

2020 Legislative Bill Activity – 2/12/2020

Bill Number	Title (& short summary)	Sponsor	Current Bill Status
CPARB SPONSORED BILLS, SUPPORTED BILLS OR REQUESTING ACTIVITY			
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BILLS OF INTEREST – ACTIVE			
SHB 1395	Concerning direct contractor liability for payment of wages and benefits	Pellicciotti et al	2020 Reintroduced, place on 2 nd reading by Rules Committee, (must pass House by 2/18) 2019 House Bill Died – 3/21- Ref. to Rules 2. Passed Labor/Workpl Stds & Approp comms
Companion HB 5565 (dead)	<ul style="list-style-type: none"> Allows the L&I to enforce against a direct contractor unpaid wages owed by a subcontractor. Allows a third party owed fringe or other benefit payments or contributions by a subcontractor to bring a civil action against a direct contractor. Allows an interested party to bring a civil action against a direct contractor or subcontractor for wages owed, including against the direct contractor for wages owed by a subcontractor, after 30 days' notice to the direct contractor and subcontractor. 	Takko et al	<u>2020 Senate Bill Dead</u> - didn't pass out of Labor & Commerce cmtee by 2/7 after Jan. hearing. 2019 Senate Bill Died after hearing & no exec. - Senate Committee on Labor & Commerce
E2HB 1521	Providing for accountability and transparency in government contracting.		2020 Passed House Feb 13 Sen. Hearing St. Govt, Tribal, Elections
SB 5655 (dead)	<ul style="list-style-type: none"> Narrows the application of contracting out requirements to contracts for services customarily and historically provided by classified employees on or after July 1, 2005. Establishes new requirements, with exemptions, for services contracted out. Exemptions: DOT contracts, contracts <\$20k, public works > \$500k. Modifies uniform policies and procedures on contract management. <ul style="list-style-type: none"> precontract procedures to ensure compliance with requirements regarding minority and women-owned business participation; model terms to facilitate recovery of the costs of public employee staff time that must be expended to bring a contract into substantial compliance; procedures and criteria for terminating performance-based contracts not achieving performance standards; and a requirement that agencies, departments, and institutions of higher education monitor performance-based contracts to ensure the contract is being performed properly and that performance standards are being achieved 		<u>2020 Senate Bill Dead</u> – no committee hearing or action.
HB 1571 (dead)	Naming of subcontractors by prime contract bidders on public works contracts	Ormsby	2020 <u>House Bill Dead</u> - No hearings by 2/11
Companion ESB 5457	Requires bid documents for public works projects over \$1 million to include names of all subcontractors.		2019 House Bill Died after Jan 29 Hearing in the House Capital Budget
	Naming of subcontractors by prime contract bidders on public works contracts	Haseqawa	2020 Jan 29 Referred to House Capital Budget Committee Jan 24 Senate passed floor amendment
	Substitution:		2019 Senate Bill Died in Senate Rules "X" file after passing St Govt., Tribal Rel., Elections.
	<ul style="list-style-type: none"> Changes current subcontractor listing (for HVAC, plumbing, and electrical) to be submitted within one hour of bid submittal time; deletes submitting the sub listing as part of and at time of the bid. Adds requirement for prime contract bidder to submit the names of subcontractors for structural steel installation and rebar installation within 48 hours after bid submittal time. Adds reason for substituting a listed subcontractor: refusal or inability to provide a letter of bondability from a surety company. Requires the Capital Projects Advisory Review Board (CPARB) to evaluate current subcontractor listing policies and practices and submit recommendations in a report to the Governor and Legislature by November 1, 2020: <ul style="list-style-type: none"> appropriate expansion of the number of subcontractors listed in order to improve transparency and fairness without reducing competitive bidding and access to public works by minority and women-owned businesses; and possible project threshold and time frames for purposes of subcontractor listings for all scopes of work that are not required to list under law, including: the timing of subcontractor listing, bonding requirements for subcontractors, general contractor standard contract request, and general contractor/construction manager (GC/CM) and design-build (DB) applications. 		

