

Choosing the Right Delivery Method for Your Next Construction Project

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Presenter



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Evolution of California Project Delivery

- 1996: SB 5 (design-build transportation)
- 2008: SB 4 (CMAR pilot program)
- 2014: SB 785 (local agency design-build)
- 2022: SB 706 (progressive design-build)

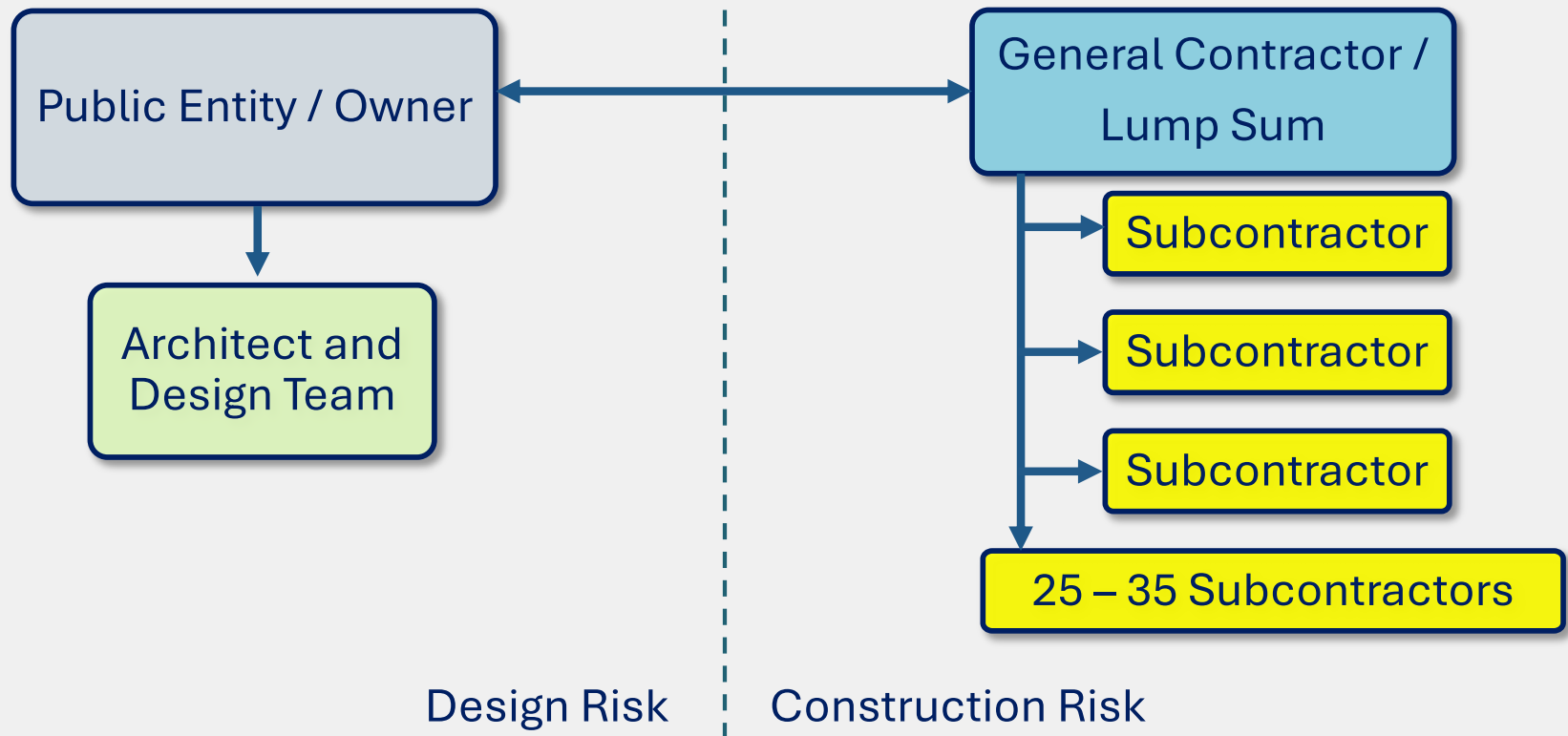
Topics Today

- Key Procurement Considerations
- Design-Bid-Build
- CMAR
- Design-Build
- Progressive Design-Build
- Public-Private Partnerships

