
ENGROSSED SUBSTITUTE SENATE BILL 5060

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on State & Local Government (originally sponsored by Senators Winsley and Patterson)

READ FIRST TIME 03/05/01.

1 AN ACT Relating to alternative public works contracting procedures;
2 amending RCW 39.10.010, 39.10.020, 39.10.050, 39.10.110, 39.10.115, and
3 39.10.902; amending 2000 c 138 s 106 (uncodified); reenacting and
4 amending RCW 39.10.060 and 39.10.120; providing an effective date; and
5 declaring an emergency.

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

7 **Sec. 1.** RCW 39.10.010 and 1994 c 132 s 1 are each amended to read
8 as follows:

9 The legislature finds that the traditional process of awarding
10 public works contracts in lump sum to the lowest responsible bidder is
11 a fair and objective method of selecting a contractor. However, under
12 certain circumstances, alternative public works contracting procedures
13 may best serve the public interest if such procedures are implemented
14 in an open and fair process based on objective and equitable criteria.
15 The purpose of this chapter is to authorize the use of certain
16 supplemental alternative public works contracting procedures by state
17 agencies and (~~large~~) municipalities under limited circumstances, to
18 prescribe appropriate requirements to ensure that such contracting

1 procedures serve the public interest, and to establish a process for
2 evaluation of such contracting procedures.

3 **Sec. 2.** RCW 39.10.020 and 2000 c 209 s 1 are each amended to read
4 as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Alternative public works contracting procedure" means the
8 design-build and the general contractor/construction manager
9 contracting procedures authorized in RCW 39.10.050 and 39.10.060,
10 respectively.

11 (2) "Public body" means the state department of general
12 administration; the University of Washington; Washington State
13 University; Central Washington University; Eastern Washington
14 University; Western Washington University; The Evergreen State College;
15 every city with a population greater than ~~((one hundred fifty))~~ seventy
16 thousand and any public authority chartered by such city under RCW
17 35.21.730 through 35.21.755 and specifically authorized as provided in
18 RCW 39.10.120(4); ~~((every city authorized to use the design-build~~
19 ~~procedure for a water system demonstration project under RCW~~
20 ~~39.10.065(3);))~~ every county with a population greater than ~~((four))~~
21 three hundred ~~((fifty))~~ thousand; every port district with ~~((a~~
22 ~~population))~~ total revenues greater than ~~((five hundred thousand))~~
23 fifteen million dollars per year; every public utility district with
24 revenues from energy sales greater than sixty-five million dollars per
25 year; and those school districts proposing projects that are considered
26 and approved by the school district project review board under RCW
27 39.10.115.

28 (3) "Public works project" means any work for a public body within
29 the definition of the term public work in RCW 39.04.010.

30 **Sec. 3.** RCW 39.10.050 and 1997 c 376 s 3 are each amended to read
31 as follows:

32 (1) Notwithstanding any other provision of law, and after complying
33 with RCW 39.10.030, the following public bodies may utilize the design-
34 build procedure of public works contracting for public works projects
35 authorized under this section: The state department of general
36 administration; the University of Washington; Washington State
37 University; Central Washington University; Eastern Washington

1 University; Western Washington University; The Evergreen State College;
2 every city with a population greater than ((one hundred fifty)) seventy
3 thousand and any public authority chartered by such city under RCW
4 35.21.730 through 35.21.755 and specifically authorized as provided in
5 RCW 39.10.120(4); every county with a population greater than ((four))
6 three hundred ((fifty)) thousand; ((and)) every port district with ((a
7 population)) total revenues greater than ((five hundred thousand))
8 fifteen million dollars per year; and every public utility district
9 with revenues from energy sales greater than sixty-five million dollars
10 per year. The authority granted to port districts in this section is
11 in addition to and does not affect existing contracting authority under
12 RCW 53.08.120 and 53.08.130. The authority granted to public utility
13 districts in this section and in RCW 39.10.060 is in addition to and
14 does not affect existing contracting authority under chapter 54.04 RCW.
15 For the purposes of this section, "design-build procedure" means a
16 contract between a public body and another party in which the party
17 agrees to both design and build the facility, portion of the facility,
18 or other item specified in the contract.

