

MRSC Suggested Formal Competitive Bid Processes

Public Works Contracts

Parameter	Suggested Parameter Limits/Usage	Comments
Bid limit	Bid limits range from \$5K to \$100K. See the MRSC Public Works Bid Limit Matrix for comparative thresholds.	Bid limits are dollar amounts below which neither competitive bids nor the small works roster process are required for public works projects. MRSC recommends at least 2-3 quotes for these smaller projects so an agency can be sure it is getting a competitive price.
Small works roster process or similar?	Use the roster process in RCW 39.04.155 or adopt a similar process. A \$350,000 limit is stated in the statute. Model Resolutions are found on the MRSC Rosters website under the "Public Agencies" tab.	Agencies solicit placement of responsible public works contractors on a roster kept by the agency and solicit informal bids from them. Informal means that quotations from contractors can be via telephone, written, or electronic means and that no bid advertisement, sealed bids or public bid opening is required.
Bid guarantee?	5%	Typical language: No bid may be considered for public work unless it is accompanied by a bid deposit in the form of a surety bond, postal money order, cash, cashier's check, or certified check in an amount equal to five percent of the amount of the bid proposed. The bid deposit of all unsuccessful bidders shall be returned after the contract is awarded and the required contractor's bond given by the successful bidder is accepted by the <u> (agency) </u> legislative authority
Bid advertisement?	Yes	Suggested language: The notice shall be published in the official newspaper, or a newspaper of general circulation most likely to bring responsive bids, at least thirteen days prior to the last date upon which bids will be received.
Advertisement time?	13 days	Advertisement is only published once. If more than once, the last publication date must meet the minimum advertisement time.
Sealed bids?	Yes	Contracts shall be let at public bidding upon publication of notice calling for sealed bids upon the work.
Public bid opening?	Yes	The bids shall be in writing, shall be filed with the clerk, shall be opened and read in public at the time and place named therefor in the advertisements, and after being opened, shall be filed for public inspection.
Payment/performance bond?	Yes	RCW 39.08.010 : The legislative authority must require the person or persons with whom such contract is made to make, execute, and deliver to such board, council, commission, trustees, or body a good and sufficient bond, with a surety company as surety, conditioned that such person or persons must perform the contract, pay laborers, materialmen and subcontractors and pay my all taxes due. Waiver available if project is under \$150,000.
Limit on work by agency employees?	Same as bid limit	Limits set by the legislature on the amount of public works that can be accomplished using the agency's own work force or by hiring day laborers. Limits are expressed as specific dollar amounts for single or multiple craft projects and/or as percentages of the public works or road fund budgets. The county road fund statutes have specific county forces road construction limits separate from a county's general public work construction limits (chapter 36.77 RCW).