

**Chapter 9.18 RCW
BIDDING OFFENSES**

Sections

- 9.18.080 Offender a competent witness.
- 9.18.120 Suppression of competitive bidding.
- 9.18.130 Collusion to prevent competitive bidding—Penalty.
- 9.18.150 Agreements outside state.

RCW 9.18.080 Offender a competent witness. Every person offending against any of the provisions of law relating to bribery or corruption shall be a competent witness against another so offending and shall not be excused from giving testimony tending to criminate himself or herself. [2011 c 336 s 295; 1909 c 249 s 78; RRS s 2330. Cf. 1907 c 60 ss 1, 2; RRS ss 2149, 2150.]

Bribery and corruption: Chapter 9A.68 RCW.

Incriminating testimony not to be used: RCW 10.52.090.

Rights of accused persons: State Constitution Art. 1 s 9.

RCW 9.18.120 Suppression of competitive bidding. (1) When any competitive bid or bids are to be or have been solicited, requested, or advertised for by the state of Washington, or any county, city, town or other municipal corporation therein, or any department of either thereof, for any work or improvement to be done or constructed for or by such state, county, city, town, or other municipal corporation, or any department of either thereof, it shall be unlawful for any person acting for himself or herself or as agent of another, or as agent for or as a member of any partnership, unincorporated firm or association, or as an officer or agent of any corporation, to offer, give, or promise to give, any money, check, draft, property, or other thing of value, to another or to any firm, association, or corporation for the purpose of inducing such other person, firm, association, or corporation, either to refrain from submitting any bids upon such public work or improvement, or to enter into any agreement, understanding or arrangement whereby full and unrestricted competition for the securing of such public work will be suppressed, prevented, or eliminated; and it shall be unlawful for any person to solicit, accept, or receive any money, check, draft, property, or other thing of value upon a promise or understanding, express or implied, that he or she individually or as an agent or officer of another person, persons, or corporation, will refrain from bidding upon such public work or improvement, or that he or she will on behalf of himself or herself or such others submit or permit another to submit for him or her any bid upon such public work or improvement in such sum as to eliminate full and unrestricted competition thereon.

(2) A person violating this section is guilty of a gross misdemeanor. [2003 c 53 s 15; 1921 c 12 s 1; RRS s 2333-1.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 9.18.130 Collusion to prevent competitive bidding—Penalty.

(1) It shall be unlawful for any person for himself or herself or as an agent or officer of any other person, persons, or corporation to in any manner enter into collusion or an understanding with any other person, persons, or corporation to prevent or eliminate full and unrestricted competition upon any public work or improvement mentioned in RCW 9.18.120.

(2) A person violating this section is guilty of a gross misdemeanor. [2003 c 53 s 16; 1921 c 12 s 2; RRS s 2333-2.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 9.18.150 Agreements outside state. It shall be no defense to a prosecution under RCW 9.18.120 through 9.18.150 that a payment or promise of payment of any money, check, draft, or anything of value, or any other understanding or arrangement to eliminate unrestricted competitive bids was had or made outside of the state of Washington, if such work or improvement for which bids are called is to be done or performed within the state. [1921 c 12 s 4; RRS s 2333-4.]