
**State Government & Tribal
Affairs Committee**

HB 2009

Brief Description: Modifying trench excavations on public works projects provisions.

Sponsors: Representatives Haigh, Hunt, Ericks, Conway, Hasegawa and Ormsby.

Brief Summary of Bill

- Modifies the requirements for contracts for public works projects that include trench excavations.

Hearing Date: 2/23/07

Staff: Alison Hellberg (786-7152).

Background:

A number of different laws establish procedures for state agencies to award contracts for public works projects and to purchase materials, supplies, equipment, and services. The Washington Industrial Safety and Health Act (WISHA) applies to most workplaces in Washington. The WISHA is administered and enforced by the Department of Labor and Industries, which adopts rules governing safety and health standards for covered workplaces.

A trench is generally defined as a narrow underground excavation that is deeper than it is wide, and no wider than 15 feet. On a public works project where a trench excavation will exceed a depth of 4 feet, the contract for the project must require adequate safety systems and meet the requirements of WISHA. This requirement must be included in the cost estimates and bidding forms as a separate item. The costs of trench safety systems shall not be considered as incidental to any other contract item and any attempt to include the trench safety systems as an incidental cost is prohibited.

Summary of Bill:

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

The prohibition against including trench safety systems as an incidental cost is removed. The requirement that an adequate safety system for a trench excavation be included in the costs estimates and bidding forms as a separate item is removed.

Appropriation: None.

Fiscal Note: Not requested.

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