

CAPITAL PROJECTS ADVISORY REVIEW BOARD

Recommendations on SHB 1621

**Report to the Legislature
December 31, 2023**

CAPITAL PROJECTS ADVISORY REVIEW BOARD

The Capital Projects Advisory Review Board (CPARB), authorized by RCW 39.10, reviews alternative public works contracting procedures and provides guidance to state policymakers on ways to further enhance the quality, efficiency and accountability of all public works contracting methods.

EXECUTIVE SUMMARY

The 2023 Legislature passed Substitute House Bill 1621 standardizing a number of issues and limits for multiple public entities, including first and second-class cities, public utility districts (PUDs), water-sewer districts, and fire districts. The effective date of the bill was delayed to June 30, 2024, to allow CPARB to review and make recommendations to the legislature by December 31, 2023.

The CPARB created the SHB 1621 Review Committee with members of public, private industry and stakeholders to consider the impacts of this bill and identify recommendations. The Committee met biweekly from June to December 2023 and submitted their recommendations to CPARB. The Committee shared recommendations with CPARB at both the special meeting in November and the regular CPARB meeting on December 14th. The board unanimously voted to recommend the following changes to SHB 1621 for legislature consideration.

CPARB MAKES THE FOLLOWING RECOMMENDATION:

1. Allow the standardizing of threshold limits of \$75,500 for a single trade and \$150,000 for multiple trades for work performed by regularly employed public employees for a trial period of Two Years: July 2024 to June 2026 with a review to continue the use.

Any work above these limits will need to be sent out for bid. Raising the thresholds for PUDs, water-sewer districts and fire districts to match what exists for first and second-class cities creates uniformity amongst the agencies and accounts for inflation and price escalation factors. Some districts will see an increase to match these uniform thresholds but not all.

2. Delay implementation to July 1, 2025, of all other sections in SHB 1621 (other than recommendation #1, the \$75.5k/\$150k implementation) so that further stakeholder work can be done by CPARB with additional recommendations submitted by October 31, 2024. (See Appendix A)

APPENDICES

- A. [Proposed Future Stakeholder Work by CPARB](#)
- B. [Applicable RCWs - Modified by SHB 1621 and Other References](#)
- C. [CPARB Members & SHB 1621 Review Committee Members & Stakeholders](#)
- D. [Committee Voting Record](#)

PROPOSED FUTURE STAKEHOLDER WORK BY CPARB

CPARB proposes continued stakeholder work on the following issues that did not have consensus or resolution. This robust discussion needs to take place to consider all sides and to work through proposed resolutions.

1. Bidder responsibility determinations outside of criteria already set forth in RCW 39.04.010 and 39.04.350, discuss deleting the bill paragraph, and modify the language to point to common reference in the law.

SHB 1621 uses language currently granted to second-class cities, allowing them to refuse low bids by means of a responsibility determination, and extends the concept to PUDs, first-class cities, water/sewer districts, and fire districts.

The Board will consider complete removal of additional Lowest Responsible Bidder criteria in SHB 1621 as it would be applied to cities, water-sewer districts, and fire districts.

The inclusion of additional Lowest Responsible Bidder criteria in SHB 1621 expands the responsibility criteria outside of the current statute governing general public works provisions for bidder responsibility in RCW 39.04.350. This additional language creates confusion for contractors. While this language pre-exists for the second-class cities in RCW 35.23.352(2), members of the committee expressed concerns regarding the provision to allow for the rejection of a low bidder in light of an issue with a bidder's responsibility or lack thereof.

2. Exceptions to the public employee work thresholds on projects up to \$300k, Prudent Utility Management definition as well as exclusions of equipment in the limits

SHB 1621 uses language already in PUD laws authorizing them to use their own personnel for projects up to \$300,000, guided by 'Prudent Utility Management' and adds it to the first- and second-class cities, water/sewer districts and fire districts statutes.

3. Prudent Utility Management definition and cost exclusions as applied to cities, water-sewer districts and fire districts.

The Board will continue to have stakeholder discussions about striking the application of the term 'Prudent Utility Management' for cities, water-sewer districts and fire districts. The term 'Prudent Utility Management' has not been applied to cities, water-sewer districts and fire districts before this bill and it may not be applicable in the same manner as for PUDs. Significant concerns were expressed by the stakeholders within the contracting and labor community regarding the uniform applicability of the term, stating the definition is too subjective when applied to cities, water-sewer districts and fire districts and will lead to abuse. Additional concern was expressed regarding raising the limits which may create barriers for small and diverse businesses to participate in public works projects.

