
HOUSE BILL 2378

State of Washington 60th Legislature 2007 Regular Session

By Representatives Flannigan, Jarrett, Clibborn, Eddy, Seaquist and Roberts

Read first time 03/07/2007. Referred to Committee on Transportation.

1 AN ACT Relating to construction of new vessels for Washington state
2 ferries; adding a new section to chapter 47.60 RCW; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the Washington
6 state ferry system has an excellent safety record and has commenced a
7 long-term vessel procurement plan to ensure the replacement of older
8 and outdated ferry vessels. The legislature further finds that the
9 current vessel procurement process must move forward with all due
10 speed, balancing the interests of both the taxpayers and shipyards.
11 The commencement of construction of new vessels is important not only
12 for safety reasons, but also to keep skilled marine construction jobs
13 in the Puget Sound region and to sustain the capacity of the region to
14 meet the ongoing preservation needs of the ferry system fleet of
15 vessels.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.60 RCW
17 to read as follows:

18 If a single prequalified proposer, or subsequently a single best

1 qualified proposer, emerges from phase one of the competitive,
2 design-build procurement process, the department may negotiate a
3 contract with the proposer. The contract price must be established
4 between the department and the contractor through negotiation based on
5 detailed cost and price information provided by the proposer. To
6 achieve efficiencies the department may negotiate incentives and
7 economic cost sharing between the state and the proposer. In addition
8 to the cost incentives, other incentives may be considered, as
9 determined by the department to be in the best interests of the state.
10 Such incentives may include, but are not limited to, key schedule
11 milestones, technological innovations, performance efficiencies,
12 constructability, and operational value or life-cycle cost.

13 The department shall submit a copy of the contract, the final
14 negotiated price, and supporting information to the office of financial
15 management at least ten days prior to execution of the contract. If
16 the final negotiated price is greater than the legislature's adopted
17 expenditure plan for vessel construction, the department may not
18 execute the contract until the legislature reviews the final proposals
19 and adjusts the expenditure plan accordingly.

20 If the department and the proposer are not able to reach an
21 agreement, the department may republish, revise, or cancel the request
22 for proposals process to serve the best interests of the state.

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