19 (2) Public bodies authorized under this section may utilize the
20 design-build procedure for public works projects valued over ((ten))
21 twelve million dollars, or on and after January 1, 2010, valued over
22 sixteen million dollars, where:

23 (a) The construction activities or technologies to be used are
24 highly specialized and a design-build approach is critical in
25 developing the construction methodology or implementing the proposed
26 technology; or

27 (b) The project design is repetitive in nature and is an incidental
28 part of the installation or construction; or

29 (c) Regular interaction with and feedback from facilities users and
30 operators during design is not critical to an effective facility
31 design.

32 (3) Public bodies authorized under this section may also use the
33 design-build procedure for the following projects that meet the
34 criteria in subsection (2)(b) and (c) of this section:

35 (a) The construction or erection of preengineered metal buildings
36 or prefabricated modular buildings, regardless of cost; or

37 (b) The construction of new student housing projects valued over
38 five million dollars.

1 (4) Contracts for design-build services shall be awarded through a
2 competitive process utilizing public solicitation of proposals for
3 design-build services. The public body shall publish at least once in
4 a legal newspaper of general circulation published in or as near as
5 possible to that part of the county in which the public work will be
6 done, a notice of its request for proposals for design-build services
7 and the availability and location of the request for proposal
8 documents. The request for proposal documents shall include:

9 (a) A detailed description of the project including programmatic,
10 performance, and technical requirements and specifications, functional
11 and operational elements, minimum and maximum net and gross areas of
12 any building, and, at the discretion of the public body, preliminary
13 engineering and architectural drawings;

14 (b) The reasons for using the design-build procedure;

15 (c) A description of the qualifications to be required of the
16 proposer including, but not limited to, submission of the proposer's
17 accident prevention program;

18 (d) A description of the process the public body will use to
19 evaluate qualifications and proposals, including evaluation factors and
20 the relative weight of factors. Evaluation factors shall include, but
21 not be limited to: Proposal price; ability of professional personnel;
22 past performance on similar projects; ability to meet time and budget
23 requirements; ability to provide a performance and payment bond for the
24 project; recent, current, and projected work loads of the firm;
25 location; and the concept of the proposal;

26 (e) The form of the contract to be awarded;

27 (f) The maximum allowable construction cost and minority and women
28 enterprise total project goals;

29 (g) The amount to be paid to finalists submitting best and final
30 proposals who are not awarded a design-build contract; and

31 (h) Other information relevant to the project.

32 (5) The public body shall establish a committee to evaluate the
33 proposals based on the factors, weighting, and process identified in
34 the request for proposals. Based on its evaluation, the public body
35 shall select not fewer than three nor more than five finalists to
36 submit best and final proposals. The public body may, in its sole
37 discretion, reject all proposals. Design-build contracts shall be
38 awarded using the procedures in (a) or (b) of this subsection.

1 (a) Best and final proposals shall be evaluated and scored based on
2 the factors, weighting, and process identified in the initial request
3 for proposals. The public body may score the proposals using a system
4 that measures the quality and technical merits of the proposal on a
5 unit price basis. Final proposals may not be considered if the
6 proposal cost is greater than the maximum allowable construction cost
7 identified in the initial request for proposals. The public body shall
8 initiate negotiations with the firm submitting the highest scored best
9 and final proposal. If the public body is unable to execute a contract
10 with the firm submitting the highest scored best and final proposal,
11 negotiations with that firm may be suspended or terminated and the
12 public body may proceed to negotiate with the next highest scored firm.
13 Public bodies shall continue in accordance with this procedure until a
14 contract agreement is reached or the selection process is terminated.

15 (b) If the public body determines that all finalists are capable of
16 producing plans and specifications that adequately meet project
17 requirements, the public body may award the contract to the firm that
18 submits the responsive best and final proposal with the lowest price.

19 (6) The firm awarded the contract shall provide a performance and
20 payment bond for the contracted amount. The public body shall provide
21 appropriate honorarium payments to finalists submitting best and final
22 proposals who are not awarded a design-build contract. Honorarium
23 payments shall be sufficient to generate meaningful competition among
24 potential proposers on design-build projects.

