
ENGROSSED SUBSTITUTE SENATE BILL 5997

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 new sections; 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.** The provisions of this act apply to
36 projects identified as connecting Washington projects and supported
37 by revenues generated under chapter ... (Substitute Senate Bill No.
38 5987), Laws of 2015.

1 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect July 1, 2015.

5 NEW SECTION. **Sec. 5.** This act takes effect only if chapter ...
6 (Substitute Senate Bill No. 5987), Laws of 2015 is enacted by June
7 30, 2015.

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