4. If the decision to completely strike Prudent Utility Management from the bill is not CPARB's choice, then the committee recommends the use of the following language provided by cities to provide clarity when the discretionary \$300,000 threshold may be used. The majority of the committee supports the following proposed language in lieu of the term, 'Prudent Utility Management':

"...a [first/second class city, water-sewer district or fire district] may have its own regularly employed personnel with the requisite experience, capability and qualifications, perform public works activities to address the exigency, efficiency and financial needs of the public body without a contract in the sum not to exceed \$300,000."

It is important to note water-sewer districts maintain that altering the term 'Prudent Utility Management' might be unnecessary. However, they are willing to explore the conditions outlined in the proposed language introduced by the first-class and second-class cities in response to concerns raised by certain committee members.

5. Definition of Materials vs. Equipment.

The Board will continue stakeholder discussions around removing all references to exclusions regarding equipment and materials and modify the definition of Prudent Utility Management to identify all project costs to be included in the \$300,000 threshold.

Definition of Prudent Utility Management (as defined in the bill): *Work performed with regularly employed [utility] personnel using material of a worth not exceeding \$300,000 in value without a contract. This limit on the value of material being utilized in work being performed by regularly employed personnel shall not include the value of individual items of equipment. For the purposes of this section,*

the term "equipment" includes but is not limited to conductor, cabling, wire, pipe, or lines used for electrical, water, fiber optic, or telecommunications.

Definition of Prudent Utility Management (potential proposal): *Work performed with regularly employed [utility] personnel will include all project costs of a worth not exceeding \$300,000 in value without a contract.*

Committee members expressed concerns regarding SHB 1621's applicability for the definition of "equipment" in the context of 'Prudent Utility Management' when applied to cities, water-sewer districts and fire districts. This definition excludes equipment which otherwise would be identified as materials in a non-utility project thus leaving little, with the exception of labor, to be considered as 'materials' to be tracked against the \$300K capacity.

The definitions of equipment and materials, as utilized in the context of PUDs, may not be applicable or transferable to cities, water-sewer districts or fire districts. Cities proposed to limit all project costs to the \$300,000 threshold in lieu of the "equipment" and "material" distinctions defined in the 'Prudent Utility Management' definition.

6. Should the current definition stand, committee members and stakeholders will continue to discuss implementing reporting obligations to the state auditor, aimed at tracking the frequency and rationales for public entities exercising the option of self-performing work.

APPLICABLE RCWS - MODIFIED BY SHB 1621 AND OTHER REFERENCES

Modified by SHB 1621

54.04.070 - Specific to Utility Districts

(2) Any work ordered by a district commission, the estimated cost of which is in excess of ~~fifty thousand dollars, exclusive of sales tax, \$150,000 exclusive of sales tax~~ if more than a single craft or trade is involved with the public works project, or a public works project in excess of \$75,500 exclusive of sales tax if only a single craft or trade is involved with the public works project, shall be by contract. However, a district commission may have its own regularly employed personnel perform work which is an accepted industry practice under prudent utility management without a contract. For purposes of this section, "prudent utility management" means performing work with regularly employed personnel utilizing material of a worth not exceeding ~~three hundred thousand dollars~~ \$300,000 in value without a contract. This limit on the value of material being utilized in work being performed by regularly employed personnel shall not include the value of individual items of equipment. For the purposes of this section, the term "equipment" includes but is not limited to conductor, cabling, wire, pipe, or lines used for electrical, water, fiber optic, or telecommunications.

(8) For the purposes of this section, "lowest responsible bidder" means a bid that meets the criteria under RCW 39.04.350 and has the lowest bid; provided, that if the district commission issues a written finding that the lowest bidder has delivered a project to the district within the last three years which was late, over budget, or did not meet specifications, and the commission does not find in writing that such bidder has shown how they would improve performance to be likely to meet project specifications then the commission may choose the second lowest bidder whose bid is within five percent of the lowest bid and meets the same criteria as the lowest bidder.

