

SENATE BILL REPORT

HB 2052

As Passed Senate, April 7, 2017

Title: An act relating to recertification of public bodies using alternative contracting methods.

Brief Description: Concerning recertification of public bodies using alternative contracting methods.

Sponsors: Representative Buys.

Brief History: Passed House: 3/06/17, 98-0.

Committee Activity: State Government: 3/29/17, 3/29/17 [DP].

Floor Activity:

Passed Senate: 4/07/17, 49-0.

Brief Summary of Bill

- Allows the Project Review Committee to receive late applications for certifying public bodies to use certain alternative contracting methods.

SENATE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass.

Signed by Senators Miloscia, Chair; Zeiger, Vice Chair; Hunt, Ranking Minority Member; Kuderer and Pearson.

Staff: Melissa Van Gorkom (786-7491)

Background: Capital Projects Advisory Review Board (Board). The Board provides an evaluation of public capital project construction processes, including the impact of contracting methods on project outcomes, and advises the Legislature on policies related to public works delivery methods. Twenty-three members serve on Board, including four members of the Legislature: two from the House of Representatives and two from the Senate.

Project Review Committee (Committee). The Committee was created in 2007 to review and approve public works projects and certify public bodies to use the design-build (DB) or general contractor/construction manager (GC/CM) contracting procedure or both. Members

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of the Committee are appointed by the Board and appointments must represent a balance among the industries and public owners represented on the Board.

Alternative Contracting Procedures. There are three alternative procedures authorized by law: DB, job order contracting, and GC/CM. A public body may apply to the Committee for a certification, or on a project-by-project basis, to use DB, GC/CM, or both procedures. The public body must submit an application to the Committee that includes a description of its qualifications, its capital plan for the certification period, its intended use of the alternative contracting procedures, and any other information requested by the Committee. The certification is for three years. Once a public body has been certified to use DB, GC/CM, or both procedures, the public body may use the procedure without seeking project approval from the Committee.

After three years, the public entity may renew the certification by submitting an application that includes updated information on their experience, current staffing, and any other information requested by the Committee at least three months before the initial certification expires. A public body must reapply for certification once the period of recertification expires.

The authorization to use alternative public works procedures expires June 30, 2021.

Summary of Bill: The Committee is authorized to receive late applications, within the three months prior to expiration of the initial certificate, on a case-by-case basis for certifying public bodies to use DB or GC/CM alternative contracting methods if administratively feasible.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Public entities have not been able to get the paperwork in within the 90 days and the committee did not have the flexibility to recertify them causing them to have to go back through the full certification process. The bill gives the committee flexibility to accept late applications.

Persons Testifying: PRO: Representative Vincent Buys, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: No one.