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SENATE BILL 5379

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State of Washington

65th Legislature

2017 Regular Session

By Senators McCoy and Wellman

Read first time 01/20/17. Referred to Committee on State Government.

1 AN ACT Relating to constructing all new public buildings with  
2 cross-laminated timber; amending RCW 39.04.010; and adding a new  
3 section to chapter 39.04 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 39.04  
6 RCW to read as follows:

7 (1) All new public buildings that are twelve stories or less  
8 must, to the maximum extent practicable, be constructed with cross-  
9 laminated timber.

10 (2) The department of enterprise services may grant a waiver to a  
11 public agency or a municipality from the requirements of subsection  
12 (1) of this section on the basis that the waiver is necessary due to  
13 the following reasons, including but not limited to:

14 (a) Unavailability of building materials; or

15 (b) Structural infeasibility.

16 (3) The department of enterprise services may adopt rules to  
17 establish criteria for evaluating the need for a waiver under this  
18 section.

19 **Sec. 2.** RCW 39.04.010 and 2008 c 130 s 16 are each amended to  
20 read as follows:

1 The definitions in this section apply throughout this chapter  
2 unless the context clearly requires otherwise.

3 (1) "Award" means the formal decision by the state or  
4 municipality notifying a responsible bidder with the lowest  
5 responsive bid of the state's or municipality's acceptance of the bid  
6 and intent to enter into a contract with the bidder.

7 (2) "Contract" means a contract in writing for the execution of  
8 public work for a fixed or determinable amount duly awarded after  
9 advertisement and competitive bid, or a contract awarded under the  
10 small works roster process in RCW 39.04.155.

11 (3) "Municipality" means every city, county, town, port district,  
12 district, or other public agency authorized by law to require the  
13 execution of public work, except drainage districts, diking  
14 districts, diking and drainage improvement districts, drainage  
15 improvement districts, diking improvement districts, consolidated  
16 diking and drainage improvement districts, consolidated drainage  
17 improvement districts, consolidated diking improvement districts,  
18 irrigation districts, or other districts authorized by law for the  
19 reclamation or development of waste or undeveloped lands.

20 (4) "Public building" means any building constructed at the cost  
21 of the state or of any municipality.

22 (5) "Public work" means all work, construction, alteration,  
23 repair, or improvement other than ordinary maintenance, executed at  
24 the cost of the state or of any municipality, or which is by law a  
25 lien or charge on any property therein. All public works, including  
26 maintenance when performed by contract shall comply with chapter  
27 39.12 RCW. "Public work" does not include work, construction,  
28 alteration, repair, or improvement performed under contracts entered  
29 into under RCW 36.102.060(4) or under development agreements entered  
30 into under RCW 36.102.060(7) or leases entered into under RCW  
31 36.102.060(8).

32 ((+5+)) (6) "Responsible bidder" means a contractor who meets the  
33 criteria in RCW 39.04.350.

34 ((+6+)) (7) "State" means the state of Washington and all  
35 departments, supervisors, commissioners, and agencies of the state.

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