

CHAPTER 55

(HB 385)

AN ACT relating to design/build projects.

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

➔Section 1. KRS 176.431 is amended to read as follows:

- (1) (a) Notwithstanding any conflicting provisions of this chapter and KRS Chapters 45A and 177, ***each fiscal year***, the Transportation Cabinet is authorized to utilize design/build procurement methods for up to:
 1. Five (5) ***major*** demonstration road and bridge related projects, ***with a total cost of each project not to exceed three hundred million dollars (\$300,000,000); and***
 2. ***Ten (10) demonstration road and bridge related projects, with a total cost of each project not to exceed seventy-five million dollars (\$75,000,000)***~~[in each fiscal year]~~.
 - (b) The projects ***outlined in this subsection*** 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)]~~.
- (2) For procurement purposes, the Transportation Cabinet shall utilize a qualifications-based bidding process within the context of the provisions of this chapter. 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.
 - (3) 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 April 2, 2018.