

SHB 1695 - H AMD 164

By Representative Clibborn

ADOPTED 3/11/2015

1 Beginning on page 2, line 36, strike all of sections 2 and 3 and
2 insert the following:

3 "NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95
4 RCW to read as follows:

5 (1) The department of transportation and its implementation
6 partners must collaboratively develop and establish objectives and
7 strategies for the reuse and recycling of construction aggregate and
8 recycled concrete materials. This process must include the
9 development of criteria for the successful and sustainable long-term
10 recycling of construction aggregate and recycled concrete materials
11 in Washington state transportation, roadway, street, highway, and
12 other transportation infrastructure projects.

13 (2) The department of transportation must, unless construction
14 aggregate and recycled concrete materials are not readily available,
15 specify and annually use a minimum of twenty-five percent
16 construction aggregate and recycled concrete materials on its
17 cumulative transportation, roadway, street, highway, and other
18 transportation infrastructure projects.

19 (3)(a) All local governmental entities with a population of one
20 hundred thousand residents or more must, as part of their contracting
21 process, request and accept bids that include the use of construction
22 aggregate and recycled concrete materials for each transportation,
23 roadway, street, highway, or other transportation infrastructure
24 project.

25 (b) Prior to awarding a contract for a transportation, roadway,
26 street, highway, or other transportation infrastructure project, the
27 local governmental entity must compare the lowest responsible bid
28 proposing to use construction aggregate and recycled concrete
29 materials with the lowest responsible bid not proposing to use
30 construction aggregate and recycled concrete materials, and award the
31 contract to the bidder proposing to use the highest percentage of
32 construction aggregate and recycled concrete materials if that bid is
33 the same as, or less than, a bidder not proposing to use construction

1 aggregate and recycled concrete materials or proposing to use a lower
2 percentage of construction aggregate and recycled concrete materials.

3 (4) Any local governmental entity with a population of less than
4 one hundred thousand residents must:

5 (a) Review and determine the capacity for recycling and reuse of
6 construction aggregate and recycled concrete materials for roadway,
7 street, highway, and other transportation infrastructure projects in
8 its jurisdiction;

9 (b) Establish practical and applicable strategies to recycle and
10 reuse construction aggregate and recycled concrete materials for
11 roadway, street, highway, and other transportation infrastructure
12 projects in its jurisdiction; and

13 (c) Upon the completion of the review and strategy development,
14 begin implementing the strategies to achieve the recycling and reuse
15 objectives established for its jurisdiction.

16 (5) The applications and related specification standards for
17 state and local transportation and infrastructure projects that reuse
18 and recycle construction aggregate and recycled concrete materials to
19 be used in the implementation of this section are outlined in the
20 department of transportation's standard specifications for road,
21 bridge, and municipal construction, section 9-03.21, table
22 9-03.21(1)E.

23 (6) The definitions in this subsection apply throughout this
24 section unless the context clearly requires otherwise.

25 (a) "Construction aggregate and recycled concrete materials"
26 means reclaimed coarse and fine aggregate cement and concrete
27 mixtures as commonly defined by the American public works
28 association, the federal highway administration, and department of
29 transportation specifications.

30 (b) "Implementation partners" means local governmental entities
31 and interested Washington-based associations representing the
32 appropriate sectors of the construction industry.

33 (c) "Local governmental entities" means cities or counties.

34 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.95
35 RCW to read as follows:

36 (1) The department of transportation, together with its
37 implementation partners, as that term is defined in section 2 of this
38 act, must report annually to the legislature on the implementation of
39 section 2 of this act. The annual report must be submitted to the

1 legislature, consistent with RCW 43.01.036, by January 2nd of each
2 year from 2017 through 2020.

3 (2) This section expires July 1, 2021.

4 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2016."

5 Correct the title.

EFFECT: Limits the applicability of the mandated minimum percentage of recycled materials to only projects undertaken by the department of transportation, removes the annual increase in the minimum recycled content level, and requires local jurisdictions with 100,000 residents or more to request bids that include recycled materials and award contracts to bidders who include the highest percentage of recycled materials if the cost is the same as or less than other bidders.

--- END ---