35.23.352 - Specific to 2nd Class Cities

(1) Any second-class city or any town may construct any public works, as defined in RCW 39.04.010, by contract or day labor without calling for bids therefor whenever the estimated cost of the work or improvement, including cost of materials, supplies and equipment will not exceed the sum of ~~\$116,150~~ \$150,000 if more than one craft or trade is involved with the public works, or \$75,500 if a single craft or trade is involved with the public works or the public works project is street signalization or street lighting. A public works project means a complete project. The restrictions in this subsection do not permit the division of the project into units of work or classes of work to avoid the restriction on work that may be performed by day labor on a single project. However, a second-class city or any town may have its own regularly employed personnel perform work which is an accepted industry practice under prudent utility management without a contract. For purposes of this section, "prudent utility management" means performing work with regularly employed personnel utilizing material of a worth not exceeding \$300,000 in value without a contract. This limit on value of material being utilized in work being performed by regularly employed personnel shall not include the value of individual items of equipment. For purposes of this section, "equipment" includes, but is not limited to, conductor, cabling, wire, pipe, or lines used for electrical, water, fiber optic, or telecommunications.

(2) For the purposes of this section, "lowest responsible bidder" means a bid that meets the criteria under RCW 39.04.350 and has the lowest bid; provided, that if the city issues a written finding that the lowest bidder has delivered a project to the city within the last three years which was late, over budget, or did not meet specifications, and the city does not find in writing that such bidder has shown how they would improve performance to be likely to meet project specifications then the city may choose the second lowest bidder whose bid is within five percent of the lowest bid and meets the same criteria as the lowest bidder. *(paragraph added by 2019 legislature with a floor amendment, never heard in committee.)*

35.22.620 - First Class Cities

(2) A first-class city may have public works performed by contract pursuant to public notice and call for competitive bids. As limited by subsection (3) of this section, a first-class city may have public works performed by city employees in any annual or biennial budget period equal to a dollar value not exceeding ((ten)) 10 percent of the public works construction budget, including any amount in a supplemental public works construction budget, over the budget period. ...

(3) In addition to the percentage limitation provided in subsection (2) of this section, a first-class city shall not have public employees perform a public works project in excess of \$150,000 if more than a single craft or trade is involved with the public works project, or a public works project in excess of \$75,500 if only a single craft or trade is involved with the public works project or the public works project is street signalization or street lighting. A public works project means a complete project. The restrictions in this subsection do not permit the division of the project into units of work or classes

of work to avoid the restriction on work that may be performed by day labor on a single project. However, a first-class city may have its own regularly employed personnel perform work which is an accepted industry practice under prudent utility management without a contract. For purposes of this section, "prudent utility management" means performing work with regularly employed personnel utilizing material of a worth not exceeding \$300,000 in value without a contract. This limit on the value of material being utilized in work being performed by regularly employed personnel shall not include the value of individual items of equipment. For purposes of this section, the term "equipment" includes, but is not limited to, conductor, cabling, wire, pipe, or lines used for electrical, water, fiber optic, or telecommunications.

(12) For the purposes of this section, "lowest responsible bidder" means a bid that meets the criteria under RCW 39.04.350 and has the lowest bid; provided, that if the city issues a written finding that the lowest bidder has delivered a project to the city within the last three years which was late, over budget, or did not meet specifications, and the city does not find in writing that such bidder has shown how they would improve performance to be likely to meet project specifications then the city may choose the second lowest bidder whose bid is within five percent of the lowest bid and meets the same criteria as the lowest bidder.

57.08.050 - Water Sewar Districts:

(1) All work ordered, the estimated cost of which is in excess of ((fifty thousand dollars)) \$150,000 if more than a single craft or trade is involved with the public works project, or a public works project in excess of \$75,500 if only a single craft or trade is involved with the public works project, shall be let by contract and competitive bidding. Before awarding any such contract the board of commissioners shall publish a notice in a newspaper of general circulation where the district is located at least once ((thirteen)) 13 days before the last date upon which bids will be received, inviting sealed proposals for such work, plans and specifications which must at the time of publication of such notice be on file in the office of the board of commissioners subject to the public inspection. The notice shall state generally the work to be done and shall call for proposals for doing the same to be sealed and filed with the board of commissioners on or before the day and hour named therein.

(7) A water-sewer district may have its own regularly employed personnel perform work which is an accepted industry practice under prudent utility management without a contract. For purposes of this section, "prudent utility management" means performing work with regularly employed personnel utilizing material of a worth not exceeding \$300,000 in value without a contract. This limit on the value of material being utilized in work being performed by regularly employed personnel shall not include the value of individual items of equipment. For the purposes of this section, the term "equipment" includes but is not limited to conductor, cabling, wire, pipe, or lines used for electrical, water, fiber optic, or telecommunications.

