
SENATE BILL 5379

State of Washington

65th Legislature

2017 Regular Session

By Senator McCoy

1 AN ACT Relating to constructing all new public buildings with
2 cross-laminated timber; amending RCW 39.04.010; and adding a new
3 section to chapter 39.04 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.04
6 RCW to read as follows:

7 (1) All new public buildings that are twelve stories or less
8 must, to the maximum extent practicable, be constructed with cross-
9 laminated timber.

10 (2) The department of enterprise services may grant a waiver to a
11 public agency or a municipality from the requirements of subsection
12 (1) of this section on the basis that the waiver is necessary due to
13 the following reasons, including but not limited to:

14 (a) Unavailability of building materials; or

15 (b) Structural infeasibility.

16 (3) The department of enterprise services may adopt rules to
17 establish criteria for evaluating the need for a waiver under this
18 section.

19 **Sec. 2.** RCW 39.04.010 and 2008 c 130 s 16 are each amended to
20 read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Award" means the formal decision by the state or
4 municipality notifying a responsible bidder with the lowest
5 responsive bid of the state's or municipality's acceptance of the bid
6 and intent to enter into a contract with the bidder.

7 (2) "Contract" means a contract in writing for the execution of
8 public work for a fixed or determinable amount duly awarded after
9 advertisement and competitive bid, or a contract awarded under the
10 small works roster process in RCW 39.04.155.

11 (3) "Municipality" means every city, county, town, port district,
12 district, or other public agency authorized by law to require the
13 execution of public work, except drainage districts, diking
14 districts, diking and drainage improvement districts, drainage
15 improvement districts, diking improvement districts, consolidated
16 diking and drainage improvement districts, consolidated drainage
17 improvement districts, consolidated diking improvement districts,
18 irrigation districts, or other districts authorized by law for the
19 reclamation or development of waste or undeveloped lands.

20 (4) "Public building" means any building constructed at the cost
21 of the state or of any municipality.

22 (5) "Public work" means all work, construction, alteration,
23 repair, or improvement other than ordinary maintenance, executed at
24 the cost of the state or of any municipality, or which is by law a
25 lien or charge on any property therein. All public works, including
26 maintenance when performed by contract shall comply with chapter
27 39.12 RCW. "Public work" does not include work, construction,
28 alteration, repair, or improvement performed under contracts entered
29 into under RCW 36.102.060(4) or under development agreements entered
30 into under RCW 36.102.060(7) or leases entered into under RCW
31 36.102.060(8).

32 ((+5+)) (6) "Responsible bidder" means a contractor who meets the
33 criteria in RCW 39.04.350.

34 ((+6+)) (7) "State" means the state of Washington and all
35 departments, supervisors, commissioners, and agencies of the state.

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