

HB 1212 -- DESIGN-BUILD CONTRACTS FOR POLITICAL SUBDIVISIONS

SPONSOR: Guernsey

This bill authorizes political subdivisions to enter into design-build contracts for construction projects exceeding \$1 million. In its main provisions, the bill:

- (1) Establishes design-build contract procedures;
- (2) Requires the political subdivision to adopt procedures for requesting proposals and evaluating and awarding contracts from up to five pre-qualified contractors;
- (3) Establishes advertising requirements and procedures for submitting and opening proposals and for re-advertising when necessary;
- (4) Specifies that payment bonds are required, but the performance bond does not need to cover design services if the contractor or subcontractor providing design services carries professional liability insurance in the amount established in the request for proposal;
- (5) Requires architects, engineers, and land surveyors performing services for the contractor to be licensed or authorized under statute, unless the subcontractors performing the services are properly licensed;
- (6) Requires the political subdivision to retain an architect or engineer unless it already retains one; and
- (7) Prohibits the architect or engineer from acting as the design-build contractor, subcontractor, joint venturer, or partner for the project.