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| 1 | State of Arkansas | *As Engrossed: S3/17/05* |
| 2 | 85th General Assembly | A Bill |
| 3 | Regular Session, 2005 | SENATE BILL   1093 |

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5   By: Senators Altes, *Broadway, Horn*

6   *By: Representatives Walters, Glidewell*

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9                             **For An Act To Be Entitled**

10                 AN ACT CONCERNING THE USE OF DESIGN-BUILD

11                 CONSTRUCTION BY PUBLIC SCHOOL DISTRICTS; AND FOR

12                 OTHER PURPOSES.

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14                                     **Subtitle**

15                 AN ACT CONCERNING THE USE OF DESIGN-

16                 BUILD CONSTRUCTION BY PUBLIC SCHOOL

17                 DISTRICTS.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22     SECTION 1.  Arkansas Code Title 19, Chapter 11, Subchapter 8 is amended

23 to add an additional section to read as follows:

24     19-11-807.  Design-build construction.

25     (a)  As used in this section:

26         (1)  "Design-build" means a project delivery method in which the

27 school district acquires both design and construction services in the same

28 contract from a single construction entity without competitive bidding; and

29         (2)  "Design-builder" means a construction entity hired to

30 perform a design-build contract.

31     (b)(1)  Any school district may use design-build construction as a

32 project delivery method for the building, altering, repairing, improving,

33 maintaining, or demolishing of any structure, or any improvement to real

34 property owned by a school district.

35         (2)  The design-builder shall contract directly with

36 subcontractors and shall be responsible for the bonding of the project.

1            (3)  Projects using design-build construction shall comply with
2    state and federal law.
3            (c) The Division of Public School Academic *Facilities and*
4    *Transportation* shall develop and promulgate rules consistent with the
5    provisions of this section concerning the use of design-build construction by
6    school districts.
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