(8) For the purposes of this section, "lowest responsible bidder" means a bid that meets the criteria under RCW 39.04.350 and has the lowest bid; provided, that if the district issues a written finding that the lowest bidder has delivered a project to the district within the last three years which was late, over budget, or did not meet specifications, and the district does not find in writing that such bidder has shown how they would improve performance to be likely to meet project specifications then the district may choose the second lowest bidder whose bid is within five percent of the lowest bid and meets the same criteria as the lowest bidder.

52.14.110 - Fire Protection Districts

(1) ...Formal sealed bidding shall not be required for: ... (b) Contracting for work to be done involving the construction or improvement of a fire station or other buildings where the estimated cost will not exceed the sum of ((thirty thousand dollars, which includes the costs of labor, material, and equipment)) \$150,000 if more than a single craft or trade is involved with the public works project, or a public works project in excess of \$75,500 if only a single craft or trade is involved with the public works project;

(2) A fire protection district may have its own regularly employed personnel perform work which is an accepted industry practice under prudent utility management without a contract. For purposes of this section, "prudent utility management" means performing work with regularly employed personnel utilizing material of a worth not exceeding \$300,000 in value without a contract. This limit on the value of material being utilized in work being performed by regularly employed personnel shall not include the value of individual items of equipment. For the purposes of this section, the term "equipment" includes but is not limited to conductor, cabling, wire, pipe, or lines used for electrical, water, fiber optic, or telecommunications.

(3) For the purposes of this section, "lowest responsible bidder" means a bid that meets the criteria under RCW 39.04.350 and has the lowest bid; provided, that if the district issues a written finding that the lowest bidder has delivered a project to the district within the last three years which was late, over budget, or did not meet specifications, and the district does not find in writing that such bidder has shown how they would improve performance to be likely to meet project specifications then the district may choose the second lowest bidder whose bid is within five percent of the lowest bid and meets the same criteria as the lowest bidder.

Other References

39.04.010 - Responsible Bidder Criteria

(1) "Award" means the formal decision by the state or municipality notifying a responsible bidder with the lowest responsive bid of the state's or municipality's acceptance of the bid and intent to enter into a contract with the bidder.

(4) "Public work" means all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein. All public works, including maintenance when performed by contract shall comply with chapter 39.12 RCW. "Public work" does not include work, construction, alteration, repair, or improvement performed under contracts entered into under RCW 36.102.060(4) or under development agreements entered into under RCW 36.102.060(7) or leases entered into under RCW 36.102.060(8).

(5) "Responsible bidder" means a contractor who meets the criteria in RCW 39.04.350.

39.04.350 - Responsible Bidder Criteria

Bidder responsibility criteria—Sworn statement—Supplemental criteria.

(1) Before award of a public works contract, a bidder must meet the following responsibility criteria to be considered a responsible bidder and qualified to be awarded a public works project. The bidder must:

(a) At the time of bid submittal, have a certificate of registration in compliance with chapter 18.27 RCW, a plumbing contractor license in compliance with chapter 18.106 RCW, an elevator contractor license in compliance with chapter 70.87 RCW, or an electrical contractor license in compliance with chapter 19.28 RCW, as required under the provisions of those chapters;

(b) Have a current state unified business identifier number;

(c) If applicable, have industrial insurance coverage for the bidder's employees working in Washington as required in Title 51 RCW; an employment security department number as required in Title 50 RCW; and a state excise tax registration number as required in Title 82 RCW;

(d) Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3);

(e) If bidding on a public works project subject to the apprenticeship utilization requirements in RCW 39.04.320, not have been found out of compliance by the Washington state apprenticeship and training council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under chapter 49.04 RCW for the one-year period immediately preceding the date of the bid solicitation;

(f) Have received training on the requirements related to public works and prevailing wage under this chapter and chapter 39.12 RCW. The bidder must designate a person or persons to be trained on these requirements. The training must be provided by the department of labor and industries or by a training provider whose curriculum is approved by the department. The department, in consultation with the prevailing wage advisory committee, must determine the length of the training. Bidders that have completed three or more public works projects and have had a valid business license in Washington for three or more years are exempt from this subsection. The department of labor and industries must keep records of entities that have satisfied the training requirement or are exempt and make the records available on its website. Responsible parties may rely on the records made available by the department regarding satisfaction of the training requirement or exemption; and

(g) Within the three-year period immediately preceding the date of the bid solicitation, not have been determined by a final and binding citation and notice of assessment issued by the department of labor and industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW.