25 **Sec. 4.** RCW 39.10.060 and 2000 c 209 s 2 and 2000 c 194 s 1 are
26 each reenacted and amended to read as follows:

27 (1) Notwithstanding any other provision of law, and after complying
28 with RCW 39.10.030, ~~((the following))~~ a public ~~((bodies))~~ body may
29 utilize the general contractor/construction manager procedure of public
30 works contracting for public works projects authorized under subsection
31 (2) of this section~~((: The state department of general administration;
32 the University of Washington; Washington State University; every city
33 with a population greater than one hundred fifty thousand; every county
34 with a population greater than four hundred fifty thousand; every port
35 district with a population greater than five hundred thousand; and
36 those school districts proposing projects that are considered and
37 approved by the school district project review board under RCW
38 39.10.115))~~). For the purposes of this section, "general

1 contractor/construction manager" means a firm with which a public body
2 has selected and negotiated a maximum allowable construction cost to be
3 guaranteed by the firm, after competitive selection through formal
4 advertisement and competitive bids, to provide services during the
5 design phase that may include life-cycle cost design considerations,
6 value engineering, scheduling, cost estimating, constructability,
7 alternative construction options for cost savings, and sequencing of
8 work, and to act as the construction manager and general contractor
9 during the construction phase.

10 (2) Except those school districts proposing projects that are
11 considered and approved by the school district project review board,
12 public bodies authorized under this section may utilize the general
13 contractor/construction manager procedure for public works projects
14 valued over ~~((ten))~~ twelve million dollars, or on and after January 1,
15 2010, valued over sixteen million dollars, where:

16 (a) Implementation of the project involves complex scheduling
17 requirements; or

18 (b) The project involves construction at an existing facility which
19 must continue to operate during construction; or

20 (c) The involvement of the general contractor/construction manager
21 during the design stage is critical to the success of the project.

22 (3) Public bodies should select general contractor/construction
23 managers early in the life of public works projects, and in most
24 situations no later than the completion of schematic design.

25 (4) Contracts for the services of a general contractor/construction
26 manager under this section shall be awarded through a competitive
27 process requiring the public solicitation of proposals for general
28 contractor/construction manager services. The public solicitation of
29 proposals shall include: A description of the project, including
30 programmatic, performance, and technical requirements and
31 specifications when available; the reasons for using the general
32 contractor/construction manager procedure; a description of the
33 qualifications to be required of the proposer, including submission of
34 the proposer's accident prevention program; a description of the
35 process the public body will use to evaluate qualifications and
36 proposals, including evaluation factors and the relative weight of
37 factors; the form of the contract to be awarded; the estimated maximum
38 allowable construction cost; minority and women business enterprise
39 total project goals, where applicable; and the bid instructions to be

1 used by the general contractor/construction manager finalists.
2 Evaluation factors shall include, but not be limited to: Ability of
3 professional personnel, past performance in negotiated and complex
4 projects, and ability to meet time and budget requirements; the scope
5 of work the general contractor/construction manager proposes to self-
6 perform and its ability to perform it; location; recent, current, and
7 projected work loads of the firm; and the concept of their proposal.
8 A public body shall establish a committee to evaluate the proposals.
9 After the committee has selected the most qualified finalists, these
10 finalists shall submit final proposals, including sealed bids for the
11 percent fee, which is the percentage amount to be earned by the general
12 contractor/construction manager as overhead and profit, on the
13 estimated maximum allowable construction cost and the fixed amount for
14 the detailed specified general conditions work. The public body shall
15 select the firm submitting the highest scored final proposal using the
16 evaluation factors and the relative weight of factors published in the
17 public solicitation of proposals.

18 (5) The maximum allowable construction cost may be negotiated
19 between the public body and the selected firm after the scope of the
20 project is adequately determined to establish a guaranteed contract
21 cost for which the general contractor/construction manager will provide
22 a performance and payment bond. The guaranteed contract cost includes
23 the fixed amount for the detailed specified general conditions work,
24 the negotiated maximum allowable construction cost, the percent fee on
25 the negotiated maximum allowable construction cost, and sales tax. If
26 the public body is unable to negotiate a satisfactory maximum allowable
27 construction cost with the firm selected that the public body
28 determines to be fair, reasonable, and within the available funds,
29 negotiations with that firm shall be formally terminated and the public
30 body shall negotiate with the next highest scored firm and continue
31 until an agreement is reached or the process is terminated. If the
32 maximum allowable construction cost varies more than fifteen percent
33 from the bid estimated maximum allowable construction cost due to
34 requested and approved changes in the scope by the public body, the
35 percent fee shall be renegotiated.

