
SENATE BILL 5658

State of Washington

68th Legislature

2023 Regular Session

By Senator Hunt

1 AN ACT Relating to competitive bidding thresholds for
2 institutions of higher education; and amending RCW 28B.10.029.

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

4 **Sec. 1.** RCW 28B.10.029 and 2016 c 197 s 1 are each amended to
5 read as follows:

6 (1)(a) An institution of higher education may, consistent with
7 RCW 28B.10.925 and 28B.10.926, exercise independently those powers
8 otherwise granted to the director of enterprise services in chapters
9 43.19 and 39.26 RCW in connection with the purchase and disposition
10 of all material, supplies, services, and equipment needed for the
11 support, maintenance, and use of the respective institution of higher
12 education.

13 (b) Property disposition policies followed by institutions of
14 higher education shall be consistent with policies followed by the
15 department of enterprise services.

16 (c)(i) Except as provided in (c)(ii) and (iii) of this subsection
17 and elsewhere as provided by law, purchasing policies and procedures
18 followed by institutions of higher education shall be in compliance
19 with chapters 39.19, 39.26, and 43.03 RCW, and RCW 43.19.1917,
20 43.19.685, and 43.19.560 through 43.19.637.

1 (ii) Institutions of higher education may use all appropriate
2 means for making and paying for travel arrangements including, but
3 not limited to, electronic booking and reservations, advance payment
4 and deposits for tours, lodging, and other necessary expenses, and
5 other travel transactions based on standard industry practices and
6 federal accountable plan requirements. Such arrangements shall
7 support student, faculty, staff, and other participants' travel, by
8 groups and individuals, both domestic and international, in the most
9 cost-effective and efficient manner possible, regardless of the
10 source of funds.

11 (iii) Formal sealed, electronic, or web-based competitive bidding
12 is not necessary for purchases or personal services contracts by
13 institutions of higher education for less than (~~one hundred thousand~~
14 ~~dollars~~) \$100,000. However, for purchases and personal services
15 contracts of (~~ten thousand dollars or more and less than one hundred~~
16 ~~thousand dollars~~) less than \$100,000 and either (A) \$10,000 or more,
17 or (B) at or above a direct buy purchase threshold established by an
18 institution of higher education consistent with this section and RCW
19 39.26.125(3), whichever is higher, quotations must be secured from at
20 least three vendors to assure establishment of a competitive price
21 and may be obtained by telephone, electronic, or written quotations,
22 or any combination thereof. As part of securing the three vendor
23 quotations, institutions of higher education must invite at least one
24 quotation each from a certified minority and a certified woman-owned
25 vendor that otherwise qualifies to perform the work. A record of
26 competition for all such purchases and personal services contracts of
27 (~~ten thousand dollars~~) \$10,000 or more and less than (~~one hundred~~
28 ~~thousand dollars~~) \$100,000 must be documented for audit purposes.

29 (d) Purchases under chapter 39.26, 43.19, or 43.105 RCW by
30 institutions of higher education may be made by using contracts for
31 materials, supplies, services, or equipment negotiated or entered
32 into by, for, or through group purchasing organizations.

33 (e) The community and technical colleges shall comply with RCW
34 43.19.450.

35 (f) Except for the University of Washington, institutions of
36 higher education shall comply with RCW 43.19.769, 43.19.763, and
37 43.19.781.

38 (g) If an institution of higher education can satisfactorily
39 demonstrate to the director of the office of financial management
40 that the cost of compliance is greater than the value of benefits

1 from any of the following statutes, then it shall be exempt from
2 them: RCW 43.19.685 and 43.19.637.

3 (h) When any institution of higher education exercises its
4 independent purchasing authority for a commodity or group of
5 commodities, the director of enterprise services shall not be
6 required to provide those services for that institution for the
7 duration of the enterprise services contract term for that commodity
8 or group of commodities.

9 (2) The council of presidents and the state board for community
10 and technical colleges shall convene its correctional industries
11 business development advisory committee, and work collaboratively
12 with correctional industries, to:

13 (a) Reaffirm purchasing criteria and ensure that quality,
14 service, and timely delivery result in the best value for expenditure
15 of state dollars;

16 (b) Update the approved list of correctional industries products
17 from which higher education shall purchase; and

18 (c) Develop recommendations on ways to continue to build
19 correctional industries' business with institutions of higher
20 education.

21 (3) Higher education and correctional industries shall develop a
22 plan to build higher education business with correctional industries
23 to increase higher education purchases of correctional industries
24 products, based upon the criteria established in subsection (2) of
25 this section. The plan shall include the correctional industries'
26 production and sales goals for higher education and an approved list
27 of products from which higher education institutions shall purchase,
28 based on the criteria established in subsection (2) of this section.
29 Higher education and correctional industries shall report to the
30 legislature regarding the plan and its implementation no later than
31 January 30, 2005.

32 (4) (a) Institutions of higher education shall set as a target to
33 contract, beginning not later than June 30, 2006, to purchase one
34 percent of the total goods and services required by the institutions
35 each year produced or provided in whole or in part from class II
36 inmate work programs operated by the department of corrections.
37 Institutions of higher education shall set as a target to contract,
38 beginning not later than June 30, 2008, to purchase two percent of
39 the total goods and services required by the institutions each year

1 produced or provided in whole or in part from class II inmate work
2 programs operated by the department of corrections.

3 (b) Institutions of higher education shall endeavor to assure the
4 department of corrections has notifications of bid opportunities with
5 the goal of meeting or exceeding the purchasing target in (a) of this
6 subsection.

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