SSB 5418 - S AMD **216**
By Senator Takko

ADOPTED 03/08/2019

1   Beginning on page 22, line 20, strike all of section 8 and insert
2 the following:

3   **"Sec. 8.**   RCW 39.04.105 and 2003 c 300 s 1 are each amended to
4 read as follows:
5   (1) Within two business days of the bid opening on a public works
6 project that is the subject of competitive bids, the municipality
7 must provide, if requested by a bidder, copies of the bids the
8 municipality received for the project. The municipality shall then
9 allow at least two full business days after providing bidders with
10 copies of all bids before executing a contract for the project.
11 Intermediate Saturdays, Sundays, and legal holidays are not counted.
12   (2) When a municipality receives a written protest from a bidder
13 for a public works project ((which)) that is the subject of
14 competitive bids, the municipality ((shall)) must not execute a
15 contract for the project with anyone other than the protesting bidder
16 without first providing at least two full business days' written
17 notice of the municipality's intent to execute a contract for the
18 project; provided that the protesting bidder submits notice in
19 writing of its protest no later than:
20   (a) Two full business days following bid opening, if no bidder
21 requested copies of the bids received for the project under
22 subsection (1) of this section; or
23   (b) Two full business days following when the municipality
24 provided copies of the bids to those bidders requesting bids under
25 subsection (1) of this section. Intermediate Saturdays, Sundays, and
26 legal holidays are not counted."

    EFFECT: Requires municipalities to disclose bids received within
two days of bid opening only when requested (rather than disclosing
to all bidders as a matter of course). Requires bid protesters to
submit protests within two days of either bid opening, if no requests

were made for copies of bids received, or after the municipality disclosed the bids as requested.

--- **END** ---