

RCW 39.08.100 Marine vessel construction—Security in lieu of bond. On contracts for construction, maintenance, or repair of a marine vessel, the department of transportation, a public transportation benefit area, a passenger-only ferry service district, or any county may permit, subject to specified format and conditions, the substitution of one or more of the following alternate forms of security in lieu of all or part of the bond: Certified check, replacement bond, cashier's check, treasury bills, an irrevocable bank letter of credit, assignment of a savings account, or other liquid assets specifically approved by the secretary of transportation, county engineer, or equivalent for a public transportation benefit area or a passenger-only ferry service district, for their respective projects. The secretary of transportation, county engineer, or equivalent for a public transportation benefit area or a passenger-only ferry service district, respectively, shall predetermine and include in the special provisions of the bid package the amount of this alternative form of security or bond, or a combination of the two, on a case-by-case basis, in an amount adequate to protect one hundred percent of the state's or county's exposure to loss. Assets used as an alternative form of security shall not be used to secure the bond. By October 1, 1989, the department shall develop and adopt rules under chapter 34.05 RCW that establish the procedures for determining the state's exposure to loss on contracts for construction, maintenance, or repair of a marine vessel. Prior to awarding any contract limiting security to the county's, public transportation benefit area's, or passenger-only ferry service district's exposure to loss, the governing board of the county or agency shall develop and adopt an ordinance or resolution that establishes the procedure for determining the county's or agency's exposure to loss on contracts for construction, maintenance, or repair of a marine vessel. [2018 c 89 § 2; 2005 c 101 § 1; 1989 c 58 § 2.]

Effective date—2018 c 89: See note following RCW 39.08.030.

Effective date—2005 c 101: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 20, 2005]." [2005 c 101 § 2.]