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	Original: Requires each prime contract bidder to submit, as part of the bid on a public works contract, the names of the subcontractors that the bidder will subcontract with for work performed by contractors required to be registered as described in chapter 18.27 RCW.		
HB 2355 New 2020	Creating alternative professional licensing standards <ul style="list-style-type: none"> Grants the Department of Licensing the ability to consider competency-based licensing standards for professional licenses. 	Vick, Hoff, Harris, Gildon, Volz	<i>New 2020 Passed House Consumer Protection & Business, to Appropriations Feb 8</i>
HB 2469 New 2020	Concerning small works rosters <ul style="list-style-type: none"> Establishes an Audit and Review unit within the Office of Minority and Women's Business Enterprises (OMWBE) to detect & investigate fraud and violations relating to the certification of, and contracts with, minority- and women-owned businesses. Modifies requirements related to the small-works roster and limited public works process. Requires the OMWBE to annually identify state agencies and educational institutions with low levels of participation by minority- and women-owned businesses in the execution of public contracts. Repeals the Office of the Attorney General's authority to investigate and enforce compliance with minority- and women-owned businesses contract requirements. Increases small works roster from \$350k to \$500k. Increases the project value range (from a range of \$150k to \$350k) to a range of \$150k to \$500k for when a state agency or local government solicits bids from at least 5 contractors indicating capability to perform the kind of work being contracted in a manner that will equitably distribute the opportunity among the contractors on the roster; the agency/government must also notify all remaining contractors on roster of quote being sought when it is within this range. Increases limited public works from \$50k to \$150k. Effective date: July 1, 2021. 	Santos, Gregerson, Tharinger, Hudgins, Pollet	<i>New 2020 Feb 11 Referred to Rules after passed Approp. Committee Jan 24 Passed H Inn, Tech, Econ with amendment moving effective date to July 1, 2021.</i>
HB 2744 New 2020	Improving environmental and social outcomes associated with the production of building materials. <ul style="list-style-type: none"> Requires awarding authorities must require selected firms of contracts for large construction and transportation projects to provide an Environmental Product Declaration for at least 90 percent of the mass of eligible materials within graduated beginning timeframes from July 1, 2020 to July 1, 2022. <ul style="list-style-type: none"> Awarding authorities include state agencies and higher ed that contract directly for a public works project that receives funding from the capital budget. Eligible large projects include: <ul style="list-style-type: none"> construction (> 50,000 gross square feet or bldg. reno > 50%) transportation projects (>\$1M and uses more than a de minimis amount of eligible materials) Eligible materials include concrete, carbon steel rebar, structural steel, concrete masonry units, wood, and gauge metal products for roof and floor decking, wall studs, and floor system studs. Requires selected firms to submit domestic labor law compliance data, or efforts to collect the information, from facilities that submit Environmental Product Declarations. 	Doglio, Duerr, Davis, Fitzgibbon, Ramel	<i>New 2020 Feb 7 Referred to Appropriations. Feb 6 Cap Budget Committee – passed substitute</i>
HB 2936 New 2020	Adjusting Predesign Requirements and Thresholds <ul style="list-style-type: none"> Changes requirement threshold for predesign for major capital construction projects from >\$5 million (M) to >\$10 M. For projects > \$10M, agencies may waive some or all of the predesign requirements if project meets <u>two or more</u> of the following conditions: <ol style="list-style-type: none"> There is no determination to be made regarding the site of the project; There is no determination to be made regarding whether the project will involve renovation, new construction, or both; Within six years of submitting the request for funding, the agency has completed, or initiated the construction of, a substantially similar project, as determined by the requesting agency; There is no anticipated change to the project's program or the services to be delivered at the facility; or 	Steele	<i>New 2020 2/11 First reading, referred to Capital Budget – (not officially read and referred until adoption of introduction report.)</i>

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	(e) The agency and the office of financial management jointly determine that a project does not require a predesign due to a lack of complexity.		
