

HOUSE BILL REPORT

HB 1711

As Reported by House Committee On: Capital Budget

Title: An act relating to contractor qualifications.

Brief Description: Concerning criteria for bidders on public works contracts.

Sponsors: Representatives Senn, Condotta, Takko, G. Hunt, Gregerson, Tarleton and Ormsby.

Brief History:

Committee Activity:

Capital Budget: 2/6/15, 2/10/15 [DP].

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Allows for qualifications and experience to be considered when evaluating bidder responsibility criteria for public works projects.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: Do pass. Signed by 5 members: Representatives Dunshee, Chair; Stanford, Vice Chair; Kilduff, Peterson and Riccelli.

Minority Report: Do not pass. Signed by 3 members: Representatives DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kochmar.

Minority Report: Without recommendation. Signed by 1 member: Representative Walsh.

Staff: Steve Masse (786-7115).

Background:

The most commonly used public works procurement method used by public bodies in the state is Design-Bid-Build. The process starts with the public body selecting an architect/engineer to develop plans and specifications. The plans and specifications are then made public to contractors to bid on. The lowest responsive bidder is awarded the contract. State

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statute requires the contractor to meet the following requirements, in order to be considered a responsible bidder:

- have a certificate of registration;
 - have a state unified business number;
 - have industrial insurance coverage, if applicable;
 - not be disqualified from bidding on any public works contract;
 - meet certain apprenticeship requirements; and
 - meet certain supplemental criteria that the public body develops.
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Summary of Bill:

Supplemental criteria adopted by the state or municipality may include requirements that the lowest responsive bidder be qualified and provide the extent of experience with the type of project being bid on.

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.

Staff Summary of Public Testimony:

(In support) Responsible bidder criteria is easier to understand for less experienced public bodies. Bidders that are more qualified will be attracted to bidding on the project and will have less fear of competing against unqualified bidders. The evaluation of bidders will have more flexibility.

(Opposed) Contractors must provide a 100 percent performance bond and there is retainage to protect the public body. Current state law allows for evaluating qualifications and experience.

Persons Testifying: (In support) Representative Senn, prime sponsor; Alison Hellberg, Association of Washington Cities; and Alan Nygaard, University of Washington Capital Projects.

(Opposed) Duke Shaub, Associated General Contractors.

Persons Signed In To Testify But Not Testifying: None.