(2) Before award of a public works contract, a bidder shall submit to the contracting agency a signed statement in accordance with chapter 5.50 RCW verifying under penalty of perjury that the bidder is in compliance with the responsible bidder criteria requirement of subsection (1)(g) of this section. A contracting agency may award a contract in reasonable reliance upon such a sworn statement.

(3) In addition to the bidder responsibility criteria in subsection (1) of this section, the state or municipality may adopt relevant supplemental criteria for determining bidder responsibility applicable to a particular project which the bidder must meet.

(a) Supplemental criteria for determining bidder responsibility, including the basis for evaluation and the deadline for appealing a determination that a bidder is not responsible, must be provided in the invitation to bid or bidding documents.

(b) In a timely manner before the bid submittal deadline, a potential bidder may request that the state or municipality modify the supplemental criteria. The state or municipality must evaluate the information submitted by the potential bidder and respond before the bid submittal deadline. If the evaluation results in a change of the criteria, the state or municipality must issue an addendum to the bidding documents identifying the new criteria.

(c) If the bidder fails to supply information requested concerning responsibility within the time and manner specified in the bid documents, the state or municipality may base its determination of responsibility upon any available information related to the supplemental criteria or may find the bidder not responsible.

(d) If the state or municipality determines a bidder to be not responsible, the state or municipality must provide, in writing, the reasons for the determination. The bidder may appeal the determination within the time period specified in the bidding documents by presenting additional information to the state or municipality. The state or municipality must consider the additional information before issuing its final determination. If the final determination affirms that the bidder is not responsible, the state or municipality may not execute a contract with any other bidder until two business days after the bidder determined to be not responsible has received the final determination.

(e) If the bidder has a history of receiving monetary penalties for not achieving the apprentice utilization requirements pursuant to RCW 39.04.320, or is habitual in utilizing the good faith effort exception process, the bidder must submit an apprenticeship utilization plan within ten business days immediately following the notice to proceed date.

(4) The capital projects advisory review board created in RCW 39.10.220 shall develop suggested guidelines to assist the state and municipalities in developing supplemental bidder responsibility criteria. The guidelines must be posted on the board's website.

RCW 39.28 – Emergency Public Works

39.28.010 – Definitions

(1) The term "municipality" shall mean the state, a county, city, town, district or other municipal corporation or political subdivision;

39.28.020 – Powers Conferred

(4) To perform any acts authorized under RCW 39.28.010 through 39.28.030 through or by means of its own officers, agents and employees, or by contracts with corporations, firms or individuals;

CPARB MEMBERS AND SHB 1621 REVIEW COMMITTEE MEMBERS AND STAKEHOLDERS**Committee Members:**

[Liz Anderson](#), WA PUD Association

[Sharon Harvey](#) (OMWBE)

[Bruce Hyashi](#) (Architects)

[Keith Michel](#) (General Contractors) - Co-Chair

[Mark Nakagawara](#) (Cities) - Co-Chair

[Diane Pottinger](#), North City Water District

[Irene Reyes](#) (Private Industry)

[Mark Riker](#) (WA State Building & Construction Trades Council)

[Michael Transue](#) (Mechanical Contractors Association Western Washington)

Committee Stakeholders:

Eric Alozie, NWE Construction Co.

Logan Bahr, Tacoma Public Utilities

Randy Black, Lakewood Water District

George Caan, WA PUD Association

Bill Clark, WA PUD Association

Joren Clowers, Sno-King Water District Coalition

Linda De Boldt, City of Bellevue

Brandy DeLange, Association of WA Cities

Judi Gladstone, WA Assoc. of Sewer and Water Districts

Scott Middleton, Mech. Contractors Assoc. Western WA

Paul Richart, Alderwood Water & Wastewater District

Abigail Vizcarra Perez, MetroParks Tacoma

Rob Wettleson, Forma Construction

Maggie Yuse, Seattle Public Utilities

CPARB Members:

Janice Zahn (Chair), Ports

Keith Michel (Vice-Chair), General Contractors

Corey Fedie, Public Hospital Districts

Lehka Fernandes, OMWBE

Bobby Forch, Jr., Disadvantaged Businesses

Sen. Bob Hasegawa, Senate (D)