SB 6239 New 2020	<p>Addressing compliance with apprenticeship utilization requirements and bidding on public works projects.</p> <ul style="list-style-type: none"> Applies apprenticeship utilization requirements to every contractor and subcontractor on a public works project and measures labor hours on a per contractor basis. Adds, for projects subject to apprenticeship utilization requirements, being a training agent operating under a valid training agreement to the responsibility criteria a bidder must satisfy to be awarded a public works contract. 		2020 Passed to Rules for 2 nd reading after passed Labor & Commerce
DEAD BILLS			
1SHB 1006	<p>Adopting new requirements for locating underground facilities, including positive response, minimum marking standards, adopting a new process for coordinating large projects, and requiring new and replacement facilities to be locatable</p> <ul style="list-style-type: none"> Creates a utilities & excavator work group charged with making recommendations for updating the Damage Prevention Act. Requires Utilities Transportation Commission (UTC) to convene the work group consisting of various members, incl. but not limited to, facility operators, excavators, insurance companies, & other private & public entities with underground facilities. Requires the work group must meet a minimum of four times and produce a report with recommendations to the Governor and Legislature by December 1, 2019. Requires the Dept. of Commerce, in consultation with the UTC, to hire a facilitator to moderate the work group meetings. Appropriates up to \$50,000 from the State General Fund to the UTC for the sole purpose of employing the facilitator and producing a final report. 	Appleton	<p>2020 <u>House Bill Dead</u> - No hearings by 2/11</p> <p>2019 Bill dies Feb 22 after passing 1SHB in Local Govt Cmtee & referred to Appropriations</p>
HB 1202	<p>Ensuring Fairness and Compliance with Public Works and procurement practices</p> <ul style="list-style-type: none"> Requires OMWBE to annually identify state agencies and educational institutions with low levels of participation by minority- and women-owned businesses in public contracts. Establishes an investigation unit within the OMWBE. Repeals the Office of the Attorney General's authority to investigate and enforce compliance with minority- and women-owned businesses contract requirements. Modifies the small-works roster and limited public works process requirements. 	Gregerson et al	<p>2020 <u>House Bill Dead</u> - No hearings by 2/11</p> <p>2019 House Bill Died Feb 8 after passing (Innov, Tech, Econ Developmt) & referred to Appropriations.</p>
HB 1418 Companion SSB 5458	<p>Expanding access to building trades apprenticeships</p> <ul style="list-style-type: none"> Establishes the Regional Apprenticeship Pathways program to create an apprenticeship preparation program that provides dual credit and prepares individuals for registered apprenticeship programs in the building trades. <p>Expanding access to building trades apprenticeships</p> <ul style="list-style-type: none"> Requires Marysville School District to collaborate with Everett Community College, Arlington School District, and other stakeholders to develop a regional apprenticeship pathways program establishing an apprenticeship preparation program to prepare individuals for apprenticeships in the construction and building trades. 	Tharinger et al Hobbs et al	<p>2020 <u>House Bill Dead</u> – no committee action.</p> <p>2019 House Bill Died after 1/30 public hearing in House Committee on College & Workforce Development. No further action.</p> <p>2020 <u>Senate Bill Dead</u> – no committee action. 2019 Senate Bill Died 3/18–Sen. Rules "X" file.</p>
HB 1514	<p>Establishing wage liens</p> <ul style="list-style-type: none"> Creates a statutory wage lien for claims on unpaid wages. Creates procedures for establishing, foreclosing, extinguishing, and prioritizing wage liens. 	Tharinger	<p>2020 Dead – no committees.</p> <p>2019 House Bill Died after majority passing in House Appropriations on 3-1.</p>
