

HOUSE BILL REPORT

HB 1054

As Passed Legislature

Title: An act relating to county ferry maintenance and repair contracts.

Brief Description: Concerning county ferry maintenance and repair contracts.

Sponsors: Representatives Leavitt, Ramel, Paul, Shavers, Bronoske, Timmons, Nance and Berg.

Brief History:

Committee Activity:

Local Government: 1/17/25, 1/24/25 [DP].

Floor Activity:

Passed House: 2/12/25, 95-0.

Passed Senate: 4/2/25, 48-1.

Passed Legislature.

Brief Summary of Bill

- Allows a unit priced contract for county ferry maintenance or repair to extend for a term of up to 10 years.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Duerr, Chair; Parshley, Vice Chair; Klicker, Ranking Minority Member; Stuebe, Assistant Ranking Minority Member; Griffey, Hunt and Zahn.

Staff: Kellen Wright (786-7134).

Background:

Counties may construct, purchase, condemn, operate, and maintain ferries or wharves, and

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

the related boats, ground, roads, approaches, and landings, at any unfordable stream, lake, estuary, or bay that is within the county, bordering the county, between portions of the county, or between the county and another county. County ferries are controlled by the county commissioners, who may determine whether the use of a ferry or wharf is free or requires the payment of a toll. Alternatively, a county legislative authority may instead create a county ferry district to operate its ferry system, with the members of the county legislative authority acting as the governing body of the ferry district.

Public work includes any construction, alteration, repair, or improvement, other than ordinary maintenance, that is paid for by a government entity other than certain special purpose districts. With some exceptions, contracts involving public works generally have to be awarded to the lowest responsible bidder for the contract. Depending on the contracting entity and the value of the project, less stringent bidding processes may also be available, including the use of small works rosters or other less formal bidding procedures.

A unit priced contract is a competitively bid contract for recurring public work in which a contractor agrees to an indefinite quantity and frequency of work, with payment based on a defined hourly rate or price for each unit of work completed during a set period. For example, a unit priced contract for concrete might include a set price for each cubic foot of concrete that is poured during the term of the contract. Counties may utilize unit priced contracts when contracting for public works. A unit priced contract cannot be for a term of more than one year, with a county-option to renew the contract for an additional year.

Summary of Bill:

A unit priced contract for the maintenance or repair of a ferry owned by a county ferry or county ferry district may be for a term of up to 10 years.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The county ferry system is distinct from the state ferry system. Four counties operate ferries, which are used by working class people as the only way to get on or off an island. People can be stranded when the ferries are not functioning, with children unable to go to or return from school, and others unable to get medical help. Students, families, workers, and others all rely on the ferry system. If the ferries are not working, they need to rely on generosity of private vessels or on the assistance of other government entities. This bill does not circumvent the public works process or laws that allow women and minority-

owned businesses to compete, but it does help ensure the counties have the ability to get repairs made quickly and keep the ferries working by extending the allowable length of contracts that go through the existing public bidding requirements. This allows counties to be proactive in scheduling and allows more ability to contract for the limited drydock space available. Currently, counties usually have to just take whatever is available and generally pay overmarket rate for drydock maintenance, and this would give the counties a little more leverage to get better rates. Ferries fail because of a lack of maintenance and an inability to schedule with contractors. This bill supports maintaining safe ferries. Bidding on a one-off contract may not be worth it, so the longer contracts are needed to be able to get bidders. Numerous stakeholders support this bill.

(Opposed) None.

Persons Testifying: Representative Mari Leavitt, prime sponsor; Jani Hitchen, Pierce County Council; Michael Shaw, Pierce County; and Jeremy Kamel, Anderson Island Citizens Advisory Board.

Persons Signed In To Testify But Not Testifying: None.