
ENGROSSED SUBSTITUTE SENATE BILL 5770

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Higher Education (originally sponsored by Senators Shin, Schoesler and Kilmer)

READ FIRST TIME 02/22/07.

1 AN ACT Relating to work performed by institutions of higher
2 education; and amending RCW 28B.10.350 and 28B.50.330.

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

4 **Sec. 1.** RCW 28B.10.350 and 2001 c 38 s 1 are each amended to read
5 as follows:

6 (1) When the cost to The Evergreen State College, any regional
7 university, or state university, of any building, construction,
8 renovation, remodeling, or demolition other than maintenance or repairs
9 will equal or exceed the sum of (~~thirty-five~~) fifty-five thousand
10 dollars, complete plans and specifications for such work shall be
11 prepared and such work shall be put out for public bids and the
12 contract shall be awarded to the lowest responsible bidder if in
13 accordance with the bid specifications: PROVIDED, That when the
14 estimated cost of such building, construction, renovation, remodeling,
15 or demolition equals or exceeds the sum of twenty-five thousand
16 dollars, such project shall be deemed a public works and "the
17 prevailing rate of wage," under chapter 39.12 RCW shall be applicable
18 thereto: PROVIDED FURTHER, That when such building, construction,
19 renovation, remodeling, or demolition involves one trade or craft area

1 and the estimated cost exceeds (~~fifteen~~) thirty-five thousand
2 dollars, complete plans and specifications for such work shall be
3 prepared and such work shall be put out for public bids, and the
4 contract shall be awarded to the lowest responsible bidder if in
5 accordance with the bid specifications. This subsection shall not
6 apply when a contract is awarded by the small works roster procedure
7 authorized in RCW 39.04.155 or under any other procedure authorized for
8 an institution of higher education.

9 (2) The Evergreen State College, any regional university, or state
10 university may require a project to be put to public bid even when it
11 is not required to do so under subsection (1) of this section.

12 (3) Where the estimated cost to The Evergreen State College, any
13 regional university, or state university, of any building,
14 construction, renovation, remodeling, or demolition is less than
15 twenty-five thousand dollars or the contract is awarded by the small
16 works roster procedure authorized in RCW 39.04.155, the publication
17 requirements of RCW 39.04.020 shall be inapplicable.

18 (4) In the event of any emergency when the public interest or
19 property of The Evergreen State College, regional university, or state
20 university would suffer material injury or damage by delay, the
21 president of such college or university may declare the existence of
22 such an emergency and reciting the facts constituting the same may
23 waive the requirements of this section with reference to any contract
24 in order to correct the condition causing the emergency: PROVIDED,
25 That an "emergency," for the purposes of this section, means a
26 condition likely to result in immediate physical injury to persons or
27 to property of such college or university in the absence of prompt
28 remedial action or a condition which immediately impairs the
29 institution's ability to perform its educational obligations.

30 **Sec. 2.** RCW 28B.50.330 and 1993 c 379 s 108 are each amended to
31 read as follows:

32 The boards of trustees of college districts are empowered in
33 accordance with the provisions of this chapter to provide for the
34 construction, reconstruction, erection, equipping, demolition, and
35 major alterations of buildings and other capital assets, and the
36 acquisition of sites, rights-of-way, easements, improvements, or
37 appurtenances for the use of the aforementioned colleges as authorized

1 by the college board in accordance with RCW 28B.50.140; to be financed
2 by bonds payable out of special funds from revenues hereafter derived
3 from income received from such facilities, gifts, bequests, or grants,
4 and such additional funds as the legislature may provide, and payable
5 out of a bond retirement fund to be established by the respective
6 district boards in accordance with rules and regulations of the state
7 board. With respect to building, improvements, or repairs, or other
8 work, where the estimated cost exceeds (~~twenty-five~~) fifty-five
9 thousand dollars, complete plans and specifications for such work shall
10 be prepared and such work shall be put out for public bids and the
11 contract shall be awarded to the lowest responsible bidder if in
12 accordance with the bid specifications: PROVIDED, That when such
13 building, construction, renovation, remodeling, or demolition involves
14 one trade or craft area and the estimated cost exceeds (~~ten~~) thirty-
15 five thousand dollars, complete plans and specifications for such work
16 shall be prepared and such work shall be put out for public bids, and
17 the contract shall be awarded to the lowest responsible bidder if in
18 accordance with the bid specifications. This subsection shall not
19 apply when a contract is awarded by the small works procedure as
20 authorized (~~in RCW 39.04.150~~) by state law: PROVIDED FURTHER, That
21 any project regardless of dollar amount may be put to public bid.

22 Where the estimated cost to any college of any building,
23 improvements, or repairs, or other work, is less than twenty-five
24 thousand dollars, the publication requirements of RCW 39.04.020 shall
25 be inapplicable.

--- END ---