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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: S-0368.3/15 3rd draft

ATTY/TYPIST: BP:akl

BRIEF DESCRIPTION: Concerning transportation project delivery.

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

10 (2) The expert review panel must provide a report detailing any  
11 recommended changes or improvements that the department of  
12 transportation should make to the design-build process in order to  
13 maximize cost and schedule efficiencies and ensure that design risk  
14 is borne by the appropriate party. The report is due to the  
15 transportation committees of the legislature and the governor by  
16 December 1, 2015.

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

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