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**SUBSTITUTE SENATE BILL 6439**

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**State of Washington**

**55th Legislature**

**1998 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Wood, Haugen, Prince and Horn; by request of Department of Transportation)

Read first time 02/05/98.

1       AN ACT Relating to construction of certain highway projects under  
2 a design-build procedure; creating new sections; and providing a  
3 contingent expiration date.

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

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

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

1 The process developed by the department shall, at a minimum,  
2 include the scope of services required under the design-build  
3 procedure, contractor prequalification requirements, criteria for  
4 evaluating technical information and project costs, contractor  
5 selection criteria, and an issue resolution procedure.

6 NEW SECTION. **Sec. 3.** A demonstration program consisting of two  
7 projects must be implemented using the design-build method of  
8 contracting, as prescribed under a process developed by the department  
9 of transportation under section 2 of this act. The department shall  
10 select projects normally valued over ten million dollars for the  
11 demonstration program on the basis of:

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

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

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

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

28 NEW SECTION. **Sec. 4.** This act expires April 30, 2001, unless  
29 extended by the legislature.

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