
SUBSTITUTE HOUSE BILL 1693

State of Washington 64th Legislature 2015 Regular Session

By House Capital Budget (originally sponsored by Representatives Pollet and Tarleton)

1 AN ACT Relating to the University of Washington's alternative
2 process for awarding contracts; amending RCW 28B.20.744, 43.131.413,
3 and 43.131.414; providing an effective date; and declaring an
4 emergency.

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

6 **Sec. 1.** RCW 28B.20.744 and 2010 c 245 s 11 are each amended to
7 read as follows:

8 (1) This section provides an alternative process for awarding
9 contracts for construction, building, renovation, remodeling,
10 alteration, repair, or improvement of university buildings and
11 facilities in which critical patient care or highly specialized
12 medical research is located. These provisions may be used, in lieu of
13 other procedures to award contracts for such work, when the estimated
14 cost of the work is equal to or less than five million dollars,
15 adjusted for inflation from the 2015 fiscal year as determined by the
16 office of financial management in the capital budget cost estimating
17 instructions, and the project involves construction, renovation,
18 remodeling, or alteration of improvements within a building that is
19 used directly for critical patient care or highly specialized medical
20 research.

1 (2) The university may create a single critical patient care or
2 specialized medical research facilities roster or may create multiple
3 critical patient care or specialized medical research facilities
4 rosters for different trade specialties or categories of anticipated
5 work. At least once a year, the university shall publish (~~in a~~
6 ~~newspaper of general circulation~~) on its web site a notice of the
7 existence of the roster or rosters and solicit a statement of
8 qualifications from contractors who wish to be on the roster or
9 rosters of prime contractors. In addition, qualified contractors
10 shall be added to the roster or rosters at any time they submit a
11 written request, necessary records, and meet the qualifications
12 established by the university. The university may require eligible
13 contractors desiring to be placed on a roster to keep current records
14 of any applicable licenses, certifications, registrations, bonding,
15 insurance, or other appropriate matters on file with the university
16 as a condition of being placed on a roster or rosters. Placement on a
17 roster shall be on the basis of qualifications.

18 (3) The public solicitation of qualifications shall include but
19 not be limited to:

20 (a) A description of the types of projects to be completed and
21 where possible may include programmatic, performance, and technical
22 requirements and specifications;

23 (b) The reasons for using the critical patient care and
24 specialized medical research roster process;

25 (c) A description of the qualifications to be required of a
26 contractor, including submission of an accident prevention program;

27 (d) A description of the process the university will use to
28 evaluate qualifications, including evaluation factors and the
29 relative weight of factors;

30 (e) The form of the contract to be awarded;

31 (f) A description of the administrative process by which the
32 required qualifications, evaluation process, and project types may be
33 appealed; and

34 (g) A description of the administrative process by which
35 decisions of the university may be appealed.

36 (4) The university shall establish a committee to evaluate the
37 contractors submitting qualifications. Evaluation criteria for
38 selection of the contractor or contractors to be included on a roster
39 shall include, but not be limited to:

40 (a) Ability of a contractor's professional personnel;

1 (b) A contractor's past performance on similar projects,
2 including but not limited to medical facilities, and involving either
3 negotiated work or other public works contracts;

4 (c) The contractor's ability to meet time and budget
5 requirements;

6 (d) The contractor's ability to provide preconstruction services,
7 as appropriate;

8 (e) The contractor's capacity to successfully complete the
9 project;

10 (f) The contractor's approach to executing projects;

11 (g) The contractor's approach to safety and the contractor's
12 safety history; and

13 (h) The contractor's record of performance, integrity, judgment,
14 and skills.

15 (5) Contractors meeting the evaluation committee's criteria for
16 selection must be placed on the applicable roster or rosters.

17 (6) When a project is selected for delivery through this roster
18 process, the university must establish a procedure for securing
19 written quotations from all contractors on a roster to assure that a
20 competitive price is established. Invitations for quotations shall
21 include an estimate of the scope and nature of the work to be
22 performed as well as materials and equipment to be furnished. Plans
23 and specifications must be included in the invitation but may not be
24 detailed. Award of a project must be made to the responsible bidder
25 submitting the lowest responsive bid.

26 (7) The university shall make an effort to solicit proposals from
27 certified minority or certified woman-owned contractors to the extent
28 permitted by the Washington state civil rights act, RCW 49.60.400,
29 and shall develop a program that provides at least biennial training
30 and support to help these contractors qualify for subcontracting work
31 on a roster project.

32 (8) The university shall review postselection processes with any
33 entities for which it operates medical and hospital facilities
34 subject to this section, in order to improve postselection startup of
35 construction activities, prevent delays, and capture potential cost
36 savings.

37 (9) Beginning in September 2010 and every other year thereafter,
38 the university shall provide a report to the capital projects
39 advisory review board which must, at a minimum, include a list of
40 rosters used, contracts awarded, ((and)) a description of outreach to

1 ((and participation by)) women and minority-owned businesses, and a
2 description of participation by women and minority-owned businesses
3 as contractors or subcontractors in projects using the alternative
4 process described in this section.

5 **Sec. 2.** RCW 43.131.413 and 2010 c 245 s 12 are each amended to
6 read as follows:

7 The alternative process for awarding contracts established in RCW
8 28B.20.744 terminates June 30, ((2015)) 2020, as provided in RCW
9 43.131.414.

10 **Sec. 3.** RCW 43.131.414 and 2010 c 245 s 13 are each amended to
11 read as follows:

12 RCW 28B.20.744 and 2010 c 245 s 11, as now existing or hereafter
13 amended, is repealed, effective June 30, ((2016)) 2021.

14 NEW SECTION. **Sec. 4.** Section 2 of this act is necessary for the
15 immediate preservation of the public peace, health, or safety, or
16 support of the state government and its existing public institutions,
17 and takes effect June 29, 2015.

--- END ---