

FINAL BILL REPORT

2SSB 5662

C 345 L 11
Synopsis as Enacted

Brief Description: Concerning preferences for in-state contractors bidding on public works.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Conway, Chase, Kline, Shin, Keiser, Kohl-Welles, White, Roach, Hobbs, Nelson, Prentice, Haugen and Fraser).

Senate Committee on Labor, Commerce & Consumer Protection
Senate Committee on Ways & Means
House Committee on State Government & Tribal Affairs
House Committee on Capital Budget

Background: Contracts for public works projects are generally awarded to the responsible bidder submitting the lowest responsive bid. A responsible bidder must be licensed; have a current state unified business identifier number; maintain industrial insurance coverage for the bidder's employees working in Washington; have an Employment Security Department number and a state excise tax registration number; and must not be disqualified from bidding based on noncompliance with licensing requirements, state apprenticeship requirements, or prevailing wage violations.

Summary: The Department of General Administration (GA) must survey the 50 states to determine which ones provide advantages for their in-state contractors bidding on public works projects. The survey must be completed by November 1, 2011. GA must report on the results of the survey, and provide recommendations necessary to implement the intent of the legislation, to the Legislature by December 1, 2011. GA must distribute the report to all state and local agencies with public works procurement authority.

Any bidding process for public works in the state in which a bid is received from a nonresident contractor, from a state that is identified in the survey as providing an in-state contractor advantage, must provide a comparable disadvantage to the bid of that nonresident contractor. This requirement applies when GA has adopted rules and procedures to implement the reciprocity requirement.

The reciprocity provisions do not apply if they contradict requirements for federal funding.

Votes on Final Passage:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Senate	32	13	
House	87	8	(House amended)
House	93	2	(House amended)
Senate	35	12	(Senate concurred)

Effective: July 22, 2011.