36 (6) All subcontract work shall be competitively bid with public bid
37 openings. Subcontract work shall not be issued for bid until the
38 public body has approved, in consultation with the office of minority
39 and women's business enterprises or the equivalent local agency, a plan

1 prepared by the general contractor/construction manager for attaining
2 applicable minority and women business enterprise total project goals
3 that equitably spreads women and minority enterprise opportunities to
4 as many firms in as many bid packages as is practicable. When critical
5 to the successful completion of a subcontractor bid package and after
6 publication of notice of intent to determine bidder eligibility in a
7 legal newspaper of general circulation published in or as near as
8 possible to that part of the county in which the public work will be
9 done at least twenty days before requesting qualifications from
10 interested subcontract bidders, the owner and general
11 contractor/construction manager may ~~((evaluate for))~~ determine
12 subcontractor bidding eligibility ((a subcontractor's ability, time,
13 budget, and specification requirements based on the subcontractor's
14 performance of those items on previous projects)) using the following
15 evaluation criteria:

16 (a) Adequate financial resources or the ability to secure such
17 resources;

18 (b) History of successful completion of a contract of similar type
19 and scope;

20 (c) Project management and project supervision personnel with
21 experience on similar projects and the availability of such personnel
22 for the project;

23 (d) Current and projected workload and the impact the project will
24 have on the subcontractor's current and projected workload;

25 (e) Ability to accurately estimate the subcontract bid package
26 scope of work;

27 (f) Ability to meet subcontract bid package shop drawing and other
28 coordination procedures;

29 (g) Eligibility to receive an award under applicable laws and
30 regulations; and

31 (h) Ability to meet subcontract bid package scheduling
32 requirements.

33 The owner and general contractor/construction manager shall weigh
34 the evaluation criteria and determine a minimum acceptable score to be
35 considered an eligible subcontract bidder.

36 After publication of notice of intent to determine bidder
37 eligibility, subcontractors requesting eligibility shall be provided
38 the evaluation criteria and weighting to be used by the owner and
39 general contractor/construction manager to determine eligible

1 subcontract bidders. After the owner and general
2 contractor/construction manager determine eligible subcontract bidders,
3 subcontractors requesting eligibility shall be provided the results and
4 scoring of the subcontract bidder eligibility determination.

5 Subcontract bid packages shall be awarded to the responsible bidder
6 submitting the low responsive bid. The requirements of RCW 39.30.060
7 apply to each subcontract bid package. All subcontractors who bid work
8 over three hundred thousand dollars shall post a bid bond and all
9 subcontractors who are awarded a contract over three hundred thousand
10 dollars shall provide a performance and payment bond for their contract
11 amount. All other subcontractors shall provide a performance and
12 payment bond if required by the general contractor/construction
13 manager. A low bidder who claims error and fails to enter into a
14 contract is prohibited from bidding on the same project if a second or
15 subsequent call for bids is made for the project. Except as provided
16 for under subsection (7) of this section, bidding on subcontract work
17 by the general contractor/construction manager or its subsidiaries is
18 prohibited. The general contractor/construction manager may negotiate
19 with the low-responsive bidder in accordance with RCW 39.10.080 or, if
20 unsuccessful in such negotiations, rebid.

21 (7) The general contractor/construction manager, or its
22 subsidiaries, may bid on subcontract work if:

23 (a) The work within the subcontract bid package is customarily
24 performed by the general contractor/construction manager;

25 (b) The bid opening is managed by the public body; and

26 (c) Notification of the general contractor/construction manager's
27 intention to bid is included in the public solicitation of bids for the
28 bid package.

29 In no event may the value of subcontract work performed by the
30 general contractor/construction manager exceed thirty percent of the
31 negotiated maximum allowable construction cost.

32 (8) A public body may include an incentive clause in any contract
33 awarded under this section for savings of either time or cost or both
34 from that originally negotiated. No incentives granted may exceed five
35 percent of the maximum allowable construction cost. If the project is
36 completed for less than the agreed upon maximum allowable construction
37 cost, any savings not otherwise negotiated as part of an incentive
38 clause shall accrue to the public body. If the project is completed
39 for more than the agreed upon maximum allowable construction cost,

1 excepting increases due to any contract change orders approved by the
2 public body, the additional cost shall be the responsibility of the
3 general contractor/construction manager.

