
ENGROSSED SECOND SUBSTITUTE SENATE BILL 5250

State of Washington

62nd Legislature

2012 Regular Session

By Senate Transportation (originally sponsored by Senators Haugen, King, White, and Swecker)

READ FIRST TIME 01/17/12.

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~~) five million dollars that may be constructed using a
9 design- build procedure. As used in this section and RCW 47.20.785,
10 "design- 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) The department of transportation may use the design-build
4 procedure for public works projects over ten million dollars where:

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

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

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

11 (2) ~~((To test the applicability of the design-build procedure on
12 smaller projects and specialty projects, the department may conduct up
13 to five pilot projects on projects that cost between two and ten
14 million dollars. The department shall evaluate these pilot projects
15 with respect to cost, time to complete, efficiencies gained, if any,
16 and other pertinent information to facilitate analysis regarding the
17 further use of the design-build process on projects of this size.))~~

18 Each biennium, the department shall report to the legislature on:

19 (a) Any design-build process improvements that enabled the
20 department to deliver projects more efficiently; and

21 (b) The performance of its design-build processes with respect to
22 keeping projects within scope, schedule, and budget.

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