

2 SSB 6439 - H COMM AMD

3 By Committee on Transportation Policy & Budget

4

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** The legislature finds and declares that a
8 contracting procedure that facilitates construction of transportation
9 facilities in a more timely manner may occasionally be needed to ensure
10 that construction can proceed simultaneously with the design of the
11 facility.

12 NEW SECTION. **Sec. 2.** The department of transportation shall
13 develop, by January 1, 1999, a process for awarding competitively bid
14 highway construction contracts for projects over ten million dollars
15 that may be constructed using a design-build procedure. As used in
16 this section, "design-build procedure" means a method of contracting
17 under which the department of transportation contracts with another
18 party for such party to both design and build the structures,
19 facilities, and other items specified in the contract.

20 The process developed by the department shall, at a minimum,
21 include the scope of services required under the design-build
22 procedure, contractor prequalification requirements, criteria for
23 evaluating technical information and project costs, contractor
24 selection criteria, and an issue resolution procedure. If a request
25 for proposal will be used, the requirements of RCW 39.10.050 (4), (5),
26 and (6) apply.

27 NEW SECTION. **Sec. 3.** RCW 39.10.080, 39.10.090, and 39.10.100 and
28 the notice requirements of RCW 39.10.030 (2), (3), and (4) apply to
29 this act.

30 NEW SECTION. **Sec. 4.** The department may use the design-build
31 procedure for public works projects over ten million dollars where:

1 (1) The construction activities are highly specialized and a
2 design-build approach, as defined in section 2 of this act, is critical
3 in developing the construction methodology; or

4 (2) The projects selected provide opportunity for greater
5 innovation and efficiencies between the designer and the builder; or

6 (3) Significant savings in project delivery time would be realized.

7 NEW SECTION. **Sec. 5.** Sureties are not responsible for damages,
8 including corrective work, attributable to the design aspect of a
9 design-build project.

10 NEW SECTION. **Sec. 6.** A demonstration program consisting of two
11 projects must be implemented using the design-build method of
12 contracting, as prescribed under a process developed by the department
13 of transportation under section 2 of this act. The department shall
14 select projects valued over ten million dollars for the demonstration
15 program.

16 The department shall present progress reports on the demonstration
17 projects to the legislative transportation committee and the
18 alternative public works oversight committee during the course of the
19 performance of the demonstration projects. The department shall
20 present a final detailed report to the legislative transportation
21 committee within one year of completion of the demonstration projects.
22 The report must detail the advantages and disadvantages of the design-
23 build construction process and make recommendations for possible
24 changes in law, and in how the process may be used for future
25 department projects.

26 NEW SECTION. **Sec. 7.** This act expires April 30, 2001, unless
27 extended by the legislature."

28 Correct the title.

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