
SENATE BILL 5250

State of Washington 62nd Legislature 2011 Regular Session

By Senators Haugen, King, White, and Swecker

Read first time 01/19/11. Referred to Committee on Transportation.

1 AN ACT Relating to the design-build procedure for certain projects;
2 and amending RCW 47.20.780 and 47.20.785.

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

4 **Sec. 1.** RCW 47.20.780 and 2007 c 152 s 1 are each amended to read
5 as follows:

6 The department of transportation shall develop a process for
7 awarding competitively bid highway construction contracts for projects
8 (~~over ten million dollars~~) that may be constructed using a design-
9 build procedure. As used in this section and RCW 47.20.785, "design-
10 build procedure" means a method of contracting under which the
11 department of transportation contracts with another party for the party
12 to both design and build the structures, facilities, and other items
13 specified in the contract.

14 The process developed by the department must, at a minimum, include
15 the scope of services required under the design-build procedure,
16 contractor prequalification requirements, criteria for evaluating
17 technical information and project costs, contractor selection criteria,
18 and issue resolution procedures.

1 **Sec. 2.** RCW 47.20.785 and 2006 c 37 s 1 are each amended to read
2 as follows:

3 (1)(a) The department of transportation (~~may use~~) shall consider
4 using the design-build procedure for public works projects over ten
5 million dollars where:

6 (~~(a)~~) (i) The construction activities are highly specialized and
7 a design-build approach is critical in developing the construction
8 methodology; or

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

11 (~~(c)~~) (iii) Significant savings in project delivery time would be
12 realized.

13 (b) A written explanation must be provided, upon request, to
14 explain why the design-build procedure was not selected for public
15 works projects over ten million dollars.

16 (2) (~~To test the applicability of the design-build procedure on~~
17 ~~smaller projects and specialty projects, the department may conduct up~~
18 ~~to five pilot projects on projects that cost between two and ten~~
19 ~~million dollars.)) The department shall periodically evaluate (~~these~~
20 ~~pilot projects~~) the design-build procedure, including public works
21 projects less than ten million dollars, with respect to cost, time to
22 complete, efficiencies gained, if any, and other pertinent information
23 to facilitate analysis regarding the (~~further~~) use of the design-
24 build process (~~on projects of this size~~)).~~

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