

# SENATE BILL REPORT

## ESHB 1844

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As of March 23, 2015

**Title:** An act relating to work performed by state forces on ferry vessels and terminals.

**Brief Description:** Concerning work performed by state forces on ferry vessels and terminals.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Moscoso, Kochmar, Clibborn, Fey, Appleton, Ortiz-Self and Tarleton).

**Brief History:** Passed House: 3/10/15, 98-0.

**Committee Activity:** Transportation: 3/23/15.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Hayley Gamble (786-7452)

**Background:** The Washington State Ferries (WSF) division of the Washington State Department of Transportation (WSDOT) operates and maintains ferry vessels and terminals, constructs terminals, and acquires vessels. The system serves eight Washington counties and one Canadian province through 23 vessels and 20 terminals.

Current law limits the dollar amount of state highway work that WSDOT may complete using state workers to \$60,000. Anything above this amount must be contracted out. The ferry system is considered part of the state highway system and is also subject to this requirement; however, the 2013-15 transportation budget provided a temporary increase for ferry vessel and terminal work that may be completed by state works to \$120,000. This temporary increase expires in June 2015.

Since 2010 the Legislature has provided several temporary increases to the dollar threshold for completing work on ferry vessels and terminals using state workers to \$120,000.

**Summary of Bill:** The dollar threshold for work that may be performed on ferry vessels and terminals by state forces is permanently increased to \$240,000. Prior to using state forces on work between \$120,000 and \$240,000 in value, WSDOT must first contact contractors on their Small Works Roster to gauge their interest and availability to do the work. The contractors have 72 hours to respond to WSDOT. If any contractor is interested and capable to do the work, WSDOT must follow the Small Works Roster procedures. If no qualified contractors respond with interest and availability, WSDOT may use state forces to perform

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the work. Additionally, if the Secretary of Transportation determines that the work to be completed is an emergency, then WSDOT procedures governing emergencies apply.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:** PRO: This bill would give contractors the option to do work within the threshold, otherwise it would be completed by state workers. The small works roster helps veterans and minority and women's businesses. This would raise the limit on the small works roster from \$100,000 to \$240,000. The state can still bid this work out if they are unable to do it.

CON: We would like this work to be completed by the private sector. This work is the bread and butter work of the private sector.

**Persons Testifying:** PRO: Representative Moscoso, prime sponsor; Gordon Baxter, Puget Sound Metal Trades Council.

CON: Larry Stevens, National Electrical Contractors Assn., Mechanical Contractors Assn.

**Persons Signed in to Testify But Not Testifying:** No one.