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Bill No. 6
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- 1 (a) a municipality, county, or consolidated city-county established pursuant to Title 7, chapter 1, 2, or
- 2 3;
- 3 (b) a school district established pursuant to Title 20; or
- 4 (c) an airport authority established pursuant to Title 67, chapter 11.
- 5 (7) "Project" means any construction or any improvement of the land, a building, or another
- 6 improvement that is suitable for use as a state or local governmental facility.
- 7 (8) "State agency" has the meaning provided in 2-2-102, except the department of transportation,
- 8 provided for in 2-15-2501, is not considered a state agency.

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10 **NEW SECTION. Section 2. Alternative project delivery contract -- authority -- criteria.** (1) Subject

11 to the provisions of [sections 1 through 3], a state agency or a governing body may use an alternative project

12 delivery contract. A state agency or governing body that uses an alternative project delivery contract shall:

- 13 (a) demonstrate that the state agency or the governing body has or will have knowledgeable staff or
- 14 consultants who have the capacity to manage an alternative project delivery contract;
- 15 (b) clearly describe the manner in which:
- 16 (i) the alternative project delivery contract award process will be conducted; and
- 17 (ii) subcontractors and suppliers will be selected.

18 (2) Prior to awarding an alternative project delivery contract, the state agency or the governing body

19 shall determine that the proposal meets at least two of the sets of criteria described in subsections (2)(a) through

20 (2)(c) and the provisions of subsection (3). To make the determination, the state agency or the governing body

21 shall make a detailed written finding that:

- 22 (a) the project has significant schedule ramifications and using the alternative project delivery contract
- 23 is necessary to meet critical deadlines by shortening the duration of construction. Factors that the state agency
- 24 or the governing body may consider in making its findings include, but are not limited to:
- 25 (i) operational and financial data that show significant savings or increased opportunities for generating
- 26 revenue as a result of early project completion;
- 27 (ii) demonstrable public benefits that result from less time for construction; or
- 28 (iii) less or a shorter duration of disruption to the public facility.
- 29 (b) by using an alternative project delivery contract, the design process will contribute to significant cost
- 30 savings. Significant cost savings that may justify an alternative project delivery contract may derive from but are

