

# SENATE BILL REPORT

## SSB 5250

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As Reported by Senate Committee On:  
Transportation, January 12, 2012

**Title:** An act relating to the design-build procedure for certain projects.

**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 History:**

**Committee Activity:** Transportation: 1/31/11, 2/02/11 [DPS]; 1/11/12, 1/12/12 [DP2S].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Second Substitute Senate Bill No. 5250 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Haugen, Chair; Eide, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Frockt, Hill, Hobbs, Litzow, Rolfes, Sheldon and Swecker.

**Staff:** Clint McCarthy (786-7319)

**Background:** Design-build construction is a contracting technique that allows the owner of a project to contract with a single entity for the design and construction of a project. Some construction work can often begin before final design is complete, providing opportunity for cost savings and expedited project delivery. Traditional design-bid-build contracts require design to be completed before the construction portion of a project is awarded.

Current law allows the Department of Transportation (DOT) to use design-build construction if construction activities are highly specialized, efficiency opportunities are significant, or significant savings in project delivery time would be realized. A design-build project must also be over \$10 million, except that up to five pilot projects may be conducted that are between \$2 million and \$10 million.

**Summary of Bill:** The bill as referred to committee not considered.

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*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.*

**Summary of Bill (Recommended Second Substitute):** DOT may use the design-build process on any highway improvement project over \$5 million. On a biennial basis, DOT must report any improvements to its design-build processes and the Department's performance in keeping design build projects within scope, schedule and budget.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Recommended Second Substitute:** OTHER: Concerns were noted with trying to understand the basis for coming up with a \$5 million threshold for developing a design build process for highway projects. Concerned with how this bill might impact smaller contractors.

**Persons Testifying:** OTHER: David Meyers, WSBCTC.