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SENATE BILL 5768

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State of Washington

59th Legislature

2005 Regular Session

By Senators Kastama, Roach, Rockefeller, Esser, Prentice, Weinstein, Kline, Delvin and Rasmussen

Read first time 02/07/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to alternative public works contracting procedures;  
2 and reenacting and amending RCW 39.10.020.

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

4 **Sec. 1.** RCW 39.10.020 and 2003 c 352 s 1, 2003 c 301 s 2, and 2003  
5 c 300 s 3 are each reenacted and amended to read as follows:

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

8 (1) "Alternative public works contracting procedure" means the  
9 design-build and the general contractor/construction manager  
10 contracting procedures authorized in RCW 39.10.051 and 39.10.061,  
11 respectively.

12 (2) "Public body" means the state department of general  
13 administration; the University of Washington; Washington State  
14 University; every city with a population greater than seventy thousand  
15 and any public authority chartered by such city under RCW 35.21.730  
16 through 35.21.755 and specifically authorized as provided in RCW  
17 39.10.120(4) or a city with a population less than seventy thousand  
18 that reports in the state auditor's local government financial  
19 reporting system combined general fund, special revenue, debt service,

1 capital projects, and enterprise funds revenues that exceed sixty  
2 million dollars; every county with a population greater than four  
3 hundred fifty thousand; every port district with total revenues greater  
4 than fifteen million dollars per year; every public hospital district  
5 with total revenues greater than fifteen million dollars per year  
6 utilizing the design-build procedure authorized by RCW 39.10.051 and  
7 every public hospital district, regardless of total revenues, proposing  
8 projects that are considered and approved by the public hospital  
9 district project review board under RCW 39.10.117; every public utility  
10 district with revenues from energy sales greater than twenty-three  
11 million dollars per year; those school districts proposing projects  
12 that are considered and approved by the school district project review  
13 board under RCW 39.10.115; and the state ferry system.

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

16 (4) "Job order contract" means a contract between a public body or  
17 any school district and a registered or licensed contractor in which  
18 the contractor agrees to a fixed period, indefinite quantity delivery  
19 order contract which provides for the use of negotiated, definitive  
20 work orders for public works as defined in RCW 39.04.010.

21 (5) "Job order contractor" means a registered or licensed  
22 contractor awarded a job order contract.

23 (6) "Unit price book" means a book containing specific prices,  
24 based on generally accepted industry standards and information, where  
25 available, for various items of work to be performed by the job order  
26 contractor. The prices may include: All the costs of materials;  
27 labor; equipment; overhead, including bonding costs; and profit for  
28 performing the items of work. The unit prices for labor must be at the  
29 rates in effect at the time the individual work order is issued.

30 (7) "Work order" means an order issued for a definite scope of work  
31 to be performed pursuant to a job order contract.

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