

1 AN ACT relating to design/build projects.

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

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

- 4 (1) ***(a)*** Notwithstanding any conflicting provisions of this chapter and KRS Chapters  
5 45A and 177, ***each fiscal year***, the Transportation Cabinet is authorized to  
6 utilize design/build procurement methods for up to:
- 7 ***1.*** Five (5) ***major*** demonstration road and bridge related projects, ***with a***  
8 ***total cost of each project not to exceed three hundred million dollars***  
9 ***(\$300,000,000); and***
- 10 ***2.*** ***Ten (10) demonstration road and bridge related projects, with a total***  
11 ***cost of each project not to exceed seventy-five million dollars***  
12 ***(\$75,000,000)***~~[in each fiscal year].~~
- 13 ***(b)*** The projects ***outlined in this subsection*** shall be identified in the biennial  
14 highway construction plan~~[ and shall be limited to those with a construction~~  
15 ~~phase not greater than thirty million dollars (\$30,000,000)].~~
- 16 (2) For procurement purposes, the Transportation Cabinet shall utilize a qualifications-  
17 based bidding process within the context of the provisions of this chapter. The  
18 projects shall be selected based on engineering factors that determine a design/build  
19 process will provide the best value for the Commonwealth. Factors to consider may  
20 include but not be limited to the following: project delivery schedule, technical  
21 complexity, constructability, and estimated project cost.
- 22 (3) The secretary of the Transportation Cabinet shall determine the nature and scope of  
23 each design/build project, and shall submit a report identifying and detailing the  
24 demonstration road and bridge related projects, including the estimated cost  
25 savings, to the Interim Joint Committee on Appropriations and Revenue by  
26 December 1 of each fiscal year.