

SENATE BILL REPORT

SHB 1612

As Reported By Senate Committee On:
Transportation, April 7, 1997

Title: An act relating to construction of certain highway projects under a design-build procedure.

Brief Description: Designating and funding a highway project to be done under a design-build procedure.

Sponsors: House Committee on Transportation Policy & Budget (originally sponsored by Representatives Koster, O'Brien, Thompson, Dunshee, D. Schmidt, Kenney, Costa, Cooper, Backlund and Cole).

Brief History:

Committee Activity: Transportation: 3/31/97, 4/7/97 [DPA, DNPA].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Prince, Chair; Goings, Haugen, Horn, Jacobsen, Newhouse, Rasmussen and Sellar.

Minority Report: Do not pass as amended.

Signed by Senators Wood, Vice Chair; and Heavey.

Staff: Vicki Fabre (786-7313)

Background: The portion of State Route (SR) 522 that is located in southern Snohomish County, beginning at the SR 522/SR 9 Interchange near Woodinville, Washington, to the Snohomish River Bridge, serves a major transportation role in the county. The facility has limited two-lane capability and handles more than 16,000 vehicles average daily traffic (ADT), and is projected to increase to 35,000 ADT by the year 2010. There is a significant accident and fatality rate associated with the facility's mobility and safety deficiencies.

The Department of Transportation (DOT) has identified major mobility and safety improvements to the corridor as a long-range but unfunded need. The department estimates that given current funding constraints, SR 522 improvements would not be completed until the year 2015. The final environmental impact statement (EIS) for widening SR 522 was issued in May 1994. To date, the design and right-of-way acquisition for Stage 1 of the project (SR 9 to Paradise Lake Road) has been completed, making way for the construction of this segment. DOT completed interim safety improvements (restriping and the installation of rumble strips and guideposts) during the 1995-97 biennium.

An SR 522 corridor improvement project in three phases is proposed under the Public-Private Initiatives in Transportation (PPI) program which was established in 1993 to test the

feasibility of privately financed transportation improvements in Washington State. The SR 522 corridor improvements project is one of four remaining PPI projects, out of the original six projects selected by DOT in 1994.

The 1996 Legislature limited funding for the PPI program for the 1995-97 biennium to only two of the four remaining PPI projects: the SR 16 corridor improvements and Metro/King County park and ride projects. The result of this action was to place the SR 522 corridor improvements proposed under the PPI program on hold. However, participation in the PPI program does not prohibit DOT from making improvements if state funding is available.

The existing DOT construction contracting procedure requires DOT to award the design phase prior to contracting for the construction phase. DOT does not currently have authority to use the design-build method of contracting. Design-build authority would allow DOT to establish design criteria minimums, and then enter into a single contract with the design-build contractor. The contractual responsibility to the state for full performance of all phases of the contract would be vested in one entity, the design-build contractor. Proponents of the design-build method maintain that this approach is a more timely and efficient way of constructing capital projects than awarding design and construction contracts separately.

Summary of Amended Bill: Legislative intent to use a contracting procedure that facilitates the construction of transportation systems in a more timely manner is declared. DOT is directed to develop, by January 1, 1998, a process for awarding competitively bid highway projects under a design-build procedure. Minimum requirements for a design-build procedure are delineated. A one-project, design-build demonstration program is established that will be implemented under a contract to add additional lanes on the portion of SR 522 from Paradise Lake Road to the Snohomish River Bridge, including interchanges at Paradise Lake and Fales Road and Paradise Lake Road.

The bill is null and void unless funded in the 1997-99 transportation budget.

Amended Bill Compared to Substitute Bill: The appropriation of \$7.9 million from the motor vehicle fund for the construction of additional lanes on SR 522 from the SR 9 interchange to Paradise Lake Road is deleted. There is a title amendment to reflect the deletion of the appropriation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

Testimony For: The high accident and fatality rate on SR 522 demands near-term facility improvements. Using the design-build method of contracting will result in facility improvements being completed in a more timely and efficient manner.

Testimony Against: None.

Testified: PRO: Jerry Dickson, CAUGHT; John Conrad, WSDOT; Sid Morrison WSDOT; Jeff Kuney, Max J. Kuney Company.