

---

**SUBSTITUTE HOUSE BILL 2108**

---

**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Transportation Policy & Budget (originally sponsored by Representatives K. Schmidt, Mitchell, Hankins and Radcliff)

Read first time 04/15/97.

1 AN ACT Relating to jumbo ferry construction; adding new sections to  
2 chapter 47.60 RCW; creating a new section; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a  
5 compelling need for the construction of a fourth Jumbo Mark II Class  
6 ferry vessel. The long-range travel demand for trips from Central and  
7 North Kitsap Peninsula to the Seattle and Edmonds mainland ferry  
8 terminals indicate a one hundred twenty-two percent forecast increase  
9 in peak travel demand over the next twenty years between the hours of  
10 3:00 p.m. and 7:00 p.m. In order to support the economic growth of the  
11 Puget Sound region and meet the forecasted citizen cross-sound travel  
12 demand, the Washington state ferry system must provide reliable ferry  
13 vessel operations that cannot be maintained with the existing aging  
14 super class ferry capacity. The legislature further finds that: The  
15 present construction of three Jumbo Mark II ferries has resulted in the  
16 development of procedures, methods, and knowledge that will result in  
17 cost savings and efficiencies in the construction of a fourth vessel;  
18 it is essential for the welfare of the state's citizens and the  
19 Washington state economy to reap the benefits of such cost savings,

1 procedures, and efficiencies that can be achieved by utilizing existing  
2 agreements and contracts for supplying equipment and construction.

3 (2) It is the intent of this act to procure, to the extent  
4 possible, a similar vessel to that of the three Jumbo Mark II Class  
5 vessels under construction by utilizing the existing agreements,  
6 contracts, methods, equipment, and techniques.

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

9 Notwithstanding any other provision of law, the department may  
10 enter into agreements amending existing contracts and agreements for  
11 the construction and equipping of three Jumbo Mark II Class ferry  
12 vessels providing for the construction and acquisition of a fourth  
13 Jumbo Mark II Class ferry. A fourth Jumbo Mark II Class ferry  
14 constructed pursuant to the amendment of existing contracts and  
15 agreements shall be of comparable quality and design as, and shall  
16 incorporate like controls, engines, and a propulsion system utilized in  
17 the three Jumbo Mark II Class ferries presently under construction in  
18 order to promote maximum commonality with those vessels.

19 The authority to enter into such agreements is contingent on:

20 (1) A legislative appropriation authorizing the construction and  
21 equipping of a fourth Jumbo Mark II Class ferry under a fixed price  
22 contract; and

23 (2) Confirmation by the independent audit required under section 4  
24 of this act, that the amount appropriated by the legislature for the  
25 construction of a fourth Jumbo Mark II Class ferry is the true and fair  
26 price for such a vessel.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.60 RCW  
28 to read as follows:

29 In accomplishing the construction of a fourth Jumbo Mark II Class  
30 ferry, the department shall include in any amendments for the  
31 construction of the vessel the following provisions:

32 (1) A requirement that contractors comply with applicable laws,  
33 rules, and regulations including, but not limited to, those pertaining  
34 to the environment, worker health and safety, and prevailing wages;

35 (2) A requirement that the ferry will be constructed within the  
36 boundaries of the state of Washington except that equipment furnished  
37 by the state and components, products, and systems that are standard

1 manufactured items are not subject to the in-state requirement under  
2 this subsection. For the purposes of this section, "constructed" means  
3 the fabrication, by the joining together by welding or fastening of all  
4 steel parts from which the total vessel is constructed, including, but  
5 not limited to, all shell frames, longitudinals, bulkheads, webs,  
6 piping runs, wire ways, and ducting. "Constructed" also means the  
7 installation of all components and systems, as required by the  
8 contract, including, but not limited to, equipment, machinery,  
9 castings, electrical, electronics, deck covering, lining, paint, and  
10 joiner work. "Constructed" also means the interconnection of all  
11 equipment, machinery, and services, such as piping, wiring, and  
12 ducting;

13 (3) A requirement that all warranty work on the vessel be performed  
14 within the boundaries of the state of Washington, insofar as  
15 practicable;

16 (4) A requirement that construction of the vessel occur under a  
17 fixed price contract and within the appropriation amount established by  
18 the fifty-fifth Washington state legislature in the 1997-99  
19 transportation budget;

20 (5) A requirement for sufficient surety bonds to ensure the  
21 performance of all provisions of the amended contract and pay all  
22 laborers, mechanics, subcontractors, and materialmen, and all persons  
23 who supply such person or persons, or subcontractors, with provisions  
24 and supplies for the carrying on of such work; and

25 (6) Such other requirements that are mandated by state or federal  
26 law, as well as any requirements that are reasonably calculated to  
27 accomplish the purpose of section 2 of this act and this section.

28 NEW SECTION. **Sec. 4.** The legislative transportation committee  
29 shall contract for an independent review, evaluation, and verification  
30 of costs associated with the construction of the Jumbo Mark II Class  
31 ferry vessels authorized under chapter 47.60 RCW, including, but not  
32 limited to, material and total labor hours and weighted labor rate  
33 cost. The independent review and verification of costs shall be  
34 completed no later than August 1, 1997.

35 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
36 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect  
2 immediately.

--- END ---