
State Government Committee

HB 1089

Brief Description: Adding adherence to state wage payment laws to the state's responsible bidder criteria.

Sponsors: Representatives S. Hunt, Moscoso, Robinson, Tarleton, Gregerson and Pollet; by request of Attorney General.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Expands responsible bidder criteria to include compliance with state wage laws.

Hearing Date: 1/20/15

Staff: Marsha Reilly (786-7135).

Background:

Bidders for public works and goods and services contracts must meet responsibility criteria in order to be qualified for the contract.

In order to be considered a responsible bidder for a public works contract, the bidder must:

- be a registered contractor;
- have a current state unified business identifier number;
- have, if applicable industrial insurance coverage for employees, an employment security department number, and a state excise tax registration number;
- not be disqualified from bidding due to violations on a previous contract including: not being registered, not obtaining the state unified business identifier number for a subcontractor, or prevailing wage violations;
- if the project is subject to the apprenticeship training program, not be disqualified due to violations of that program; and
- not have violated more than one time the requirements to submit to the Department of Labor and Industries information about off-site, prefabricated, nonstandard, project-specific items produced under the terms of a previous contract.

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.

To be determined a responsible bidder for a contract for goods and services, the agency must consider:

- the ability of the bidder to perform the contract or provide the requested services;
- the character, integrity, reputation, judgment, experience and efficiency of the bidder;
- whether the bidder can perform the contract within the time specified;
- the quality of performance of previous contracts or services;
- the previous and existing compliance by the bidder with laws relating to the contract or services; and
- other applicable information.

Summary of Bill:

In order to be considered a responsible bidder for purposes of award of a public works or goods and services contract, a bidder must not have willfully violated or violated more than one time, minimum wage laws, payment of wages laws, or wage deductions, contributions, and rebates laws. The bidder must submit a sworn statement under oath verifying compliance with these laws, and the contracting agency may accept the sworn statement as sufficient to demonstrate that a bidder meets these particular responsibility criteria.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.