction, renovation, remodeling, or demolition involves  
13 one trade or craft area and the estimated cost exceeds (~~ten~~) twenty  
14 thousand dollars, complete plans and specifications for such work shall  
15 be prepared and such work shall be put out for public bids, and the  
16 contract shall be awarded to the lowest responsible bidder if in  
17 accordance with the bid specifications. This subsection shall not  
18 apply when a contract is awarded by the small works procedure as  
19 authorized (~~in RCW 39.04.150~~) by state law: PROVIDED FURTHER, That  
20 any project regardless of dollar amount may be put to public bid.

21 Where the estimated cost to any college of any building,  
22 improvements, or repairs, or other work, is less than twenty-five  
23 thousand dollars, the publication requirements of RCW 39.04.020 shall  
24 be inapplicable.

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