

CHAPTER 67**(HB 445)**

AN ACT relating to procurement methods for demonstration road and bridge projects.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 176 IS CREATED TO READ AS FOLLOWS:

Notwithstanding any conflicting provisions of KRS Chapters 45A, 176, and 177, the Transportation Cabinet is authorized to utilize design/build procurement methods for up to five (5) demonstration road and bridge related projects in each fiscal year. The projects shall be identified in the biennial highway construction plan and shall be limited to those with a construction phase not greater than thirty million dollars (\$30,000,000). For procurement purposes, the Transportation Cabinet shall utilize a qualifications-based bidding process within the context of the provisions of KRS Chapter 176. The projects shall be selected based on engineering factors that determine a design/build process will provide the best value for the Commonwealth. Factors to consider may include but not be limited to the following: project delivery schedule, technical complexity, constructability, and estimated project cost. The secretary of the Transportation Cabinet shall determine the nature and scope of each design/build project, and shall submit a report identifying and detailing the demonstration road and bridge related projects, including the estimated cost savings, to the Interim Joint Committee on Appropriations and Revenue by December 1 of each fiscal year.

Signed by Governor March 21, 2013.