
HOUSE BILL 2771

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Hayes, Freeman, Zeiger, Takko, Haler, and Gregerson

Read first time 02/06/14. Referred to Committee on Environment.

1 AN ACT Relating to expedited permitting and contracting for bridges
2 owned by local governments that are deemed structurally deficient;
3 amending RCW 47.28.170; adding a new section to chapter 43.21C RCW; and
4 adding a new section to chapter 39.04 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21C RCW
7 to read as follows:

8 (1) The repair or replacement of a city, town, or county bridge
9 deemed structurally deficient is exempt from compliance with this
10 chapter as long as the action occurs within the existing right-of-way
11 in a manner that meets current engineering standards or state
12 environmental standards for highway construction and does not result in
13 additional lanes for automobiles.

14 (2) For purposes of this section, "structurally deficient" means a
15 bridge that is classified as in poor condition under the state bridge
16 condition rating system and is reported by the state to the national
17 bridge inventory as having a deck, superstructure, or substructure
18 rating of four or below. Structurally deficient bridges are
19 characterized by deteriorated conditions of significant bridge elements

1 and potentially reduced load-carrying capacity. Bridges deemed
2 structurally deficient typically require significant maintenance and
3 repair to remain in service, and require major rehabilitation or
4 replacement to address the underlying deficiency.

5 **Sec. 2.** RCW 47.28.170 and 2006 c 334 s 23 are each amended to read
6 as follows:

7 (1) Whenever the department finds that as a consequence of
8 accident, natural disaster, or other emergency, an existing state
9 highway is in jeopardy or is rendered impassible in one or both
10 directions and the department further finds that prompt reconstruction,
11 repair, or other work is needed to preserve or restore the highway for
12 public travel, the department may obtain at least three written bids
13 for the work without publishing a call for bids, and the secretary of
14 transportation may award a contract forthwith to the lowest responsible
15 bidder.

16 The department shall notify any association or organization of
17 contractors filing a request to regularly receive notification.
18 Notification to an association or organization of contractors shall
19 include: (a) The location of the work to be done; (b) the general
20 anticipated nature of the work to be done; and (c) the date determined
21 by the department as reasonable in view of the nature of the work and
22 emergent nature of the problem after which the department will not
23 receive bids.

24 (2) Whenever the department finds it necessary to protect a highway
25 facility from imminent damage or to perform emergency work to reopen a
26 highway facility, the department may contract for such work on a
27 negotiated basis not to exceed force account rates for a period not to
28 exceed thirty working days.

29 (3) The secretary shall review any contract exceeding seven hundred
30 thousand dollars awarded under subsection (1) or (2) of this section
31 with the office of financial management within thirty days of the
32 contract award.

33 (4) Any person, firm, or corporation awarded a contract for work
34 must be prequalified pursuant to RCW 47.28.070 and may be required to
35 furnish a bid deposit or performance bond.

36 (5) A city, town, or county may use the contracting process

1 available to the department under subsection (1) of this section for
2 the repair or replacement of a bridge deemed structurally deficient, as
3 defined in section 1 of this act.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 39.04 RCW
5 to read as follows:

6 The repair or replacement of a city, town, or county bridge deemed
7 structurally deficient, as defined in section 1 of this act, may use
8 the contracting process available under RCW 47.28.170.

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