

---

## Capital Budget Committee

---

### HB 1391

**Brief Description:** Concerning prime contractor bidding submission requirements on public works contracts.

**Sponsors:** Representatives Goehner, Senn and Pollet.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Changes submittal requirements for prime contractors awarded a bid of a public works project expected to cost \$1 million or more.</li><li>• Makes technical corrections.</li></ul>
---



**Hearing Date:** 2/9/21

**Staff:** Richelle Geiger (786-7139).

**Background:**

Public Works.

The term "public works" refers to all work, construction, repair, or improvement other than ordinary maintenance performed by a municipality. A municipality includes cities, towns, port districts, public institutions of higher education, and any other public body authorized to execute public works. Most public works projects require a bidding process that awards the contract to the lowest responsive bidder. Competitive bids are required except for certain conditions including an emergency. The bidding process allows for a prime contractor to provide bids for a specific scope of work. Before the award of the contract, the prime contract bidder must submit statements that it is in compliance with responsible bidder criteria.

For public works projects expected to cost \$1 million or more (eligible projects), the prime contractor awarded the bid must provide the names of subcontractors that will perform one of the

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

following categories of work (specified subcontractors) within the following time periods after the published bid submittal time (defined time frame):

- heating, ventilation, and air conditioning; plumbing; and electrical work within one hour; or
- structural steel and rebar installation within 48 hours.

If the prime contractor submits more than one subcontractor listed for each category of work, or fails to list subcontractors, then the prime contract bidder is considered nonresponsive and their bid is void.

**Summary of Bill:**

For eligible projects, the prime contractor awarded the bid must provide the names of all specified subcontractors within the defined time frame.

Makes technical corrections, replacing written numbers greater than 10 with numeric values.

**Appropriation:** None.

**Fiscal Note:** Available.

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