

# SENATE BILL REPORT

## HB 2548

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As Reported By Senate Committee On:  
Transportation, March 2, 1998

**Title:** An act relating to environmental protection change orders in public projects.

**Brief Description:** Clarifying procedures for environmental protection change orders in public projects.

**Sponsors:** Representatives K. Schmidt, Fisher, Chandler and Thompson; by request of Department of Transportation.

**Brief History:**

**Committee Activity:** Transportation: 3/2/98 [DP].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Prince, Chair; Benton, Vice Chair; Wood, Vice Chair; Haugen, Goings, Heavey, Horn, Jacobsen, Morton, Oke, Patterson, Prentice, Rasmussen and Sellar.

**Staff:** Paul Neal (786-7315)

**Background:** Current bidding laws require the state and other government entities, when inviting public bids for construction projects, to identify and provide copies of all federal, state and local laws and regulations dealing with environmental protection that may be affected by the construction project. These documents are to be provided to all potential bidders as part of the public bidding process. If any new environmental laws or rules are adopted after the award of the construction contract to a successful bidder and if those new requirements require additional work for the project, the governmental entity must compensate the contractor for the additional cost. The cost of the additional work is determined according to the contract provisions or by agreement between two parties. If the parties are unable to reach agreement, the dispute is referred to arbitration.

**Summary of Bill:** The requirement that governmental entities set forth in all federal, state and local environmental laws and regulations in all invitations to bid for public construction projects is removed. The term arbitration used for resolving disputes over cost of new environmental laws is changed to the term dispute resolution.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill will enable DOT to provide notice to contractors with notice of environmental laws, rules and regulations that impact a particular project without requiring that copies of all provisions be copied and provided.

**Testimony Against:** None.

**Testified:** Ricco Baroga, WSDOT (pro).