
SENATE BILL 5702

State of Washington

66th Legislature

2019 Regular Session

By Senators Warnick and Hobbs

1 AN ACT Relating to the fairness of public works bidding; and
2 amending RCW 39.04.105.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 39.04.105 and 2003 c 300 s 1 are each amended to
5 read as follows:

6 (1) Within two business days of the opening of the bid period on
7 a public works project that is the subject of competitive bids, the
8 municipality shall provide all bidders with copies of the bids the
9 municipality received for the project. The municipality shall then
10 allow at least two full business days after providing bidders with
11 copies of all bids before executing a contract for the project.
12 Intermediate Saturdays, Sundays, and legal holidays are not counted.

13 (2) When a ((municipality receives)) bidder submits a written
14 protest ((from)) to a ((bidder)) municipality for a public works
15 project ((which)) that is the subject of competitive bids within two
16 business days of the municipality providing all of the bidders with
17 copies of the bids the municipality received for the project, the
18 municipality shall not execute a contract for the project with anyone
19 other than the protesting bidder without first providing at least two
20 full business days' written notice of the municipality's intent to
21 execute a contract for the project~~((; provided that the protesting~~

1 ~~bidder submits notice in writing of its protest no later than two~~
2 ~~full business days following bid opening~~). Intermediate Saturdays,
3 Sundays, and legal holidays are not counted. A protesting bidder's
4 failure to submit notice of its protest within the applicable period
5 shall not limit the protesting bidder's right to seek equitable
6 relief to enjoin contract execution by the municipality as provided
7 by applicable law.

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