
HOUSE BILL 2112

State of Washington

58th Legislature

2003 Regular Session

By Representatives Haigh, Miloscia and Eickmeyer

Read first time 02/25/2003. Referred to Committee on State Government.

1 AN ACT Relating to alternative public works contracting procedures;
2 amending RCW 39.10.902; adding a new section to chapter 39.10 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The joint legislative audit and review
6 committee shall conduct a study of public works projects built after
7 June 9, 1994, under the general contractor/construction manager
8 procedure authorized by chapter 39.10 RCW. The joint legislative audit
9 and review committee shall report its findings and recommendations to
10 the appropriate standing committees of the legislature by December 31,
11 2003. The study must include:

12 (1) An analysis of the costs and benefits of each government body's
13 use of general contractor/construction manager procedures as opposed to
14 other public works contracting procedures, including the fiscal
15 impacts;

16 (2) An examination of the jurisdictions that used the general
17 contractor/construction manager procedure for a public works project;
18 and

1 (3) An examination of the number, size, and cost of public works
2 projects built using the general contractor/construction manager
3 procedure.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 39.10 RCW
5 to read as follows:

6 (1) An independent oversight committee is established to review the
7 practices and use of the general contractor/construction manager
8 procedures authorized by this chapter for the contracting of public
9 works projects. The committee shall consider the report on general
10 contractor/construction manager procedures to be issued by the joint
11 legislative audit and review committee under section 1 of this act.
12 The committee shall examine the use of general contractor/construction
13 manager procedures in public works projects built after June 9, 1994,
14 and consider recommendations for changes to the procedures.

15 (2) The committee is composed of: Two members of the house of
16 representatives, one from each major caucus, appointed by the speaker
17 of the house of representatives; two members of the senate, one from
18 each major caucus, appointed by the president of the senate;
19 representatives from the appropriate segments of the contracting,
20 subcontracting, and design industries, appointed by the governor;
21 representatives from appropriate labor organizations, appointed by the
22 governor; representatives from public bodies authorized to use the
23 alternative public works contracting procedures under this chapter,
24 appointed by the governor; and a representative from the office of
25 financial management, appointed by the governor. The governor shall
26 consider the recommendations of the established organizations
27 representing the contracting, subcontracting, and design industries and
28 organized labor in making the industry and labor appointments to the
29 committee.

30 (3) The committee shall meet quarterly or more often as the
31 committee deems appropriate, beginning after July 1, 2003. At the
32 first meeting of the committee, a chair or cochairs must be selected
33 from among the committee's membership. Staff support for the committee
34 must be provided by legislative staff.

35 (4) Public bodies utilizing the general contractor/construction
36 manager procedure of public works contracting shall provide any

1 requested information concerning implementation of projects under this
2 chapter to the committee in a timely manner, excepting any trade
3 secrets or proprietary information.

4 (5) The committee shall report to the appropriate standing
5 committees of the legislature by December 10th of every year concerning
6 its findings and recommendations.

7 **Sec. 3.** RCW 39.10.902 and 2002 c 46 s 4 are each amended to read
8 as follows:

9 The following acts or parts of acts, as now existing or hereafter
10 amended, are each repealed, effective July 1, 2007:

- 11 (1) RCW 39.10.010 and 1994 c 132 s 1;
- 12 (2) RCW 39.10.020 and 2001 c 328 s 1, 2000 c 209 s 1, 1997 c 376 s
13 1, & 1994 c 132 s 2;
- 14 (3) RCW 39.10.030 and 1997 c 376 s 2 & 1994 c 132 s 3;
- 15 (4) RCW 39.10.040 and 1994 c 132 s 4;
- 16 (5) RCW 39.10.051 and 2002 c 46 s 1 & 2001 c 328 s 2;
- 17 (6) RCW 39.10.061 and 2002 c 46 s 2 & 2001 c 328 s 3;
- 18 (7) RCW 39.10.065 and 1997 c 376 s 5;
- 19 (8) RCW 39.10.067 and 2002 c 46 s 3 & 2000 c 209 s 3;
- 20 (9) RCW 39.10.070 and 1994 c 132 s 7;
- 21 (10) RCW 39.10.080 and 1994 c 132 s 8;
- 22 (11) RCW 39.10.090 and 1994 c 132 s 9;
- 23 (12) RCW 39.10.100 and 1994 c 132 s 10;
- 24 (13) RCW 39.10.115 and 2001 c 328 s 4 & 2000 c 209 s 4;
- 25 (14) RCW 39.10.--- and 2003 c ... s 2 (section 2 of this act);
- 26 (15) RCW 39.10.900 and 1994 c 132 s 13; and
- 27 (~~(15)~~) (16) RCW 39.10.901 and 1994 c 132 s 14.

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