

## HCS SCS SB 133 -- DESIGN-BUILD CONTRACTS

SPONSOR: Rupp (Denison)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 11 to 0.

This substitute changes the laws regarding design-build contracts for highway projects and for the Metropolitan St. Louis Sewer District.

### DESIGN-BUILD CONTRACTS FOR HIGHWAY PROJECTS

Currently, the authority of the Highways and Transportation Commission within the Department of Transportation to enter into design-build projects expires July 1, 2012. The substitute extends the expiration date to July 1, 2018. The commission is authorized to enter into an additional design-build contract for the design, construction, reconstruction, or improvement of the Daniel Boone Bridge on U. S. Highway 40/61 I-64 located in the counties of St. Louis and St. Charles.

### DESIGN-BUILD CONTRACT FOR THE METROPOLITAN ST. LOUIS SEWER DISTRICT

The Metropolitan St. Louis Sewer District is authorized to enter into a design-build contract for a construction project exceeding \$1 million. In its main provisions, the substitute:

- (1) Establishes design-build contract procedures;
- (2) Requires the district to adopt procedures for requesting proposals from up to five prequalified contractors and evaluating and awarding contracts;
- (3) Establishes advertising requirements and procedures for submitting and opening proposals and for readvertising when necessary;
- (4) Specifies that payment bonds are required, but the performance bond does not need to cover the design services if the contractor or subcontractor providing design services carries professional liability insurance in the amount established by the district in the request for proposal;
- (5) Requires an architect, engineer, or land surveyor providing services for the contractor to be licensed or authorized in this state as required by law, unless the subcontractor performing the services is properly licensed;

(6) Requires the district to retain an architect or engineer unless it already retains one; and

(7) Prohibits the architect or engineer retained by the district from acting as the design-build contractor, subcontractor, joint venturer, or partner for the project.

FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.

PROPOSERS: Supporters say that the bill extends the date that the Department of Transportation may enter into design-build contracts.

Testifying for the bill were Senator Rupp; Associated General Contractors of Missouri; and Gary Elmestad, St. Charles County.

OPPOSERS: There was no opposition voiced to the committee.