

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6407

Chapter 171, Laws of 1992

52nd Legislature
1992 Regular Session

PUBLIC WORKS CONTRACT ACTIONS--AWARD OF ATTORNEYS' FEES

EFFECTIVE DATE: 6/11/92

Passed by the Senate March 12, 1992
Yeas 46 Nays 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 11, 1992
Yeas 97 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved April 1, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 6407** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB

Secretary

FILED

April 1, 1992 - 10:55 a.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 6407

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Senators Madsen, Anderson, Matson and Vognild

Read first time 01/29/92. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to public works construction contracts; and adding
2 a new section to chapter 39.04 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.04 RCW
5 to read as follows:

6 (1) The provisions of RCW 4.84.250 through 4.84.280 shall apply to
7 an action arising out of a public works contract in which the state or
8 a municipality, or other public body that contracts for public works,
9 is a party, except that: (a) The maximum amount of the pleading shall
10 be two hundred fifty thousand dollars; and (b) in applying RCW
11 4.84.280, the time period for serving offers of settlement on the
12 adverse party shall be the period not less than thirty days and not
13 more than one hundred twenty days after completion of the service and
14 filing of the summons and complaint.

1 (2) The rights provided for under this section may not be waived by
2 the parties to a public works contract that is entered into on or after
3 the effective date of this act, and a provision in such a contract that
4 provides for waiver of these rights is void as against public policy.
5 However, this subsection shall not be construed as prohibiting the
6 parties from mutually agreeing to a clause in a public works contract
7 that requires submission of a dispute arising under the contract to
8 arbitration.

Passed the Senate March 12, 1992.

Passed the House March 11, 1992.

Approved by the Governor April 1, 1992.

Filed in Office of Secretary of State April 1, 1992.