Key Procurement Considerations

- Legal Authority for Procurement
- Whose Money is Involved
- Design versus Construction Procurement
- How is the Work Priced
- What is the Owner's Design Risk
- Time to Project Delivery
- Conflict of Interest Issues
- Handling Subcontractors
- Industry Comfort Level

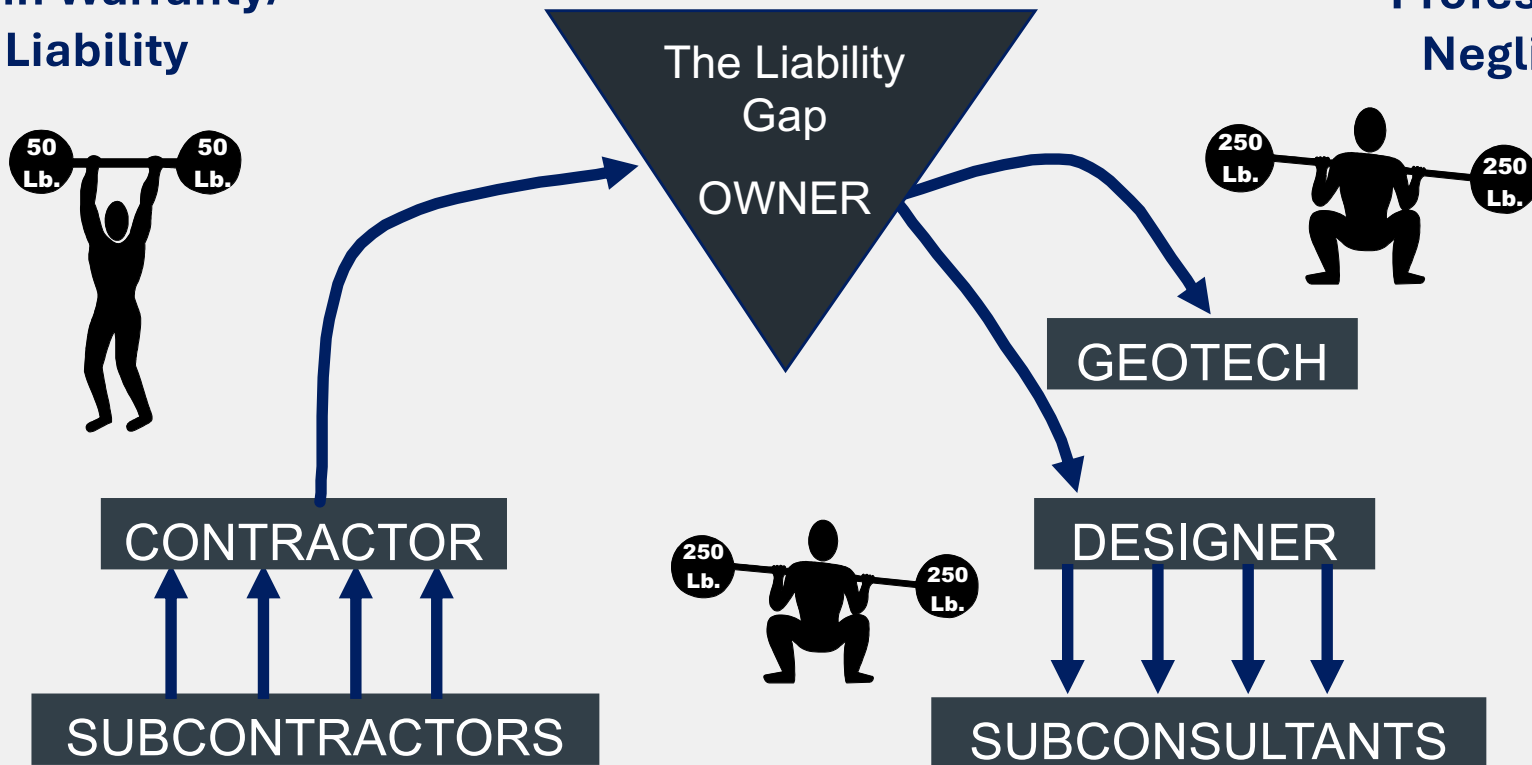
Design-Bid-Build



Design-Bid-Build

**Spearin Warranty/
Strict Liability**

