

SENATE BILL REPORT

SHB 1072

As Reported By Senate Committee On:
State & Local Government, April 1, 1999

Title: An act relating to financial information and building systems for the alternative public works process.

Brief Description: Changing provisions relating to the alternative works process.

Sponsors: House Committee on State Government (originally sponsored by Representatives Romero and D. Schmidt; by request of Alternative Public Works Methods Oversight Committee).

Brief History:

Committee Activity: State & Local Government: 3/24/99, 4/1/99 [DP].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Gardner, Vice Chair; Hale, Haugen, Horn, Kline and McCaslin.

Staff: Diane Smith (786-7410)

Background: Several different state agencies and local governments have been authorized to use alternative public works contracting procedures to award contracts on certain public works contracts of a very large dollar value. One alternative procedure is the design-build procedure. Another alternative procedure is the general contractor/construction manager procedure. Authority to use these alternative procedures terminates on July 1, 2001.

The design-build procedure is used to award a contract to a party for both the design and construction of a public facility or portion of a public facility and involves the following steps:

- Publishing a notice announcing that the procedure will be used, with opportunity for public comments.
- Publishing a notice calling for proposals on design-build services that includes a description of the project, various requirements and details, and a description of the process and relative weight of factors that will be used to evaluate proposals.
- Creation of a committee to evaluate bid proposals. The committee selects between three and five finalists to submit best and final proposals.

- Awarding a contract by either: (1) negotiating with the firm submitting the highest scored best and final proposal to execute a contract or, if an agreement is not reached, then the firm with next highest scored best and final proposal; or (2) if all finalists are capable of producing plans and specifications meeting project requirements, selecting the responsible best and final proposal with the lowest price.

The Department of General Administration, University of Washington, Washington State University, every county with a population greater than 450,000 (King, Pierce, and Snohomish counties), every city with a population greater than 150,000 (Seattle, Tacoma, and Spokane), and any port district with a population greater than 500,000 (Port of Seattle, and Port of Tacoma) may use the design-build process on any project with an estimated cost of \$10 million or more. In addition, those entities may also use the design-build process on new student housing projects of over \$5 million in estimated cost and the construction of preengineered metal buildings or prefabricated modular buildings of any cost.

Summary of Bill: The design-build alternative public works procedure may be used by eligible governmental entities to award contracts for the design, fabrication, and installation of building engineering systems of any cost if the project is highly specialized making use of the design-build approach critical; the project design is repetitive and incidental to the installation; and regular feedback from users of the facility is not critical to its effective design.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill opens up design-build to engineering systems at the request of UW. It is a consensus recommendation from the Alternative Public Works Oversight Committee.

Testimony Against: None.

Testified: PRO: Representative Sandra Romero, prime sponsor.