

EHB 1989 - S COMM AMD

By Committee on Agriculture, Water & Rural Economic Development

ADOPTED 3/25/2015

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21
4 RCW to read as follows:

5 (1) Any municipality may elect to contract for asset management
6 service of its water storage assets in accordance with this section.
7 If a municipality elects to contract under this subsection for all,
8 some, or one component of water storage asset management services for
9 its water storage assets, each municipality shall publish notice of
10 its requirements to procure asset management service of its water
11 storage assets. The announcement must concisely state the scope and
12 nature of the water storage asset management service for which a
13 contract is required and encourage firms to submit proposals to meet
14 these requirements. If a municipality chooses to negotiate a water
15 storage asset management service contract under this section, no
16 otherwise applicable statutory procurement requirement applies.

17 (2) The municipality may negotiate a fair and reasonable water
18 storage asset management service contract with the firm that submits
19 the best proposal based on criteria that is established by the
20 municipality.

21 (3) If the municipality is unable to negotiate a satisfactory
22 water storage asset management service contract with the firm that
23 submits the best proposal, negotiations with that firm must formally
24 be terminated and the municipality may select another firm in
25 accordance with this section and continue negotiation until a water
26 storage asset management service contract is reached or the selection
27 process is terminated.

28 (4) For the purposes of this section:

29 (a) "Water storage asset management services" means the
30 financing, designing, improving, operating, maintaining, repairing,
31 testing, inspecting, cleaning, administering, or managing, or any
32 combination thereof, of a water storage asset.

1 (b) "Water storage asset" means water storage structures and
2 associated distribution systems, such as the water tank, tower, well,
3 meter, or water filter."

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4 On page 1, line 1 of the title, after "services;" strike the
5 remainder of the title and insert "and adding a new section to
6 chapter 35.21 RCW."

EFFECT: Clarifies the original intent that the municipality's use
of the section is completely optional.

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