

---

SENATE BILL 5141

---

State of Washington                      64th Legislature                      2015 Regular Session

By Senators Becker, Frockt, Dammeier, Bailey, Rivers, Brown, and Parlette

Read first time 01/14/15. Referred to Committee on Ways & Means.

1            AN ACT Relating to the alternative process for awarding contracts  
2 for university medical buildings and facilities; amending RCW  
3 28B.20.744; and repealing RCW 43.131.413 and 43.131.414.

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

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

7            (1) This section provides an alternative process for awarding  
8 contracts for construction, building, renovation, remodeling,  
9 alteration, repair, or improvement of university buildings and  
10 facilities in which critical patient care or highly specialized  
11 medical research is located. These provisions may be used, in lieu of  
12 other procedures to award contracts for such work, when the estimated  
13 cost of the work is equal to or less than ((five)) ten million  
14 dollars and the project involves construction, renovation,  
15 remodeling, or alteration of improvements within a building that is  
16 used directly for critical patient care or highly specialized medical  
17 research.

18            (2) The university may create a single critical patient care or  
19 specialized medical research facilities roster or may create multiple  
20 critical patient care or specialized medical research facilities  
21 rosters for different trade specialties or categories of anticipated

1 work. At least once a year, the university shall publish in a  
2 newspaper of general circulation a notice of the existence of the  
3 roster or rosters and solicit a statement of qualifications from  
4 contractors who wish to be on the roster or rosters of prime  
5 contractors. In addition, qualified contractors shall be added to the  
6 roster or rosters at any time they submit a written request,  
7 necessary records, and meet the qualifications established by the  
8 university. The university may require eligible contractors desiring  
9 to be placed on a roster to keep current records of any applicable  
10 licenses, certifications, registrations, bonding, insurance, or other  
11 appropriate matters on file with the university as a condition of  
12 being placed on a roster or rosters. Placement on a roster shall be  
13 on the basis of qualifications.

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

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

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

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

23 (d) A description of the process the university will use to  
24 evaluate qualifications, including evaluation factors and the  
25 relative weight of factors;

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

27 (f) A description of the administrative process by which the  
28 required qualifications, evaluation process, and project types may be  
29 appealed; and

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

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

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

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

1 (c) The contractor's ability to meet time and budget  
2 requirements;

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

5 (e) The contractor's capacity to successfully complete the  
6 project;

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

8 (g) The contractor's approach to safety and the contractor's  
9 safety history; and

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

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

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

23 (7) The university shall make an effort to solicit proposals from  
24 certified minority or certified woman-owned contractors to the extent  
25 permitted by the Washington state civil rights act, RCW 49.60.400.

26 (8) Beginning in September 2010 and every other year thereafter,  
27 the university shall provide a report to the capital projects  
28 advisory review board which must, at a minimum, include a list of  
29 rosters used, contracts awarded, and a description of outreach to and  
30 participation by women and minority-owned businesses.

31 NEW SECTION. **Sec. 2.** The following acts or parts of acts are  
32 each repealed:

33 (1) RCW 43.131.413 (Alternative process for awarding contracts—  
34 University buildings and facilities for critical patient care or  
35 specialized medical research—Termination) and 2010 c 245 s 12; and

1           (2) RCW 43.131.414 (Alternative process for awarding contracts—  
2 University buildings and facilities for critical patient care or  
3 specialized medical research—Repeal) and 2010 c 245 s 13.

--- END ---