HB 1570 (dead)	<p>Requiring the use of American or recycled steel products on certain public works</p> <p>Requires public works contracts to include a provision requiring that all steel products used or supplied in the performance of the contract and in any related subcontract must be:</p> <ul style="list-style-type: none"> Produced in the United States, at a facility regulated by the United States environmental protection agency; or Produced in a country where more than sixty-five percent of that country's total crude steel output is produced by means of electric arc furnaces that use postconsumer scrap steel material as the major feedstock. 	Ormsby	<p>2020 <u>House Bill Dead</u> – no committee hearing or action.</p> <p>2019 House Bill Died - Jan 24 First reading, referred to Capital Budget.</p>

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Companion SSB 5456 (dead)	Requiring the use of American or recycled steel products on certain public works <i>Substitute:</i> <ul style="list-style-type: none"> Requires contracts for public works include a provision requiring all steel products used or supplied in the performance of the contract be a product of the United States or produced in a country where more than 65 percent of that country's total crude steel output is made from recycled material, with certain exceptions. 	Keiser	<i>2020 Senate Bill Dead – no action after 2/3 Hearing in Sen Com. On Transp.</i> <i>2019 Senate Bill Died - Feb 22 – Referred to Transportation</i>
SB 5527 (dead)	Establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability <ul style="list-style-type: none"> Washington is a technology leader on a national and global level; Automated decision systems are rapidly being adopted to make or assist in core decisions in a variety of government and business functions; and The automated decision systems are often deployed without public knowledge, are unregulated, and vendors selling the systems may require restrictive contractual provisions that undermine government transparency and accountability. Requires the chief privacy officer to adopt rules regarding the development, procurement, and use of automated decision systems by a public agency. 	Haseqawa et al	<i>2020 Senate Bill Dead – no hearings by 2/11.</i> <i>2019 Senate Bill Died - Jan 23 First reading, referred to Environment, Energy, & Technology.</i>
Companion SHB 1655 (dead)	Establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability (Substitute) <ul style="list-style-type: none"> Directs the Office of the Chief Information Officer to report to the Legislature with an algorithmic impact inventory that provides certain information about automated decision systems used by state agencies. Requires the Chief Privacy Officer to adopt rules regarding the use of automated decision systems by state agencies. Expands Washington's Law Against Discrimination to prohibit discrimination by automated decision systems. 	Hudgins, Shea, et al	<i>2020 House Bill Dead - No hearings by 2/11</i> <i>2019 House Bill Died Feb 22 – Referred to Appropriations.</i>
SB 5169 (dead)	Ensuring the neutrality of public employers and state contractors with regard to employees exercising their rights to collectively bargain <ul style="list-style-type: none"> Addresses unfair labor practices and the neutrality of public employers and state contractors with regard to employees exercising their collective bargaining rights. 	Haseqawa	<i>2020 Senate Bill Dead - No hearings by 2/11</i> <i>2019 Senate Bill Died - Jan 15 First reading, referred to Labor & Commerce.</i>
SB 5618 (dead)	Concerning public works bid limits <ul style="list-style-type: none"> Increase small works roster from \$300k to \$500k OFM must set new limits every 5 years 	Wagoner	<i>2020 Senate Bill Dead - No hearings by 2/11</i> <i>2019 Senate Bill Died Feb 5 Public hearing in the Senate Committee on Local Government.</i>
SB 5702	Concerning the fairness of public works bidding <ul style="list-style-type: none"> Requires a municipality soliciting competitive bids for public works to disclose all bids received within two business days of bid opening. Extends the date by which a bidder may protest to two business days after a municipality discloses all bids received. 	Warnick	<i>2020 Senate Bill Dead - No hearings by 2/11</i> <i>2019 Senate Bill Died Feb 14 Public hearing in the Senate Committee on Local Government. No further action.</i>
SB 5762	Concerning state contracts with veteran-owned businesses <ul style="list-style-type: none"> Encourages state agencies to award 3 percent of all public works and procurement of goods and services to certified veteran-owned businesses. 	Haseqawa	<i>2020 Senate Bill Dead - No hearings by 2/11</i> <i>2019 Senate Bill Died Mar 18 - Senate Rules "X" file.</i>