

HOUSE RESEARCH

Bill Summary

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Overview

This bill allows Anoka and Dakota counties to use the design-build contracting method for two specific intersections, subject to MnDOT oversight, as a pilot program. It specifies various aspects of the process to be used in selecting a contractor as well as in the design-build process. The provisions in this bill are similar to those in law for MnDOT. Minn. Stat. §§ 161.3410 to 161.3428. Under current law, Hennepin County is the only county authorized to use design-build (for up to ten percent of its total projects in any fiscal year, for building or facility, or to design, construct, or reconstruct a county road, bridge, or other infrastructure relating to a county roadway) and it is on the basis of a best value selection process. Minn. Stat. § 383B.158 et seq.

Section

- 1 Design-build pilot program.** Creates and specifies various aspects of the pilot program for Anoka and Dakota counties, including the process for design-build firm selection.

Subd. 1. Definitions. Defines terms. “Commissioner” is the commissioner of transportation; “municipality” means Anoka or Dakota county.

Subd. 2. Pilot program. Permits use of design-build (1) by Anoka county for reconstruction of the intersection of trunk highway 10 and Anoka County highway 83, and (2) Dakota county for the construction of an interchange at trunk highway 13 and Dakota county highway 5 in Burnsville. Provides that if either county determines to participate the commissioner must work with the county.

Subd. 3. Licensing requirements. Establishes minimum qualifications for design-build contractors, including having a licensed designer associated with the firm.

Subd. 4. Information session for municipal engineer. Requires that the engineer for the county attend an information session with MnDOT on the design-build

process.

Subd. 5. Technical Review Committee. Requires that the county establish a technical review committee to evaluate proposals for a design-build contract, and provides for committee membership, data practices, and conflicts of interest.

Subd. 6. Phase one; design-build RFQ. Outlines the required elements a request for qualifications from potential design-build contractors.

Subd. 7. Information session for prospective design-build firms. Requires that firms seeking a design-build contract under the pilot program must, after an RFQ is solicited, attend an information session with MnDOT on the design-build process.

Subd. 8. Evaluation; short list. Requires evaluation of responses to the RFQ and creation of a short-list of up to five responders.

Subd. 9. Phase two; design-build RFP. Outlines the required elements for a request for proposals from potential design-build contractors.

Subd. 10. Design-build award; computation; announcement. Establishes procedures for scoring of proposals, announcement of scores, and award of a design-build contract. Outlines the method of calculation of scores using price and technical score, with an optional time value factor. Provides for a stipulated fee of at least 0.02 percent of estimated project costs to be provided to each short-listed proposer that submits an unsuccessful proposal. Payment of the fee permits the county to use the ideas and information in the unsuccessful proposal; waiver of the fee by the proposer prohibits the county from using the ideas and information.

Subd. 11. Low-bid design-build process. Authorizes use of design-build contracting based on the lowest bidder if the scope of the project is clearly defined, and establishes the contractor selection process.

Subd. 12. Legislative report. Requires the commissioner to report on the pilot program by December 15, 2011, to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance.

Effective the day after enactment.