
HOUSE BILL 1987

State of Washington

63rd Legislature

2013 Regular Session

By Representatives O'Ban, Rodne, Magendanz, Zeiger, Kristiansen, and Klippert

Read first time 03/07/13. Referred to Committee on Transportation.

1 AN ACT Relating to design-build construction for transportation
2 projects; 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))~~ All highway
9 construction projects over five million dollars must be constructed
10 using a design-build procedure to ensure that all risk is properly
11 allocated to the contractor. As used in this section and RCW
12 47.20.785, "design-build procedure" means a method of contracting under
13 which the department of transportation contracts with another party for
14 the party to both design and build the structures, facilities, and
15 other items specified in the contract.

16 The process developed by the department must, at a minimum, include
17 the scope of services required under the design-build procedure,
18 contractor prequalification requirements, criteria for evaluating

1 technical information and project costs, contractor selection criteria,
2 and issue resolution procedures.

3 **Sec. 2.** RCW 47.20.785 and 2006 c 37 s 1 are each amended to read
4 as follows:

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

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

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

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

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

21 All risk must be allocated to the contractor.

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