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**SENATE BILL 5844**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Lias and Holy

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 2009 c 229 s 2 are each amended to  
5 read as follows:

6 (1) When the cost to The Evergreen State College or any regional  
7 or state university of any building, construction, renovation,  
8 remodeling, or demolition, other than maintenance or repairs, will  
9 equal or exceed the sum of (~~ninety thousand dollars~~) \$110,000, or  
10 (~~forty-five thousand dollars~~) \$90,000 if the work involves one  
11 trade or craft area, complete plans and specifications for the work  
12 shall be prepared, the work shall be put out for public bid, and the  
13 contract shall be awarded to the responsible bidder who submits the  
14 lowest responsive bid.

15 (2) Any building, construction, renovation, remodeling, or  
16 demolition project that exceeds the dollar amounts in subsection (1)  
17 of this section is subject to the provisions of chapter 39.12 RCW.

18 (3) The Evergreen State College or any regional or state  
19 university may require a project to be put to public bid even when it  
20 is not required to do so under subsection (1) of this section. Any

1 project publicly bid under this subsection is subject to the  
2 provisions of chapter 39.12 RCW.

3 (4) Where the estimated cost of any building, construction,  
4 renovation, remodeling, or demolition is less than (~~ninety thousand~~  
5 ~~dollars~~)) \$110,000 or the contract is awarded by the small works  
6 roster procedure authorized in RCW 39.04.155, the publication  
7 requirements of RCW 39.04.020 do not apply.

8 (5) In the event of any emergency when the public interest or  
9 property of The Evergreen State College or a regional or state  
10 university would suffer material injury or damage by delay, the  
11 president of such college or university may declare the existence of  
12 an emergency and, reciting the facts constituting the same, may waive  
13 the requirements of this section with reference to any contract in  
14 order to correct the condition causing the emergency. For the  
15 purposes of this section, "emergency" means a condition likely to  
16 result in immediate physical injury to persons or to property of the  
17 college or university in the absence of prompt remedial action or a  
18 condition which immediately impairs the institution's ability to  
19 perform its educational obligations.

20 (6) This section does not apply when a contract is awarded by the  
21 small works roster procedure authorized in RCW 39.04.155 or under any  
22 other procedure authorized for an institution of higher education.

23 **Sec. 2.** RCW 28B.50.330 and 2009 c 229 s 1 are each amended to  
24 read as follows:

25 (1) The boards of trustees of college districts are empowered in  
26 accordance with the provisions of this chapter to provide for the  
27 construction, reconstruction, erection, equipping, demolition, and  
28 major alterations of buildings and other capital assets, and the  
29 acquisition of sites, rights-of-way, easements, improvements, or  
30 appurtenances for the use of the aforementioned colleges as  
31 authorized by the college board in accordance with RCW 28B.50.140; to  
32 be financed by bonds payable out of special funds from revenues  
33 hereafter derived from income received from such facilities, gifts,  
34 bequests, or grants, and such additional funds as the legislature may  
35 provide, and payable out of a bond retirement fund to be established  
36 by the respective district boards in accordance with rules of the  
37 state board. With respect to building, improvements, or repairs, or  
38 other work, where the estimated cost exceeds (~~ninety thousand~~  
39 ~~dollars~~)) \$110,000, or (~~forty-five thousand dollars~~)) \$90,000 if the

1 work involves one trade or craft area, complete plans and  
2 specifications for the work shall be prepared, the work shall be put  
3 out for a public bid, and the contract shall be awarded to the  
4 responsible bidder who submits the lowest responsive bid. Any project  
5 regardless of dollar amount may be put to public bid.

6 (2) This section does not apply when a contract is awarded by the  
7 small works roster procedure authorized in RCW 39.04.155.

8 (3) Where the estimated cost to any college of any building,  
9 improvements, or repairs, or other work, is less than (~~ninety~~  
10 ~~thousand dollars~~) \$110,000, or (~~forty-five thousand dollars~~)  
11 \$90,000 if the work involves one trade or craft area, the publication  
12 requirements of RCW 39.04.020 do not apply.

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