Bruce Hayashi, Architects

Janet Jansen, Dept. of Enterprise Services

Santosh Kuruvilla, Engineers

Karen Mooseker, School Districts

Mark Nakagawara, Cities

Matt Rasmussen, Counties

Irene Reyes, Private Industry

Mark Riker, Construction Trades Labor

Linneth Riley Hall, Transportation

John Salinas, II, Specialty Contractors

Kara Skinner, Insurance/Surety Industry

Rep. Mike Steele, House of Representatives (R)

Robin Strom, General Contractors

Josh Swanson, Construction Trades Labor

Rep. Steve Tharinger, House of Representatives (D)

Robynne Thaxton, Private Industry

Sen. Judy Warnick, Senate (R)

Olivia Yang, Higher Education

COMMITTEE VOTING RECORD

[VOTE#1] Committee members recommend the preservation of the bill’s language regarding single trade \$75,500 and multiple trade \$150,000 thresholds for work performed by regularly employed personnel. **[AGREE]**

| SHB 1621 Committee | | CPARB Voting | |
|--------------------|--------------|--------------|--------------|
| 8 | Agree | All | Agree |
| 1 | Disagree | | Disagree |
| 0 | Abstain | | Abstain |
| 0 | Absent | | Absent |

[VOTE#2] Committee members recommend revisiting the appropriateness of the uniform application of “Prudent Utility Management” for cities, sewer/water districts and fire districts. **[AGREE]**

| SHB 1621 Committee | |
|--------------------|--------------|
| 6 | Agree |
| 3 | Disagree |
| 0 | Abstain |
| 0 | Absent |

[VOTE#3]
Should “Prudent Utility Management” apply for cities? **[Agree - NO]**

| SHB 1621 Committee | |
|--------------------|-----------|
| 9 | No |
| 0 | Yes |
| 0 | Abstain |
| 0 | Absent |

[VOTE#3-B] Should the language proposed by cities (see comments) be applied in revisions to SHB 1621 for cities? **[YES or NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | No |
| 4 | Yes |
| 1 | Abstain |
| 1 | Absent |

[VOTE#3-C] Should contractors' recommendation of changing “or” to “and” within proposed language by cities be incorporated to revisions in SHB 1621 for cities? **[YES or NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | No |
| 4 | Yes |
| 1 | Abstain |
| 1 | Absent |

[VOTE#4]
Should “Prudent Utility Management” apply for sewer/water districts? **[Agree - NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | Yes |
| 6 | No |
| 0 | Abstain |
| 0 | Absent |

[VOTE#4-B] Should the language proposed by cities (see comments) be applied in revisions to SHB 1621 for sewer/water districts? **[YES or NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 4 | No |
| 4 | Yes |
| 1 | Abstain |
| 0 | Absent |

[VOTE#4-C] Should contractors' recommendation of changing “or” to “and” within proposed language by cities be incorporated to revisions in SHB 1621 for sewer/water districts? **[YES or NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | No |
| 5 | Yes |
| 1 | Abstain |
| 0 | Absent |

[VOTE#5]
Should “Prudent Utility Management” apply for fire districts? **[Agree - NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | Yes |
| 6 | No |
| 0 | Abstain |
| 0 | Absent |

[VOTE#5-B] Should the language proposed by cities (see comments) be applied in revisions to SHB 1621 for fire districts? **[YES or NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | No |
| 4 | Yes |
| 2 | Abstain |
| 0 | Absent |

[VOTE#5-C] Should contractors' recommendation of changing “or” to “and” within proposed language by cities be incorporated to revisions in SHB 1621 for fire districts? **[YES or NO]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | No |
| 4 | Yes |
| 2 | Abstain |
| 0 | Absent |

[VOTE#6] Should the definition of “equipment” as applied to cities, sewer/water districts, fire districts be modified through revisions to SHB 1621? **[Agree - YES]**

| SHB 1621 Committee | |
|--------------------|------------|
| 0 | No |
| 9 | Yes |
| 0 | Abstain |
| 0 | Absent |

[VOTE#7] Should “equipment” as currently defined or as potential modified as applied to cities, sewer/water districts, fire districts, be excluded from the cost of a project relative to the \$300,000 threshold. **[Agree - YES]**

| SHB 1621 Committee | |
|--------------------|------------|
| 3 | No |
| 5 | Yes |
| 1 | Abstain |
| 0 | Absent |

[VOTE#8] Should the new authority granted in SHB 1621 regarding bidder responsibility provisions be removed? **[Agree - YES]**

| SHB 1621 Committee | |
|--------------------|------------|
| 0 | No |
| 7 | Yes |
| 1 | Abstain |
| 1 | Absent |