

# HOUSE BILL REPORT

## ESHB 1844

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### As Passed Legislature

**Title:** An act relating to work performed by state forces on ferry vessels and terminals.

**Brief Description:** Concerning work performed on ferry vessels and terminals.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Moscoso, Kochmar, Clibborn, Fey, Appleton, Ortiz-Self and Tarleton).

#### Brief History:

##### Committee Activity:

Transportation: 2/11/15, 2/16/15 [DPS].

##### Floor Activity:

Passed House: 3/10/15, 98-0.

Senate Amended.

Passed Senate: 4/14/15, 49-0.

House Concurred.

Passed House: 4/23/15, 98-0.

Passed Legislature.

#### Brief Summary of Engrossed Substitute Bill

- Increases the dollar threshold for work that may be performed on ferry vessels and terminals by state forces.
- Requires the Washington State Department of Transportation to contact contractors on their Small Works Roster to solicit interest in ferry vessel and terminal work prior to using regular contracting procedures.
- Removes the reference to a specific time period during which the threshold is in place.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 24 members: Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist, Gregerson, Harmsworth, Hayes, Kochmar, McBride,

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*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.*

Moeller, Ortiz-Self, Pike, Riccelli, Rodne, Sells, Shea, Takko, Tarleton, Wilson, Young and Zeiger.

**Staff:** Paul Ingiosi (786-7114).

**Background:**

The Washington State Ferries (WSF) division of the Washington State Department of Transportation (WSDOT) operates and maintains ferry vessels and terminals, constructs terminals, and acquires vessels. The system serves eight Washington counties and one Canadian province through 23 vessels and 20 terminals.

As part of the marine highway system, the WSF is subject to a \$60,000 limit on work that can be performed by state forces on state highways.

The dollar limit and effective time period has changed several times since 2010:

<b>Bill</b>	<b>Dollar Threshold</b>	<b>Time Period</b>
ESHB 3209 (2010)	\$120,000	March 15, 2010–June 30, 2011
ESHB 1175 (2011)	\$120,000	July 1, 2011–June 30, 2013
	\$60,000	July 1, 2013–March 14, 2014
ESSB 6001 (2014)	\$120,000	March 15, 2014–June 30, 2015

Under current law, the WSF is subject to a \$120,000 limit on work that can be performed by state forces on state highways through June 30, 2015.

**Summary of Engrossed Substitute Bill:**

The substitute bill would permanently increase the dollar threshold for work that may be performed on ferry vessels and terminals by state forces from \$60,000 to \$100,000.

For work between \$100,000 and \$200,000, the WSDOT must first contact contractors on their Small Works Roster to gauge their interest and availability to do the work. The contractors have 72 hours to respond to the WSDOT. If any contractor is interested and capable to do the work, the WSDOT must follow the Small Works Roster procedures. If no qualified contractors respond with interest and availability, the WSDOT may use its regular contracting procedures. Additionally, if the Secretary of Transportation determines that the work to be completed is an emergency, then the WSDOT procedures governing emergencies apply.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on April 24, 2015.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2015.

**Staff Summary of Public Testimony:**

(In support) The Eagle Harbor maintenance facility has a workforce familiar with the state's ferries and terminals and a proven record for doing the work quickly and efficiently. The original idea for the bill came out of a coalition of ferry workers looking at efficiencies and taxpayer savings and the current effort is supported by both labor and management. While the increased threshold may not impact a large number of projects, it is believed a substantial amount of money will be saved, perhaps hundreds of thousands of dollars, and provide greater flexibility in scheduling work which could potentially help with system reliability.

(Opposed) None.

**Persons Testifying:** Representative Moscoso, prime sponsor; and Gordon Baxter, Marty Yellam, and Michael Garling, Puget Sound Metal Trades Council.

**Persons Signed In To Testify But Not Testifying:** None.