

SSB 5333 - S AMD 314
By Senator Keiser

NOT CONSIDERED 04/26/2021

1 On page 2, line 9, after "(iii)" insert "The liquidated damages
2 and equitable adjustments paid by a contractee for claims made
3 pursuant to (b)(i) of this subsection may not exceed \$500,000 per
4 contract.

5 (iv) (b)(i) of this subsection does not apply to any claim made
6 on a public works contract administered by the department of
7 transportation after the funds appropriated in section 2(1) of this
8 act have been expended or the department of enterprise services after
9 the funds appropriated in section 2(2) of this act have been
10 expended.

11 (v)"

12 On page 2, after line 17, insert the following:

13 "NEW SECTION. Sec. 2. (1) The sum of \$5,000,000 is appropriated
14 for the fiscal year ending June 30, 2022, from the motor vehicle fund
15 to the department of transportation for the purposes of paying claims
16 made on public works contracts pursuant to section 1 of this act.

17 (2) The sum of \$5,000,000 is appropriated for the fiscal year
18 ending June 30, 2022, from the state building construction fund to
19 the department of enterprise services for the purposes of paying
20 claims made on public works contracts pursuant to section 1 of this
21 act."

22 Renumber the remaining section consecutively and correct any
23 internal references accordingly.

24 On page 2, after line 21, insert the following:

25 "NEW SECTION. Sec. 3. (1) This act expires upon the expiration
26 or termination of proclamation 20-05, and any subsequent orders
27 extending or amending the proclamation, declaring a state of
28 emergency on February 29, 2020, for all counties in Washington due to
29 COVID-19.

1 (2) The governor must provide written notice of the expiration or
2 termination of proclamation 20-05, and any subsequent orders
3 extending or amending the proclamation, and the expiration date of
4 this act, to the chief clerk of the house of representatives, the
5 secretary of the senate, the office of the code reviser, and others
6 as deemed appropriate by the governor."

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7 On page 1, line 3 of the title, after "4.24.360;" insert "making
8 appropriations; providing a contingent expiration date;"

EFFECT: Limits the total amount of liquidated damages and equitable adjustments made under the bill to \$500,000 per contract. Appropriates \$5,000,000 to both the department of enterprise services (DES) and the department of transportation (DOT) for the purposes of paying claims made pursuant to the bill. Provides that the bill does not apply to claims made on DES and DOT contracts after the funds appropriated have been expended. Expires the act upon the expiration of the governor's proclamation declaring a state of emergency for COVID-19.

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