

SENATE BILL REPORT

E2SSB 5250

As Passed Senate, March 5, 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].
Passed Senate: 3/03/11, 46-0; 3/05/12, 47-1.

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 Engrossed Second Substitute Bill: 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 DOT's performance in keeping design-

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build projects within scope, schedule and budget. Current law is restored by removing limits concerning funds dedicated to highway improvements.

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.