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HOUSE BILL 1713

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Heavey, Fuhrman, Cole, Betrozoff and Jacobsen.

Read first time February 6, 1991.      Referred to Committee on  
Transportation.

1            AN ACT Relating to department of transportation contracts for the  
2 repair or improvement of ferries; and adding a new section to chapter  
3 47.60 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 47.60 RCW  
6 to read as follows:

7            The department of transportation shall comply with the following  
8 rules whenever it contracts for the repair or improvement of a ferry  
9 vessel if the consideration to be furnished by the department is  
10 greater than two hundred thousand dollars:

11            (1) A vessel survey shall be conducted prior to the preparation of  
12 bid documents and contract specifications.

13            (2) The department shall retain the services of a person with a  
14 license in naval architecture and marine engineering and with a

1 specialty in contract performance evaluation who shall serve as the  
2 department's performance evaluator with respect to the contract.

3 (3) The performance evaluator shall prepare all improvement and  
4 repair specifications and drawings in the contract. Where possible, the  
5 performance evaluator shall write contingencies for the department's  
6 inclusion in bidding documents and the contract, which contingencies  
7 shall provide for unit prices for emergent work.

8 (4) The performance evaluator shall serve as "owner's  
9 representative" on each contract and shall be responsible for  
10 administration of the contract, inspection of work performed, test  
11 trials, and the state's acceptance of the vessel as meeting contract  
12 requirements.

13 (5) The contract may not contain any provision authorizing oral  
14 change orders. However, the contract shall contain provisions for  
15 temporary written authorization to proceed with a change. Under the  
16 contract, such a temporary authorization may not last longer than  
17 seventy-two hours, at which time the order will cease unless the  
18 parties have made the order permanent by amending the contract.  
19 Compensation for work performed under a temporary order shall be at  
20 rates specified in the contract.