

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1702

5 By: Representative Barnett  
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## For An Act To Be Entitled

8 AN ACT TO REVISE AND EXTEND THE AUTHORITY OF THE  
9 STATE HIGHWAY COMMISSION TO ENTER INTO DESIGN-BUILD  
10 CONTRACTS; AND FOR OTHER PURPOSES.  
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## Subtitle

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14 TO REVISE AND EXTEND THE AUTHORITY OF THE  
15 STATE HIGHWAY COMMISSION TO ENTER INTO  
16 DESIGN-BUILD CONTRACTS.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 27-67-206(j)(2) and (3), concerning  
22 authority for the State Highway Commission to enter into design-build  
23 contracts, is amended to read as follows:

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

26 (A) Establish written procedures and regulations for the  
27 procuring of qualifications-based, design-build services and for  
28 administering design-build project contracts;

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

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

33 (D) Contract with a design-builder to ~~acquire, design,~~  
34 construct, ~~finance, improve, maintain, and operate~~ and maintain an unlimited  
35 number of qualified design-build projects, including turnpike projects, when  
36 state highway revenues are not required to fund any portion of the projects'



1 costs; and

2 (E) Contract with design-builders to ~~acquire,~~ design,  
3 ~~construct, finance, improve, maintain, and operate two (2)~~ and maintain  
4 ~~qualified design-build projects within ten (10) years of July 16, 2003,~~ of  
5 July 1, 2013, pursuant to Amendment 91 to the Arkansas Constitution, should  
6 state highway revenues be required to fund any portion of the projects' ~~cost~~  
7 costs.

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

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