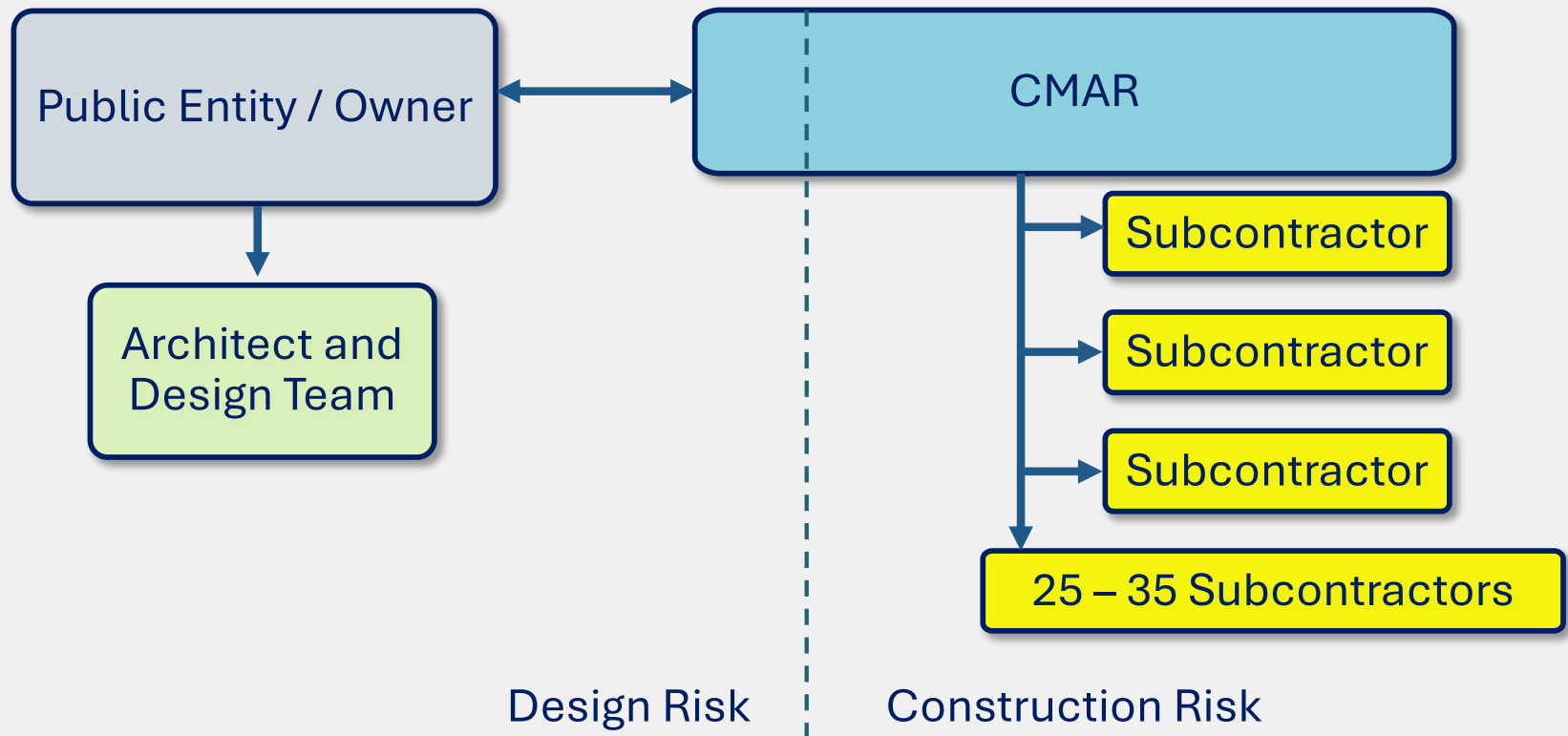
**Professional
Negligence**



Construction Manager At Risk

- Legal Authority - Many Enabling Statutes
- Early Contractor Involvement – Preconstruction
 - CM reviews plans and specifications for constructability
 - CM bids the trade subcontracts
- Qualifications Based Selection – “Best Value”
- Pricing – GMP, Not Low Bid
