

2024 Legislation to Build Resiliency

Capital Delivery Reform legislation will give the City and DDC the tools needed to deliver NYC's resiliency infrastructure better, faster, and more cost-effectively — tackling intense rainfall and coastal flooding.

Traditional Approach *Often Slow and Inefficient*

NYC capital projects have long been constrained to design-bid-build project delivery, with few exceptions. The design-bid-build process requires the City to onboard a designer, complete design and put pencils down, conduct a lengthy construction procurement, and award construction to the lowest responsible bidder.

The process can yield long project schedules, designs completed without input from the builder, limited control over construction quality, and contentious relationships during construction.

Traditional Design-Build — *Constructing New Buildings Faster*

The 2019 passage of the Public Works Investment Act (PWIA) transformed capital project delivery by granting DDC and other agencies the ability to use design-build, in which a single contract is awarded through best-value selection to an integrated design and construction team.

Design-build has fundamentally changed DDC's ability to deliver major new buildings and some types of infrastructure, offering:

- Collaboration between the designer, builder, and City from the outset

- Construction expertise embedded during design, leading to buildable details and fewer bid busts
- Phased design and construction, with early works starting during design
- Reduced project timelines, delivering facilities to communities years faster

DDC completed our first ground-up design-build project in 22 months from the time of award — 3 years faster than with traditional design-bid-build delivery. Since launching its design-build program in 2020, DDC has awarded nine contracts totaling \$575 million, with more in the pipeline.

DDC and sponsor agency DEP are implementing a \$2B+ program to mitigate flooding in the communities of Southeast Queens. With 40+ projects funded over a period of years, the program is building new storm sewers in areas that have historically relied on surface drainage and delivering large 'spine' projects to serve major drainage areas and carry stormwater to outfalls. Expanding the City's toolkit of delivery methods for resiliency projects will allow DDC to get the work done years faster, protecting communities sooner.



Expanding the Toolkit—Critical for Complex Infrastructure

While traditional design-build offers tremendous potential for new buildings, it is not well-suited to projects with complex or unknown existing conditions — like the infrastructure urgently needed to adapt NYC to stronger storms.

NYC's resiliency portfolio includes new coastal flood protection, larger storm sewers, areawide drainage improvements, and green infrastructure like porous pavement, rain gardens, and infiltration basins that reduce the burden on the City's sewer system. But traditional design-bid-build methods of delivering these projects can no longer keep pace with the demand. In fact, DEP's capital plan is expected to more than double in the coming fiscal years.

Progressive Design-Build (PDB) is an ideal tool for complex infrastructure projects like those needed to build stormwater resiliency.

With Progressive Design-Build, the City awards a single contract to an integrated design and construction team in a one-step procurement early in the process. This approach allows the City and the design-build team to collaborate from the earliest stages to investigate existing conditions before determining a final scope and price. In projects with multiple sites, it can also allow a phased approach — designing, building and reopening locations as they are completed.

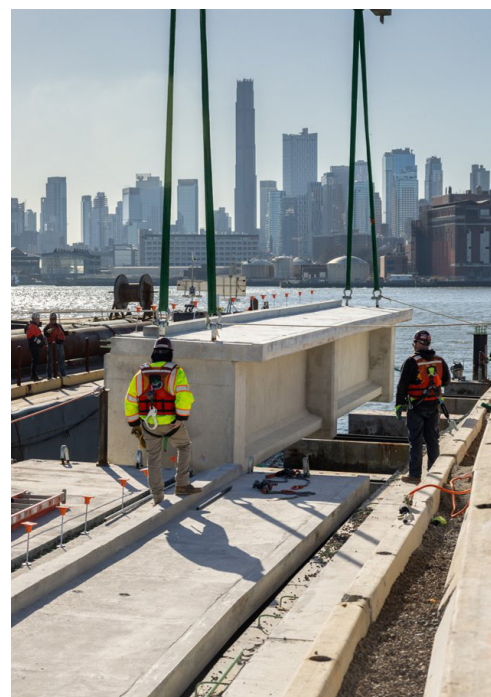
Progressive design-build makes the transformative collaboration and time-savings of design-build available to the City's urgently needed infrastructure projects.

Progressive Design-Build is the Tool Other Public Owners Use to Build Resiliency Infrastructure

While State law constrains mayoral agencies like DDC to design-bid-build construction, other public owners do not face this same constraint. Progressive Design-Build is widely used for infrastructure projects by the States of California, Florida, Texas, Virginia, and Washington. On Manhattan's West side, the New York State Battery Park City Authority (BPCA) is utilizing

Progressive Design-Build to deliver 8,000 linear feet of coastal flood protection. Meanwhile, DDC's 3.2 miles of coastal flood protection on the east side of Manhattan — from the Brooklyn Bridge to East 30th Street — are constrained to utilizing design-bid-build delivery.

Expanding the Public Works Investment Act will grant the agencies a suite of project delivery methods — including **Progressive Design-Build** and **CM-Build** — that are critical to delivering resiliency portfolios as efficiently as possible.



DDC+ A New Authority to Streamline Capital Delivery

Transforming DDC into an authority would grant DDC these alternative delivery tools and eliminate many administrative challenges. As an authority, DDC+ would have fewer administrative burdens and redundant oversight steps during procurement and contract administration, streamlining procurement, design and construction. For NYC's resiliency infrastructure, this means faster project delivery and better control over quality during construction.