**1695-S AMH CLIB H2190.1 - NOT FOR FLOOR USE**

**SHB 1695** - H AMD **164**

By Representative Clibborn

**ADOPTED 3/11/2015**

Beginning on page 2, line 36, strike all of sections 2 and 3 and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 70.95 RCW to read as follows:

(1) The department of transportation and its implementation partners must collaboratively develop and establish objectives and strategies for the reuse and recycling of construction aggregate and recycled concrete materials. This process must include the development of criteria for the successful and sustainable long-term recycling of construction aggregate and recycled concrete materials in Washington state transportation, roadway, street, highway, and other transportation infrastructure projects.

(2) The department of transportation must, unless construction aggregate and recycled concrete materials are not readily available, specify and annually use a minimum of twenty‑five percent construction aggregate and recycled concrete materials on its cumulative transportation, roadway, street, highway, and other transportation infrastructure projects.

(3)(a) All local governmental entities with a population of one hundred thousand residents or more must, as part of their contracting process, request and accept bids that include the use of construction aggregate and recycled concrete materials for each transportation, roadway, street, highway, or other transportation infrastructure project.

(b) Prior to awarding a contract for a transportation, roadway, street, highway, or other transportation infrastructure project, the local governmental entity must compare the lowest responsible bid proposing to use construction aggregate and recycled concrete materials with the lowest responsible bid not proposing to use construction aggregate and recycled concrete materials, and award the contract to the bidder proposing to use the highest percentage of construction aggregate and recycled concrete materials if that bid is the same as, or less than, a bidder not proposing to use construction aggregate and recycled concrete materials or proposing to use a lower percentage of construction aggregate and recycled concrete materials.

(4) Any local governmental entity with a population of less than one hundred thousand residents must:

(a) Review and determine the capacity for recycling and reuse of construction aggregate and recycled concrete materials for roadway, street, highway, and other transportation infrastructure projects in its jurisdiction;

(b) Establish practical and applicable strategies to recycle and reuse construction aggregate and recycled concrete materials for roadway, street, highway, and other transportation infrastructure projects in its jurisdiction; and

(c) Upon the completion of the review and strategy development, begin implementing the strategies to achieve the recycling and reuse objectives established for its jurisdiction.

(5) The applications and related specification standards for state and local transportation and infrastructure projects that reuse and recycle construction aggregate and recycled concrete materials to be used in the implementation of this section are outlined in the department of transportation's standard specifications for road, bridge, and municipal construction, section 9-03.21, table 9-03.21(1)E.

(6) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Construction aggregate and recycled concrete materials" means reclaimed coarse and fine aggregate cement and concrete mixtures as commonly defined by the American public works association, the federal highway administration, and department of transportation specifications.

(b) "Implementation partners" means local governmental entities and interested Washington-based associations representing the appropriate sectors of the construction industry.

(c) "Local governmental entities" means cities or counties.

NEW SECTION. **Sec.**  A new section is added to chapter 70.95 RCW to read as follows:

(1) The department of transportation, together with its implementation partners, as that term is defined in section 2 of this act, must report annually to the legislature on the implementation of section 2 of this act. The annual report must be submitted to the legislature, consistent with RCW 43.01.036, by January 2nd of each year from 2017 through 2020.

(2) This section expires July 1, 2021.

NEW SECTION. **Sec.**  This act takes effect January 1, 2016."

Correct the title.

EFFECT: Limits the applicability of the mandated minimum percentage of recycled materials to only projects undertaken by the department of transportation, removes the annual increase in the minimum recycled content level, and requires local jurisdictions with 100,000 residents or more to request bids that include recycled materials and award contracts to bidders who include the highest percentage of recycled materials if the cost is the same as or less than other bidders.