

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 460 of 2003
SENATE BILL 305

5 By: Senators Bisbee, Holt, Horn, Glover, Broadway, J. Jeffress, Altes, Trusty, Madison, Wooldridge
6 By: Representatives Bolin, Medley, Cowling, House, Jones, Boyd, Mathis, Ferguson, Borhauer, Jackson,
7 Bledsoe, Hutchinson, Pritchard, R. Smith, Roebuck, Scrimshire, Moore, Gillespie, Petrus, Rosenbaum,
8 Walters, Anderson, Matayo, Harris, Parks
9

For An Act To Be Entitled

10
11 AN ACT TO AUTHORIZE THE STATE HIGHWAY COMMISSION
12 TO ENTER INTO DESIGN-BUILD PROJECT CONTRACTS FOR
13 HIGHWAY CONSTRUCTION PROJECTS; AND FOR OTHER
14 PURPOSES.
15

Subtitle

16
17 TO ALLOW THE STATE HIGHWAY COMMISSION
18 TO ENTER INTO DESIGN-BUILD PROJECT
19 CONTRACTS FOR HIGHWAY CONSTRUCTION.
20

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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 27-65-107, concerning the powers and duties
26 of the State Highway Commission, is amended add an additional subsection to
27 read as follows:

28 (c) Notwithstanding any other provision of law to the contrary, the
29 commission shall have the authority to enter into contracts that combine the
30 design, construction, and construction engineering phases of a project into a
31 single contract that shall be referred to as a design-build project contract.
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33 SECTION 2. Arkansas Code § 27-67-206, concerning new construction
34 projects by the State Highway Commission, is amended to add an additional
35 subsection to read as follows:

36 (j)(1) As used in this subsection (j):



1 (A) "Design-builder" means a company, firm, partnership,
2 corporation, association, joint venture, or other legal entity, including a
3 combination of any of these entities, that makes a proposal to perform a
4 design-build project contract; and

5 (B) "State highway revenues" mean highway revenues as
6 defined under § 27-70-202.

7 (2) Notwithstanding any other provisions of law to the contrary,
8 the commission may:

9 (A) Establish written procedures and regulations for the
10 procuring of qualifications based design-build services and for administering
11 design-build project contracts;

12 (B) Receive solicited and unsolicited proposals for
13 design-build construction projects from a design-builder;

14 (C) Award a design-build project contract on a
15 qualification basis that offers the greatest value for the state;

16 (D) Contract with a design-builder to acquire, construct,
17 finance, improve, maintain, and operate an unlimited number of qualified
18 design-build projects, including turnpike projects, when state highway
19 revenues are not required to fund any portion of the projects costs; and

20 (E) Contract with design-builders to acquire, construct,
21 finance, improve, maintain, and operate two (2) qualified design-build
22 projects within ten (10) years of the effective date of this subsection
23 should state highway revenues be required to fund any portion of the projects
24 cost.

25 (3) However, the projects costs for each of the two (2)
26 individual contracts involving state highway revenues under subdivision
27 (j)(2)(E) must be in excess of fifty million dollars (\$50,000,000) to qualify
28 as design-build projects under this subsection.

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31 **APPROVED: 3/18/2003**
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