4 **Sec. 5.** RCW 39.10.110 and 1997 c 376 s 6 are each amended to read
5 as follows:

6 (1) There is established a (~~temporary independent oversight~~)
7 public works procurement committee to review the utilization of the
8 alternative public works contracting procedures authorized under this
9 chapter, to evaluate potential future utilization of other alternative
10 contracting procedures, including, but not limited to, contractor
11 prequalification, and, if desired by the committee, to review
12 traditional public works contracting procedures used by state agencies
13 and municipalities. The committee shall also pursue the development of
14 a mentoring program for expansion of the authorities in this chapter to
15 other public bodies. The membership of the committee shall include:
16 Two members of the house of representatives, one from each major
17 caucus, appointed by the speaker of the house of representatives; two
18 members of the senate, one from each major caucus, appointed by the
19 president of the senate; representatives from the appropriate segments
20 of the construction, contracting, subcontracting, and design
21 industries, appointed by the governor; representatives from appropriate
22 labor organizations, appointed by the governor; representatives from
23 public bodies authorized to use the alternative public works
24 contracting procedures under this chapter, appointed by the governor;
25 a representative from the office of minority and women's business
26 enterprises, appointed by the governor; and a representative from the
27 office of financial management, appointed by the governor. The
28 governor shall maintain a balance between representatives from public
29 agencies and the private sector when appointing members to the
30 committee, and shall consider the recommendations of the established
31 organizations representing the construction, contracting,
32 subcontracting, and design industries and organized labor in making the
33 industry and labor appointments.

34 (2) (~~The committee shall meet beginning after July 1, 1994.~~) A
35 chair or cochairs shall be selected from among the committee's
36 membership. Staff support for the committee shall be provided by the
37 agencies and organizations represented on the committee.

1 (3) Public bodies utilizing the alternative contracting procedures
2 authorized under this chapter shall provide any requested information
3 concerning implementation of projects under this chapter to the
4 committee in a timely manner, excepting any trade secrets or
5 proprietary information.

6 (4) The committee shall report to the appropriate standing
7 committees of the legislature by December (~~(10, 2000,)~~) 10th of each
8 year concerning its findings and recommendations.

9 **Sec. 6.** 2000 c 138 s 106 (uncodified) is amended to read as
10 follows:

11 A report on the use of the small works roster shall be made to the
12 (~~(independent—oversight))~~ public works procurement committee
13 established under RCW 39.10.110 prior to the 2003 legislative session.

14 **Sec. 7.** RCW 39.10.115 and 2000 c 209 s 4 are each amended to read
15 as follows:

16 (1) The school district project review board is established to
17 review school district proposals submitted by school districts to use
18 alternative public works contracting procedures. The board shall
19 select and approve qualified projects based upon an evaluation of the
20 information submitted by the school district under subsection (2) of
21 this section. The membership of the board shall be selected by the
22 (~~(independent—oversight))~~ public works procurement committee as
23 established under RCW 39.10.110 and shall include the following
24 representatives, each having experience with public works or commercial
25 construction: One representative from the office of the superintendent
26 of public instruction; one representative from the office of financial
27 management; two representatives from the construction industry, one of
28 whom works for a construction company with gross annual revenues of
29 twenty million dollars or less; one representative from the specialty
30 contracting industry; one representative from organized labor; one
31 representative from the design industry; one representative from a
32 public body previously authorized under this chapter to use an
33 alternative public works contracting procedure who has experience using
34 such alternative contracting procedures; one representative from school
35 districts with ten thousand or more annual average full-time equivalent
36 pupils; and one representative from school districts with fewer than
37 ten thousand average full-time equivalent pupils. Each member shall be

1 appointed for a term of three years, with the first three-year term
2 commencing after June 8, 2000. Any member of the school district
3 project review board who is directly affiliated with any applicant
4 before the board must recuse him or herself from consideration of the
5 application.

6 (2) A school district seeking to use alternative contracting
7 procedures authorized under this chapter shall file an application with
8 the school district project review board. The application form shall
9 require the district to submit a detailed statement of the proposed
10 project, including the school district's name; student population based
11 upon October full-time equivalents; the current projected total budget
12 for the project, including the estimated construction costs, costs for
13 professional services, equipment and furnishing costs, off-site costs,
14 contract administration costs, and other related project costs; the
15 anticipated project design and construction schedule; a summary of the
16 school district's construction activity for the preceding six years;
17 and an explanation of why the school district believes the use of an
18 alternative contracting procedure is in the public interest and why the
19 school district is qualified to use an alternative contracting
20 procedure, including a summary of the relevant experience of the school
21 district's management team. The applicant shall also provide in a
22 timely manner any other information concerning implementation of
23 projects under this chapter requested by the school district project
24 review board to assist in its consideration.

