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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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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