

## **FACILITIES DEVELOPMENT**

## **Regulation 7131**

### **Facilities Planning and Design**

#### **Design-Build Selection**

#### **Board Action**

To initiate the design-build method, the Board will:

1. Publically disclose its intent to utilize a design-build method during an open session of a regular Board meeting. This meeting will occur at least one week prior to publishing a request for proposals.
2. Retain a design criteria consultant who shall be a duly licensed architect or engineer, to assist in preparation of a design criteria package and request for proposal. Among the functions to be performed by the consultant are the following:
  - a) To perform periodic site reviews to determine adherence to design criteria;
  - b) Prepare progress reports and additional services by the District;
  - c) Assist in the development of project design criteria;
  - d) Assist in the development of requirements for proposal; and
  - e) Assist in evaluation of proposals.

However, the consultant may not submit a proposal or furnish, design or consultation services for the contract for which they were retained to consult. The consultant will be selected and its contract negotiated consistent with the process utilized in Policy 7120 for selection of architects and engineers, unless the consultant is a District employee.

3. Publish a notice of the request for proposals with a description of the project, the procedures for submission and the selection criteria to be used. This notice will be publicized in a newspaper of general circulation located in the county within the boundaries of the District. The publication will occur once per week for two consecutive weeks prior to opening of proposals.

#### **Selection Process/Design Criteria Consultant**

1. A design criteria consultant will be retained by the District to assist in preparation of the design criteria package and request for proposals.

2. The consultant will assist the District in the development of project design criteria, requests for proposals, evaluation of proposals and any additional services requested by the District.
3. Requests for Proposals will include:
  - a) Procedures for submitting proposals.
  - b) Criteria for evaluating proposals including the relative weight of each criteria.
  - c) Terms and conditions of the design-build contract.
  - d) The design criteria package.
  - e) Description of the drawings and specifications.
  - f) A schedule of the planned commencement and completion of the design-build contract.
  - g) Budget limits, if any.
  - h) Requirements for performance bonds, payment bonds and insurance.
  - i) Amount of stipend.

### **Bid Process**

#### **Phase One.**

1. All bidders will be required to submit a statement of qualifications to include:
  - a) Demonstrated ability to perform projects comparable in design, scope and complexity.
  - b) References of Owners of design-build projects completed.
  - c) Qualifications of personnel will manage the design and construction aspects.
  - d) Names and qualifications of the primary design consultants and primary trade contractors proposed to be utilized.

Phase Two/Evaluation Team.

1. The District will select qualified design-builders to proceed to Phase Two. The number selected to proceed will not be more than five, nor less than two in number.
2. Neither price nor fee will be a part of the pre-qualification criteria.
3. Design-builders will participate in an interview.
4. Qualified design-builders will assemble a Phase II proposal to include:
  - a) Project design.
  - b) Ability to meet the approved schedule.
  - c) Points will be awarded as follows:
    - i. Up to 20% based on qualification and ability to design, contract and deliver the project on time and within budget.
    - ii. Phase II points will account for not less than 40% of the total points.

Phase Three.

1. Qualified design-builders will submit a firm, fixed cost of design and construction and will include a bid security bond as well as a statement of minority participation.
2. Phase III will account for no less than forty (40%) percent of the total points.
3. Proposals for Phase II and Phase III will be submitted concurrently in separate envelopes.
4. Phase III cost proposals will be opened only after the Phase II design proposals have been evaluated; assigned points, ranked in order and pointed.
5. Cost proposals shall be opened and read aloud at the time and place specified in the RFP. Simultaneously, the scoring of Phase II will be made public.
6. In evaluating cost proposals, the lowest responsive bidder will be awarded the total number of points to be awarded in Phase III. Higher bidders' point totals will be reduced by one (1%) percent for each percentage point by which the bidder exceeds the lowest bid.
7. If the District rejects the bidder with the highest total points, all proposals will be rejected.

8. A stipend in the amount of one-half (1/2) of one (1%) percent will be paid to each prequalified bidder where proposal is responsive but not accepted. Upon payment the District will acquire a non-exclusive right to use the design submitted by the proposer. The proposer may retain the design rights by releasing the stipend.
9. Construction Oversight. The design criteria consultant will be responsible for among other things:
  - a) Perform regular site visits to determine adherence to the design criteria.
  - b) Prepare progress reports.
  - c) Review and approve progress and final pay applications of the design-builder
  - d) Review shop drawings and submissions
  - e) Provide input in disputes
  - f) Interpret construction documents
  - g) Perform inspections upon substantial and final completion
  - h) Complete warranty inspections.

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