

# Design-Build RFQ, RFP, and Contract Update

District Citizens' Oversight Committee

**BuildLACCD**

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# Overview of Design-Build RFQ/RFP and Contract Update

## ***Goals:***

1. Attract and retain the best possible contractors for projects while also ensuring the District's statutory compliance.
2. Maximize participation of small, local, emerging, minority, disabled, and veteran contractors.



# Design-Build RFQ/RFP and Contract Update

PMO and District staff reviewed District Design-Build RFQ/RFP documents, contract documents, and District administrative procedures to streamline and make more efficient.

- Process included soliciting feedback from industry partners (including contractors) to get feedback on potential improvements on current process.



# Design-Build RFQ and RFP

- Streamlined and simplified proposer qualification and proposal submission requirements, including:
  1. Creating different experience requirements for project categories to encourage more contractors to propose for District projects of all sizes; and,
  2. Simplifying proposal submission and presentation requirements to make the process easier for proposers and District evaluators.



# Design-Build RFQ and RFP

- Tailored proposer experience requirements by project size to get more contractors involved/increase competition for District construction projects of all sizes.
  - Large Projects = Over \$30M
  - Medium Projects = \$15-\$30M
  - Small Projects = Up to \$15M



# Design-Build RFQ and RFP

- Simplification of proposal deliverables, presentation materials, and scoring criteria, to encourage more proposers to participate and simplify evaluation process including:
  - Less renderings required, no mock-ups allowed;
  - Price reduced to 20% of evaluation criteria; and,
  - Removal of Best and Final Offer (BAFO) Process.



# Contract – General Conditions

- Streamlined dispute resolution procedures:
  1. Eliminates multiple meetings not required by Statute, saving the District time and money
  2. Addresses industry partners concern with timely resolution of change orders and claims



Source(s): FMI analysis of multiple sources

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# Contract – General Conditions, Cont.

- Revisions to form contract to better serve the District including:
  1. Enhanced contractor scheduling provisions and project milestones so the District can better track project progress; and,
  2. Additional contractor partnering requirements to enhance contractor communication with the District.

Source(s): FMI



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# Contract Award and Administration

1. Expedited change order processing procedure, which incorporates a portion of the project contingency in the contract approval for:
  - Unforeseen conditions; and
  - DSA/regulatory agency required changes.
2. Proposed expedited process excludes College/ District requested change orders, which will require prior Board approval.



Source(s): FMI analysis of multiple sources

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# Contract Award and Administration

- Use of contingency fund requires documented evidence of contractual entitlement.
- Documentation must be presented to PMO and CFE for written approval.



# Contract Award and Administration

- Binding Arbitration Language no longer mandatory for all claims intended to discourage frivolous contractor claims
  - Avoids “splitting of the baby” arbitrator decisions (i.e. claims pursued because arbitrator will give contractor “something”)
  - Better preserve District’s procedural defenses
  - Greater perceived risk of trial decision to both parties intended to encourage earlier settlement



# Current Status

- First project to incorporate proposed changes is Mission College Student Services Project
  - Currently in Procurement Estimated Award Date May 2019
  - Good Participation in RFQ/RFP Process



**QUESTIONS?**



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