



HB 160: Procurement; Construction; Contracts Sectional Analysis

Section 1. AS 36.30.200(c) is amended to add CMGC (Construction Manager / General Contractor). This section ensures that the Department only uses the contracting method on appropriate projects by requiring that the Commissioner of Transportation and Public Facilities first determine that doing so is advantageous to the State.

Section 2. AS 36.30.250 is amended to add the Department may exclude price criteria when awarding a preconstruction services contract under the CMGC contracting method.

Section 3. AS 36.30 is amended to add a new section AS 36.30.309. This section is the operative provision of the CMGC bill. It identifies the CMGC method as requiring a two-phase contract: one contract for preconstruction services and another for construction services. The Department awards the construction services contract only if the parties can reach an agreed price for construction services for a specific project scope and schedule. If the parties cannot reach an agreed price, the Department may contract with another contractor for construction of the project using any other contracting method under the procurement code.

Section 4. AS 36.30.990 is amended to add the definition for “preconstruction services”.

Section 5. Authorizes the Department to adopt regulations that further implement the Act.

Section 6. This section specifies that Section 5 takes effect immediately.