

Contractor Assurances, Surety Bonds and Insurance

A contract *shall will* only be ~~let to~~ **entered into with** a contractor who is licensed or registered as required by the laws of this state. A contractor *shall will* be granted a contract when a statement is submitted and sworn to which states that the contractor is in compliance with the state laws relating to prevailing wage for public works and with state and federal laws relating to nondiscrimination in hiring. Such a statement may be a provision or clause in the contract.

Contractor Surety Bonds and Insurance

Each contractor's bid must be accompanied by a certified or cashier's check, or bid bond in the amount of at least five percent of the total bid amount, excluding taxes. Bid deposits pursuant to this policy may be based upon the architect's estimated cost of construction. Any bid which is not successful *shall will* entitle the bidder to a refund of its security or bond. The successful bidder *shall will* have the bond or security retained until such a time as it is determined that the bidder *shall will* complete the contract. All bids received *shall will* specify whether the district or the contractor *shall will* carry fire, liability, or other insurance during construction.

The successful bidder is required to make, execute and deliver to the board a good and sufficient performance bond with two or more sureties or a surety company which *shall will* state that the contractor will execute and faithfully perform the provisions of the contract and *shall will* pay all subcontractors and material men as required by law.

Change Orders

The board will approve authorized change orders which arise during construction. In order to facilitate to timely progress during construction, the board may grant the superintendent authority to authorize change orders if additional cost to the district does not exceed the approved contingency for the project or extend beyond its original scope.

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| Legal References: | RCW 39.06.010 | Contracts with unregistered or unlicensed contractors and with other violators prohibited |
| | 39.08.010 | Bond required — Conditions- Retention of contract amount in lieu of bond — Contracts of one-hundred-thousand dollars or less |
| | Chapter 39.12 RCW 49.60.180 | Prevailing wages on public works Unfair practices of employment |
| | 42 U.S.C. 2000c et. seq. | Title VII of Civil Rights Act of 1964 (amended by CRA of 1991); |
| | <i>Title 7 Civil Rights Act of 1964</i> | |
| | <i>Section 504</i> <u>29 USC 794</u> | <u>Section 504</u> , Rehabilitation Act of 1973 |

Management Resources:

Policy News, October 2011 Policy Reference Manual Revisions
Wishram School District
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