

# HOUSE BILL REPORT

## HB 2555

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**As Passed House:**  
February 18, 2014

**Title:** An act relating to alternative contracting performance goals.

**Brief Description:** Concerning alternative contracting performance goals.

**Sponsors:** Representatives Dunshee and Tarleton.

**Brief History:**

**Committee Activity:**

Capital Budget: 1/30/14, 2/4/14 [DP].

**Floor Activity:**

Passed House: 2/18/14, 97-0.

**Brief Summary of Bill**

- Requires building performance goals and validation requirements in requests for proposals.

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### HOUSE COMMITTEE ON CAPITAL BUDGET

**Majority Report:** Do pass. Signed by 13 members: Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Appleton, Christian, Riccelli, Robinson, Scott, Senn, Smith, Stonier and Warnick.

**Staff:** Steve Masse (786-7115).

**Background:**

Capital Projects Advisory Review Board.

In 2005 the Capital Projects Advisory Review Board (CPARB) was established to monitor and evaluate the use of traditional and alternative public works contracting procedures and to evaluate potential future use of other alternative contracting procedures. The CPARB also provides a forum in which best practices and concerns about alternative public works contracting can be discussed.

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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.*

The CPARB consists of 23 members, including four Legislative members: two from the House of Representatives, appointed by the Speaker of the House, and two from the Senate, appointed by the President of the Senate.

Alternative Contracting Procedures.

Alternative forms of public works were first used on a very limited basis and then adopted in statute in 1994 for certain pilot projects. These alternative procedures included a Design Build process.

With some restrictions, the use of alternative public works contracting procedures are authorized to a limited number of public entities.

Design Build.

The Design Build procedure is a multi-step competitive process to award a contract to a single firm that agrees to both design and build a public facility that meets specific criteria. It may be used on projects valued over \$10 million and projects between \$2 million and \$10 million under certain conditions. Contracts for Design Build services are awarded through a competitive process using public solicitations of proposals. Finalists proposals are evaluated solely on factors identified in the request for proposals.

**Summary of Bill:**

Building performance goals and validation requirements are required in the requests for proposals that the public body issues for Design Build services.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) Building performance goals and validation requirements will improve the proposal process and the public will have better buildings as a result. This a recommendation from a CPARB study.

(Opposed) None.

**Persons Testifying:** Representative Dunshee, prime sponsor; and Bob Maruska, Capital Project Advisory Review Board.

**Persons Signed In To Testify But Not Testifying:** None.