
Transportation Committee

SSB 5250

Brief Description: Concerning the design-build procedure for certain projects.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Haugen, King, White and Swecker).

Brief Summary of Substitute Bill

- Requires the Washington State Department of Transportation (WSDOT) to establish a process for using the design-build procedure for projects costing more than \$1 million.
- Requires the WSDOT to consider using the design-build procedure for projects costing more than \$10 million.
- Requires the WSDOT to provide an explanation for why the design-build procedure was not used for projects costing more than \$10 million, if requested.
- Requires the WSDOT to periodically evaluate the design-build procedure.

Hearing Date: 3/10/11

Staff: Christie Parker (786-7322).

Background:

The "design-build procedure" is a method of contracting under which the Washington State Department of Transportation (WSDOT) contracts with another party to both design and build the structures, facilities, and other items in the contract. This differs from the traditional "design-bid-build" method whereby the WSDOT designs the projects and contractors construct the projects. Under current law, the design-build procedure must describe the scope of services required, contractor prequalification requirements, criteria for evaluating technical information and project costs, contractor selection criteria, and the procedures for issue resolution.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The 2001 Legislature authorized the WSDOT to use the design-build procedure for projects costing more than \$10 million to facilitate faster construction of transportation facilities and to reduce costly change orders. The 2006 Legislature authorized a pilot project to evaluate use of the design-build procedure for projects costing between \$2 million and \$10 million.

Current law requires the WSDOT to develop a process for using the design-build procedure for projects costing more than \$10 million. The law permits but does not require the WSDOT to use this procedure for projects costing more than \$10 million if the construction activities are highly specialized, there is opportunity for innovation and efficiency, and delivery time would be reduced.

Summary of Bill:

The bill directs the WSDOT to develop a process for using the design-build procedure for competitively bid highway construction projects costing more than \$1 million. It also requires the WSDOT to consider using the design-build procedure for projects costing more than \$10 million. If the design-build procedure is not selected for projects over \$10 million, the WSDOT must provide a written explanation of why this procedure was not selected if requested by the legislative Transportation committees or by the Office of Financial Management. The WSDOT is directed to periodically evaluate the design-build procedure regarding cost, time to complete, efficiencies gained, and other pertinent information; this analysis shall include evaluation of projects costing less than \$10 million.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.