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HOUSE BILL 1662

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State of Washington                      64th Legislature                      2015 Regular Session

By Representatives Pike, Orcutt, Wilson, Hargrove, Vick, Shea, Taylor, and Condotta

Read first time 01/26/15. Referred to Committee on Transportation.

1            AN ACT Relating to design-build construction for transportation  
2 projects; amending RCW 47.20.780 and 47.20.785; and creating new  
3 sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**    There are billions of dollars' worth of  
6 projects that are urgently needed across the state of Washington. In  
7 order to build these projects as quickly and efficiently as possible,  
8 the legislature finds that these projects should be built using  
9 design-build contracts, in which the same entity is responsible for  
10 both the design and construction of the project. The Washington state  
11 department of transportation should transition into a planning and  
12 oversight role in which it would be responsible for the functioning  
13 of the transportation system as a whole.

14            **Sec. 2.**    RCW 47.20.780 and 2007 c 152 s 1 are each amended to  
15 read as follows:

16            The department of transportation shall develop a process for  
17 awarding competitively bid highway construction contracts for all  
18 projects ~~((over ten million dollars that may))~~. All highway  
19 construction projects must be constructed using a design-build  
20 procedure. As used in this section and RCW 47.20.785, "design-build

1 procedure" means a method of contracting under which the department  
2 of transportation contracts with another party for the party to both  
3 design and build the structures, facilities, and other items  
4 specified in the contract.

5 The process developed by the department must, at a minimum,  
6 include the scope of services required under the design-build  
7 procedure, contractor prequalification requirements, criteria for  
8 evaluating technical information and project costs, contractor  
9 selection criteria, and issue resolution procedures.

10 **Sec. 3.** RCW 47.20.785 and 2006 c 37 s 1 are each amended to read  
11 as follows:

12 (1) The department of transportation ((may)) must use the design-  
13 build procedure for all public works projects ((over ten million  
14 dollars where:

15 (a) ~~The construction activities are highly specialized and a~~  
16 ~~design-build approach is critical in developing the construction~~  
17 ~~methodology; or~~

18 (b) ~~The projects selected provide opportunity for greater~~  
19 ~~innovation and efficiencies between the designer and the builder; or~~

20 (c) ~~Significant savings in project delivery time would be~~  
21 ~~realized.~~

22 (2) ~~To test the applicability of the design-build procedure on~~  
23 ~~smaller projects and specialty projects, the department may conduct~~  
24 ~~up to five pilot projects on projects that cost between two and ten~~  
25 ~~million dollars. The department shall evaluate these pilot projects~~  
26 ~~with respect to cost, time to complete, efficiencies gained, if any,~~  
27 ~~and other pertinent information to facilitate analysis regarding the~~  
28 ~~further use of the design-build process on projects of this size)).~~  
29 To the extent it is practicable and cost-effective, all project risk  
30 must be allocated to the contractor.

31 NEW SECTION. **Sec. 4.** (1) When the department of transportation  
32 shifts to utilizing a design-build approach for all of its  
33 construction projects, it is clear that the current staffing levels  
34 at the department will be unnecessary. Therefore, the department is  
35 directed to develop a plan to reduce the size of its engineering and  
36 technical workforce to a level commensurate with its role of planning  
37 and overseeing the efficient functioning of the state's  
38 transportation system.

1           (2) The department of transportation must provide a report to the  
2 transportation committees of the legislature by November 15, 2015,  
3 with recommendations and a timeline for reducing its engineering and  
4 technical workforce to an appropriate level.

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