25 (3) Any school district whose application is approved by the school
26 district project review board shall comply with the public notification
27 and review requirements in RCW 39.10.030.

28 (4) Any school district whose application is approved by the school
29 district project review board shall not use as an evaluation factor
30 whether a contractor submitting a bid for the approved project has had
31 prior general contractor/construction manager procedure experience.

32 (5) The school district project review board shall prepare and
33 issue a report reviewing the use of the alternative public works
34 contracting procedures by school districts. The board shall report to
35 the ~~((independent oversight))~~ public works procurement committee at
36 least sixty days before the ~~((oversight))~~ committee is required to
37 report to the legislature under RCW 39.10.110(4).

1 **Sec. 8.** RCW 39.10.120 and 1997 c 376 s 7 and 1997 c 220 s 404 are
2 each reenacted and amended to read as follows:

3 (1) Except as provided in subsections (2) and (3) of this section,
4 the alternative public works contracting procedures authorized under
5 this chapter are limited to public works contracts signed before July
6 1, (~~2001~~) 2007. Methods of public works contracting authorized by
7 RCW 39.10.050 and 39.10.060 shall remain in full force and effect until
8 completion of contracts signed before July 1, (~~2001~~) 2007.

9 (2) For the purposes of a baseball stadium as defined in RCW
10 82.14.0485, the design-build contracting procedures under RCW 39.10.050
11 shall remain in full force and effect until completion of contracts
12 signed before December 31, 1997.

13 (3) For the purposes of a stadium and exhibition center, as defined
14 in RCW 36.102.010, the design-build contracting procedures under RCW
15 39.10.050 shall remain in full force and effect until completion of
16 contracts signed before December 31, 2002.

17 (4) A public authority chartered by a city that is a public body
18 may utilize an alternative public works contracting procedure under
19 this chapter only after receiving specific authorization on a project-
20 by-project basis from the governing body of the city. For purposes of
21 public authorities authorized to use alternative public works
22 contracting procedures under this chapter, the city chartering any such
23 public authority shall itself comply with RCW 39.10.030 on behalf of
24 the public authority.

25 **Sec. 9.** RCW 39.10.902 and 1997 c 376 s 8 are each amended to read
26 as follows:

27 The following acts or parts of acts, as now existing or hereafter
28 amended, are each repealed, effective July 1, (~~2001~~) 2007:

29 (1) RCW 39.10.010 and section 1 of this act & 1994 c 132 s 1;

30 (2) RCW 39.10.020 and section 2 of this act, 2000 c 209 s 1, 1997
31 c 376 s 1, & 1994 c 132 s 2;

32 (3) RCW 39.10.030 and 1997 c 376 s 2 & 1994 c 132 s 3;

33 (4) RCW 39.10.040 and 1994 c 132 s 4;

34 (5) RCW 39.10.050 and section 3 of this act, 1997 c 376 s 3, & 1994
35 c 132 s 5;

36 (6) RCW 39.10.060 and section 4 of this act, 2000 c 209 s 2, 2000
37 c 194 s 1, 1997 c 376 s 4, 1996 c 18 s 6, & 1994 c 132 s 6;

38 (7) RCW 39.10.065 and 1997 c 376 s 5;

1 (8) RCW 39.10.067 and 2000 c 209 s 3;
2 (9) RCW 39.10.070 and 1994 c 132 s 7;
3 (~~(9)~~) (10) RCW 39.10.080 and 1994 c 132 s 8;
4 (~~(10)~~) (11) RCW 39.10.090 and 1994 c 132 s 9;
5 (~~(11)~~) (12) RCW 39.10.100 and 1994 c 132 s 10;
6 (~~(12)~~) (13) RCW 39.10.110 and section 5 of this act, 1997 c 376
7 s 6, & 1994 c 132 s 11;
8 (~~(13)~~) (14) RCW 39.10.115 and section 7 of this act & 2000 c 209
9 s 4;
10 (15) RCW 39.10.900 and 1994 c 132 s 13; and
11 (~~(14)~~) (16) RCW 39.10.901 and 1994 c 132 s 14(~~(; and~~
12 ~~(15) RCW 39.10.902 and 1994 c 132 s 15~~)).

13 NEW SECTION. **Sec. 10.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 July 1, 2001.

--- END ---