

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 217**

**STATE OF NEW JERSEY**

DATED: JUNE 3, 1996

The Assembly Transportation and Communications Committee favorably reports an Assembly Committee Substitute for Assembly Bill No. 217.

This substitute bill amends procedures set forth in sections 29 and 30 of chapter 7 of Title 27 of the Revised Statutes used by the Department of Transportation (the department) for the procurement of design, construction and other services necessary for transportation projects and transportation-related facilities.

The purpose of the amended procedures authorized by this bill is to allow the department the option of awarding one contract for both the design and construction of transportation projects and transportation-related facilities, when it makes sense to use this contracting method. Such combined bidding is sometimes referred to as "design/build," and is identified in the substitute bill as "design and work." This method of procurement offers the prospect of substantially reducing the amount of time it takes to bring transportation public works projects to completion and is an alternative to the department's current procurement system.

A "design/build" contract would be awarded to the responsible bidder or proposer whose bid or proposal, conforming to the advertisement for bids or proposals, is the most advantageous to the State, when price and other publicly disclosed factors are considered.

The substitute bill directs the department to promulgate regulations to implement the provisions of this act and to establish procedures and objective criteria to be followed when the department undertakes a procurement for design and work. The regulations shall include, but not be limited to, the procedures pertaining to the preparation, submission, receipt of proposals, and evaluation of proposals and the award of contracts. The department has indicated that it will confer and consult with all interested parties during the development and promulgation of the regulations.

The department has further indicated that it is not the department's intention to use the procurement procedures authorized by this bill to

alter the manner in which it currently awards contracts involving design or engineering services only, or to alter the manner in which it currently bids and awards contracts involving construction work only.