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**SUBSTITUTE SENATE BILL 5997**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Transportation (originally sponsored by Senators King, Hobbs, Fain, Lias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker, and Brown)

READ FIRST TIME 02/24/15.

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 an expiration date;  
4 providing a contingent 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 joint transportation committee  
7 must convene a design-build contracting review panel to examine the  
8 department's implementation and use of design-build contracting under  
9 RCW 47.20.785.

10 (2) The design-build contracting review panel must provide a  
11 report detailing any recommended changes or improvements that the  
12 department of transportation should make to the design-build process  
13 in order to maximize cost and schedule efficiencies and ensure that  
14 design risk is borne by the appropriate party. The report is due to  
15 the transportation committees of the legislature and the governor by  
16 December 1, 2016.

17 (3) The design-build contracting review panel must be comprised  
18 of six members, two of which are nationally recognized experts in the  
19 field of design-build project delivery, a representative from the  
20 association of general contractors, a representative from the  
21 American council of engineering companies of Washington, a  
22 representative of the professional and technical employees local 17,  
23 and a representative from the department of transportation. The two  
24 nationally recognized experts must be selected cooperatively by the  
25 chairs and ranking members of the senate and house transportation  
26 committees from of a list of five to seven proposed candidates  
27 provided by the secretary of transportation and the governor. The  
28 chair of the design-build contracting review panel must be designated  
29 by the appointing authorities. The two experts serving on the panel  
30 must be compensated at a rate commensurate with their experience,  
31 including reimbursement for expenses according to RCW 43.03.050 and  
32 43.03.060. The joint transportation committee will provide staff  
33 support to the design-build contracting review panel.

34 (4) This section expires June 30, 2017.

35 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
36 preservation of the public peace, health, or safety, or support of  
37 the state government and its existing public institutions, and takes  
38 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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