

CHAPTER 132.

[S. B. 175.]

PRIMARY STATE HIGHWAYS.

AN ACT relating to state government, authorizing in certain cases the negotiating of contracts for the construction, alteration, repair or improvement of primary state highways and amending section 41, chapter 53, Laws of 1937 (sec. 6400-41, Rem. Rev. Stat.), and prescribing the period of effectiveness of the act.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 41, chapter 53, Laws of 1937 (sec. 6400-41, Rem. Rev. Stat.) be amended to read as follows: Amendments.

Section 41. The Director of Highways may, in his discretion, cause any primary state highway to be constructed, altered, repaired or improved by contract in the manner provided by law or by day labor. May build by contract or day labor.

Any construction may be done by day labor in all cases where the estimated cost of such work is in a sum less than ten thousand dollars (\$10,000). The Director of Highways shall by resolution entered upon his records determine when construction in any case shall be done by day labor, which resolution shall state the reason for such determination. Limitation on day labor cost.

In all other cases construction shall be let by contract and awarded to the lowest responsible bidder in the manner provided by law. In the event that the Director of Highways considers bid proposals when received as too high, or for other reasons deems it inadvisable that said contract be awarded to any bidders, he may readvertise a new call for bids, or do the work by day labor, which decision shall be ordered by resolution to that effect entered upon the records of said Director of Highways, which resolution shall set out the amount of the bid proposals submitted with the names of the bidders and the fact that the Director of Highways has found that in his judgment the said Resolution to state reason.

Contract to lowest responsible bidder.

May readvertise or use day labor.

Reason must
be stated.

Publish
estimate and
cost.

Proviso.

Director may
negotiate
when
necessary.

May divide
project into
several parts.

Expiration
clause.

work may be more satisfactorily done by day labor. In any such case where work is performed by day labor, the Director of Highways shall, upon the completion thereof, cause to be published in one issue of a newspaper of general circulation in the state, the original estimate of such work and the actual cost of the completion thereof by day labor: *Provided*, No publication shall be required for any work, the cost of which is less than twenty-five hundred dollars (\$2,500): *Provided further*, That whenever bid proposals are advertised for and either no bids are received or the bids which are received are out of line with the estimated cost, and the character and estimated cost of the particular project is such as to make it inadvisable to do the work by day labor, the Director of Highways shall be authorized to enter into negotiations with contractors in an effort to obtain the best possible terms upon the basis of which the work can be done by contract, and if satisfactory terms are secured to award a contract or contracts upon the basis of such negotiations. In conducting such negotiations, the Director shall be authorized to segregate a project into several component parts if such action is deemed necessary in order to obtain satisfactory contractual terms. If the Director decides to award a contract or contracts by negotiation with contractors, his decision shall be by resolution entered upon his records, which said resolution shall set forth the substance and results of the negotiations: *Provided further*, That the provisions of this Act authorizing the negotiation of contracts shall expire on April 1, 1945.

Passed the Senate March 10, 1943.

Passed the House March 10, 1943.

Approved by the Governor March 18, 1943.