

ESSB 5770 - H COMM AMD

By Committee on State Government & Tribal Affairs

ADOPTED 04/09/2007

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

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

5 (1) When the cost to The Evergreen State College(~~()~~) or any
6 regional (~~(university,~~()~~)~~) or state university(~~()~~) of any building,
7 construction, renovation, remodeling, or demolition, other than
8 maintenance or repairs, will equal or exceed the sum of (~~(thirty-five)~~)
9 fifty-five thousand dollars, or thirty-five thousand dollars if the
10 work involves one trade or craft area, complete plans and
11 specifications for (~~(such)~~) the work shall be prepared (~~(and such)~~),
12 the work shall be put out for public bid(~~(s)~~), and the contract shall
13 be awarded to the (~~(lowest)~~) responsible bidder (~~(if in accordance with~~
14 ~~the bid specifications: PROVIDED, That when the estimated cost of such~~
15 ~~building, construction, renovation, remodeling, or demolition equals or~~
16 ~~exceeds the sum of twenty five thousand dollars, such project shall be~~
17 ~~deemed a public works and "the prevailing rate of wage," under chapter~~
18 ~~39.12 RCW shall be applicable thereto: PROVIDED FURTHER, That when~~
19 ~~such building, construction, renovation, remodeling, or demolition~~
20 ~~involves one trade or craft area and the estimated cost exceeds fifteen~~
21 ~~thousand dollars, complete plans and specifications for such work shall~~
22 ~~be prepared and such work shall be put out for public bids, and the~~
23 ~~contract shall be awarded to the lowest responsible bidder if in~~
24 ~~accordance with the bid specifications. This subsection shall not~~
25 ~~apply when a contract is awarded by the small works roster procedure~~
26 ~~authorized in RCW 39.04.155 or under any other procedure authorized for~~
27 ~~an institution of higher education)) who submits the lowest responsive~~
28 bid.

29 (2) Any building, construction, renovation, remodeling, or

1 demolition project that exceeds the dollar amounts in subsection (1) of
2 this section is subject to the provisions of chapter 39.12 RCW.

3 (3) The Evergreen State College(~~(τ)~~) or any regional
4 (~~(universityτ)~~) or state university may require a project to be put to
5 public bid even when it is not required to do so under subsection (1)
6 of this section. Any project publicly bid under this subsection is
7 subject to the provisions of chapter 39.12 RCW.

8 (~~((3))~~) (4) Where the estimated cost (~~(to The Evergreen State~~
9 ~~College, any regional university, or state university))~~) of any
10 building, construction, renovation, remodeling, or demolition is less
11 than (~~(twenty-five)~~) fifty-five thousand dollars or the contract is
12 awarded by the small works roster procedure authorized in RCW
13 39.04.155, the publication requirements of RCW 39.04.020 (~~(shall be~~
14 ~~inapplicable)~~) do not apply.

15 (~~((4))~~) (5) In the event of any emergency when the public interest
16 or property of The Evergreen State College(~~(τ)~~) or a regional
17 (~~(universityτ)~~) or state university would suffer material injury or
18 damage by delay, the president of such college or university may
19 declare the existence of (~~(such)~~) an emergency and, reciting the facts
20 constituting the same, may waive the requirements of this section with
21 reference to any contract in order to correct the condition causing the
22 emergency(~~(PROVIDED, That an "emergency,")~~). For the purposes of
23 this section, "emergency" means a condition likely to result in
24 immediate physical injury to persons or to property of (~~(such)~~) the
25 college or university in the absence of prompt remedial action or a
26 condition which immediately impairs the institution's ability to
27 perform its educational obligations.

28 (6) This section does not apply when a contract is awarded by the
29 small works roster procedure authorized in RCW 39.04.155 or under any
30 other procedure authorized for an institution of higher education.

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

33 (1) The boards of trustees of college districts are empowered in
34 accordance with the provisions of this chapter to provide for the
35 construction, reconstruction, erection, equipping, demolition, and
36 major alterations of buildings and other capital assets, and the
37 acquisition of sites, rights-of-way, easements, improvements, or

1 appurtenances for the use of the aforementioned colleges as authorized
2 by the college board in accordance with RCW 28B.50.140; to be financed
3 by bonds payable out of special funds from revenues hereafter derived
4 from income received from such facilities, gifts, bequests, or grants,
5 and such additional funds as the legislature may provide, and payable
6 out of a bond retirement fund to be established by the respective
7 district boards in accordance with rules and regulations of the state
8 board. With respect to building, improvements, or repairs, or other
9 work, where the estimated cost exceeds (~~twenty-five~~) fifty-five
10 thousand dollars, or thirty-five thousand dollars if the work involves
11 one trade or craft area, complete plans and specifications for (~~such~~)
12 the work shall be prepared (~~and such~~), the work shall be put out for
13 a public bid(~~s~~), and the contract shall be awarded to the (~~lowest~~)
14 responsible bidder (~~if in accordance with the bid specifications:~~
15 PROVIDED, That when such building, construction, renovation, remodel-
16 ing, or demolition involves one trade or craft area and the estimated
17 cost exceeds ten thousand dollars, complete plans and specifications
18 for such work shall be prepared and such work shall be put out for
19 public bids, and the contract shall be awarded to the lowest
20 responsible bidder if in accordance with the bid specifications)) who
21 submits the lowest responsive bid. Any project regardless of dollar
22 amount may be put to public bid.

23 (2) This (~~subsection shall~~) section does not apply when a
24 contract is awarded by the small works roster procedure authorized in
25 RCW (~~39.04.150: PROVIDED FURTHER, That any project regardless of~~
26 dollar amount may be put to public bid)) 39.04.155.

27 (3) Where the estimated cost to any college of any building,
28 improvements, or repairs, or other work, is less than (~~twenty-five~~
29 thousand dollars)) fifty-five thousand dollars, or thirty-five thousand
30 dollars if the work involves one trade or craft area, the publication
31 requirements of RCW 39.04.020 (~~shall be inapplicable~~) do not apply."

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