

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 20, 2020

Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

SB20-159 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 4, line 5, strike "**facility-specific**".
- 2 Page 4, line 20, after "THE" insert "OFFICE OF THE STATE ARCHITECT
3 WITHIN THE".
- 4 Page 4, strike lines 21 and 22 and substitute "BY POLICY A".
- 5 Page 4, line 26, strike "SET" and substitute "BASE".
- 6 Page 4, line 27, strike "AT" and substitute "ON".
- 7 Page 5, line 1, strike "FACILITY-SPECIFIC".
- 8 Page 5, line 2, after "THE" insert "OFFICE OF THE STATE ARCHITECT
9 WITHIN THE".
- 10 Page 5, line 4, strike "DECLARATIONS." and substitute "DECLARATIONS
11 AND SHALL INCLUDE TRANSPORTATION-RELATED EMISSIONS AS PART OF
12 THE GLOBAL WARMING POTENTIAL EMISSIONS.".
- 13 Page 5, line 7, strike "FACILITY-SPECIFIC".
- 14 Page 5, line 23, strike "DOWNWARD".

1 Page 5, strike lines 24 and 25 and substitute "REFLECT INDUSTRY
2 CONDITIONS. THE DEPARTMENT SHALL".

3 Page 5, line 27, after "(a)" insert "(I)" and after "CONTRACTS FOR" insert
4 "THE DESIGN OF".

5 Page 6, line 1, strike "2021," and substitute "2022,".

6 Page 6, line 2, strike "CONTRACTOR" and substitute "DESIGNER".

7 Page 6, line 3, strike "FACILITY-SPECIFIC".

8 Page 6, strike lines 7 through 16 and substitute "UNIFORM STANDARDS IN
9 DATA COLLECTION, AS SET BY POLICY BY THE OFFICE OF THE STATE
10 ARCHITECT WITHIN THE DEPARTMENT FOR EACH ELIGIBLE MATERIAL
11 PROPOSED TO BE USED IN THE PUBLIC PROJECT THAT MEET THE MAXIMUM
12 ACCEPTABLE GLOBAL WARMING POTENTIAL FOR EACH CATEGORY OF
13 ELIGIBLE MATERIALS OR, IN THE ALTERNATIVE, A MAXIMUM ACCEPTABLE
14 GLOBAL WARMING POTENTIAL FOR THE PROJECT IN THE AGGREGATE.

15 (II) IF A PRODUCT THAT MEETS THE MAXIMUM GLOBAL WARMING
16 POTENTIAL FOR A CATEGORY OF ELIGIBLE MATERIALS IS NOT PRICED OR IS
17 NOT AVAILABLE ON A REASONABLE BASIS AT THE TIME OF DESIGN OR
18 CONSTRUCTION, THE OFFICE OF THE STATE ARCHITECT WITHIN THE
19 DEPARTMENT MAY WAIVE THE REQUIREMENTS OF THIS SECTION FOR THAT
20 PRODUCT.

21 (b) FOR INVITATION FOR BIDS FOR CONTRACTS FOR PUBLIC
22 PROJECTS ISSUED ON OR AFTER JULY 1, 2022, AN AGENCY OF GOVERNMENT
23 SHALL SPECIFY THE ELIGIBLE MATERIALS THAT WILL BE USED IN THE
24 PROJECT."

25 Page 6, line 18, strike "FACILITY-SPECIFIC".

26 Page 6, line 24, strike "A FACILITY-SPECIFIC" and substitute "AN".

27 Page 6, line 26, after "SECTION." add "THE ENVIRONMENTAL PRODUCT
28 DECLARATION SHALL BE DEEMED APPROVED IF IT COMPLIES WITH THE
29 ORIGINAL SPECIFICATION. IF AN ENVIRONMENTAL PRODUCT DECLARATION
30 IS NOT AVAILABLE FOR AN ELIGIBLE MATERIAL, THE CONTRACTOR SHALL
31 NOTIFY THE AGENCY OF GOVERNMENT AND INSTALL THE ELIGIBLE
32 MATERIAL AS ORIGINALLY SPECIFIED. IF A PRODUCT MEETING THE
33 MAXIMUM GLOBAL WARMING POTENTIAL FOR A CATEGORY OF ELIGIBLE

1 MATERIALS IS NOT PRICED OR IS NOT AVAILABLE TO THE CONTRACTOR ON
2 A REASONABLE BASIS, THE AGENCY OF GOVERNMENT MAY WAIVE THE
3 REQUIREMENTS OF THIS SECTION FOR THAT PRODUCT. THE AGENCY OF
4 GOVERNMENT SHALL REPORT WAIVERS TO THE OFFICE OF THE STATE
5 ARCHITECT WITHIN THE DEPARTMENT."

6 Page 7, line 2, after "TIME." add "REDUCTION OF GREENHOUSE GAS
7 EMISSIONS ACHIEVED UNDER THIS SECTION SHALL BE CREDITED UNDER
8 THE PROCESS CREATED IN SECTION 25-7-105 (1)(e)."

9 Page 7, strike line 10 through 27.

10 Page 8, strike lines 1 through 6.

11 Renumber succeeding section accordingly.

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