
SENATE BILL 5997

State of Washington

64th Legislature

2015 Regular Session

By Senators King, Hobbs, Fain, Lias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker, and Brown

Read first time 02/16/15. Referred to Committee on Transportation.

1 AN ACT Relating to transportation project delivery; amending RCW
2 47.20.785; creating a new section; providing an effective date;
3 providing a contingent effective date; providing a contingent
4 expiration date; and declaring an emergency.

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

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

8 (1) The department of transportation (~~may~~) is authorized and
9 strongly encouraged to use the design-build procedure for public
10 works projects over ten million dollars (~~where~~) when:

11 (a) The construction activities are highly specialized and a
12 design-build approach is critical in developing the construction
13 methodology; or

14 (b) The projects selected provide opportunity for greater
15 innovation and efficiencies between the designer and the builder; or

16 (c) Significant savings in project delivery time would be
17 realized.

18 (2) To test the applicability of the design-build procedure on
19 smaller projects and specialty projects, the department may conduct
20 up to five pilot projects on projects that cost between two and ten
21 million dollars. The department shall evaluate these pilot projects

1 with respect to cost, time to complete, efficiencies gained, if any,
2 and other pertinent information to facilitate analysis regarding the
3 further use of the design-build process on projects of this size.
4 This subsection expires upon the completion of the five pilot
5 projects authorized under this subsection.

6 NEW SECTION. **Sec. 2.** (1) The department of transportation must
7 convene an expert review panel to examine the department's
8 implementation and use of design-build contracting under RCW
9 47.20.785.

10 (2) The expert review panel must provide a report detailing any
11 recommended changes or improvements that the department of
12 transportation should make to the design-build process in order to
13 maximize cost and schedule efficiencies and ensure that design risk
14 is borne by the appropriate party. The report is due to the
15 transportation committees of the legislature and the governor by
16 December 1, 2015.

17 (3) The expert review panel must be comprised of five members,
18 two of which are nationally recognized experts in the field of
19 design-build project delivery, a representative from the association
20 of general contractors, a representative from the American council of
21 engineering companies of Washington, and a representative from the
22 department of transportation. The two nationally recognized experts
23 must be selected cooperatively by the chairs and ranking members of
24 the senate and house transportation committees from of a list of five
25 to seven proposed candidates provided by the secretary of
26 transportation and the governor. The chair of the expert review panel
27 must be designated by the appointing authorities. The two experts
28 serving on the panel must be compensated at a rate commensurate with
29 their experience, including reimbursement for expenses according to
30 RCW 43.03.050 and 43.03.060. The department of transportation must
31 provide all staff support that the expert review panel requires.

32 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
33 preservation of the public peace, health, or safety, or support of
34 the state government and its existing public institutions, and takes
35 effect July 1, 2015.

1 NEW SECTION. **Sec. 4.** This act takes effect only if chapter ...
2 (Senate Bill No. ... (S-1301/15)), Laws of 2015 is enacted by June
3 30, 2015.

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