 - Aggregate of CM Fees and Subcontract Bid Prices become GMP
 - Limited change order right
 - Shared (Owner/CM) savings of unused contingency

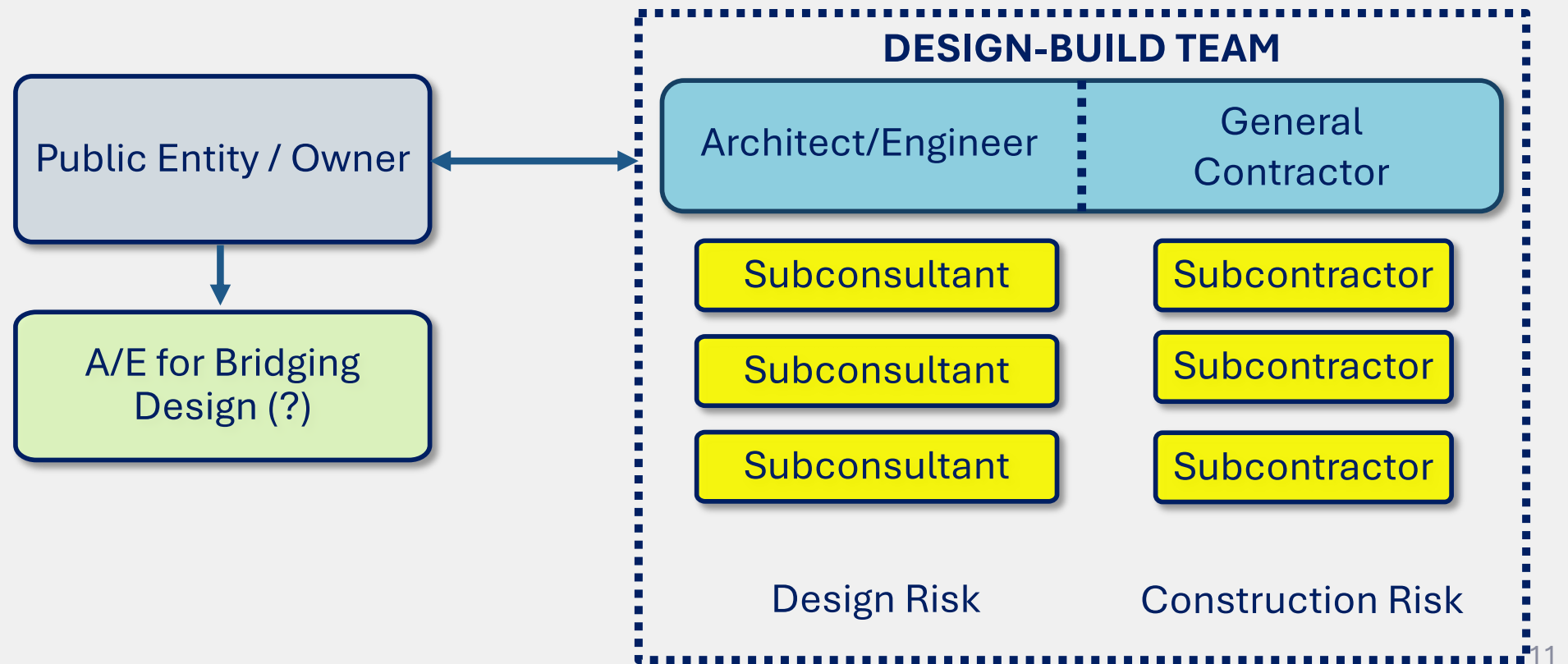
Construction Manager At Risk



Design-Build

- Legal Authority - Many Enabling Statutes
- Single Entity Provides Design and Construction
- Traditional, or Two-step Processes
- More Recently – Single Step “Progressive” Design Build

Design-Build



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Design-Build

- Eligible Project
- Conflict of Interest Policy
- Skilled and Trained Workforce Requirements
- Standard Template for Statement of Qualifications
 - Experience with projects of similar size, scope, or complexity
 - Proposed key personnel have sufficient experience
 - Financial statement
- Subcontractors

Two-Step Design-Build

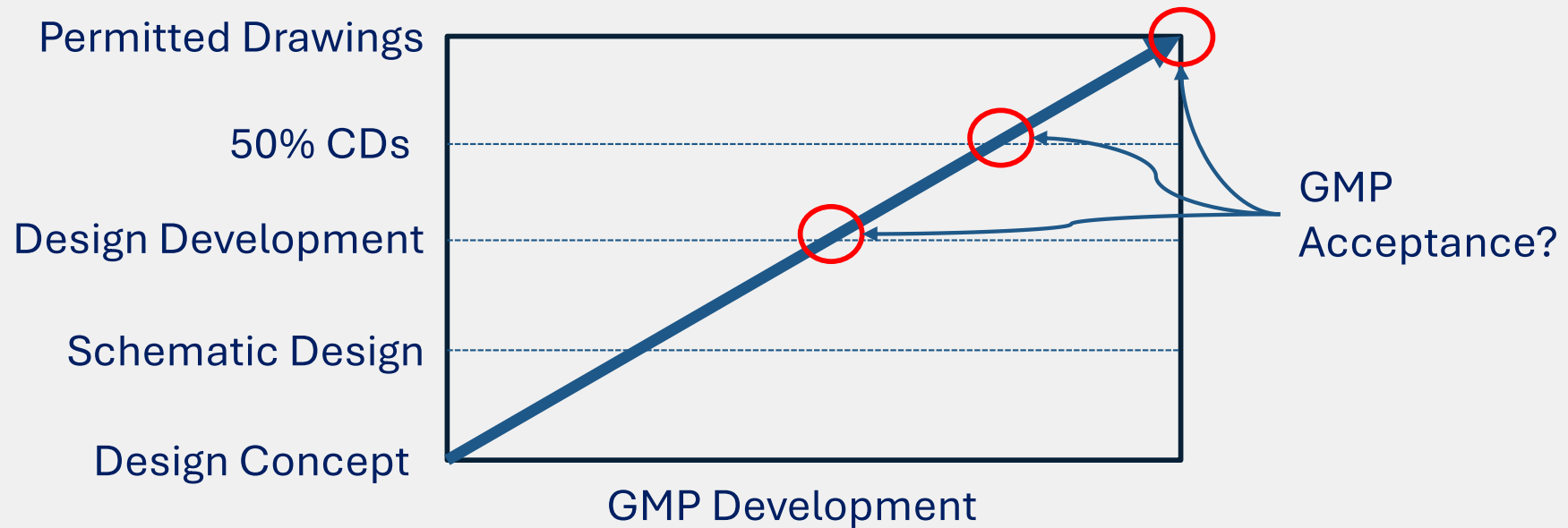
- Request for Qualifications
 - Scope definition (bridging documents)
 - Level of design development
 - Prequalify or shortlist
- Request for Proposals
 - Significant evaluation factors to evaluate
 - Procedure for final selection
 - Proposal revisions/negotiations with responsive proposers

Progressive Design-Build

- Legal Authority
- Design Development
- Single Step Procurement
- Two Phases of Service:
 - Design & GMP
 - Construction

Progressive Design-Build

- Phase One – Design/Preconstruction/GMP



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Public Private Partnerships (P3)

- P3 Options Outside Public Contract Code
- Gov. Code 5956
- Public Lease-leasebacks

Concluding Remarks and Questions

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Thank you!



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