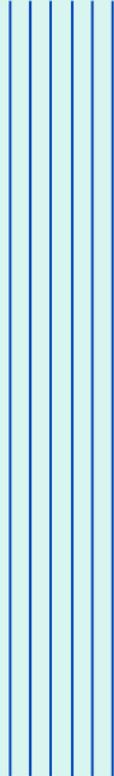


Design-Build Forum

July 26, 2021



AGENDA

- 1. Welcome & Introduction**
Wayne Lambert
Chief Diversity and Industry Relations Officer
- 2. Design-Build in Public Buildings: Program Overview**
Alison Landry, AIA
Executive Director, Public Buildings
- 3. Spotlight: Design Build Procurement**
Jade Bailey, PE, PMP
Deputy Director, Design Build, Public Buildings
- 4. Q&A**

M/WBE

Wayne Lambert
Chief Diversity and Industry Relations Officer



Design-Build M/WBE Process



Design-Build legislation provides additional opportunities to engage the M/WBE industry in various City capital projects.

To leverage this opportunity, the M/WBE Program under Design-Build will include:

- M/WBE Program Experience Form at the RFQ Stage
- M/WBE Participation goal will be:
 - 30% of the Construction Cost (Including CM Services)
 - 30% of the Design Cost
- Firms will **not** be allowed to submit pre-proposal and pre-award waivers
- There will be a post-award modification assessment that focuses on the design-builder's good faith effort practices
- DDC will monitor performance against M/WBE goals and all good faith efforts during the life of the project

Design-Build M/WBE Process



To facilitate meeting targets while maintaining a robust vendor pool, the Design-Build Program:

- Not subject to NYC Admin. Code 6-129, but must comply “with the objectives and goals” of Admin. Code 6-129
- Allows for the use of **state-certified M/WBEs** in addition to city-certified M/WBEs
- **Eliminates any tier restrictions** on eligible M/WBE participation
- **Counts suppliers** at 60% of the subcontract value

DESIGN-BUILD IN PUBLIC BUILDINGS: PROGRAM OVERVIEW

Alison Landry, AIA
Executive Director, Public Buildings



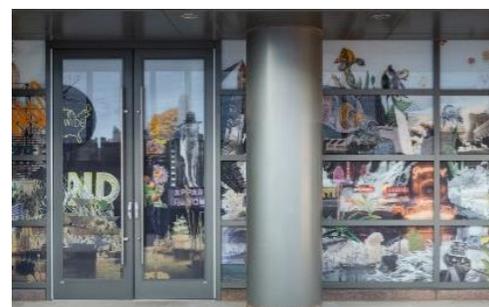
DDC Design-Build



Commitment to Project Excellence

Project Excellence builds on the tradition of **innovation in architecture and engineering** that has contributed to the City's prestige as a global destination, with projects that are:

- Inspiring
- Enduring
- Practical
- Constructible
- Cost-Sensitive



DDC Design-Build



Why do Design-Build?

The City of New York is committed to achieving **excellence in design and construction** across its portfolio of public works.

With **Design-Build project delivery**, the City expects to benefit from:

- Exemplary design that prioritizes project excellence
- Team coordination and collaboration
- Qualitative, best value selection
- Construction expertise in the design process
- Design expertise in the construction process

DDC Design-Build



Design-Build Legislation

As part of the **NYC Public Works Investment Act**, DDC is authorized to award design-build contracts for certain public works within the City:

- Public works projects with an estimated value above \$10,000,000;
and
- Public works projects with an estimated value above \$1,250,000
that meet certain criteria

DDC Design-Build



NYC Public Works Investment Act

... public works projects above \$1,250,000 that meet certain criteria:

- Parks Department
- NYCHA
- Cultural institutions on City-owned land
- Public libraries for NYPL, BPL, and QPL
- Security infrastructure
- Right of way accessibility improvements

DDC Design-Build



DDC is implementing three Design-Build portfolios:

- Borough Based Jails Program
- Infrastructure Pilot Program
- Public Buildings Pilot Program

DDC Design-Build



DDC is implementing three Design-Build portfolios

- Borough Based Jails Program
- Infrastructure Pilot Program
- **Public Buildings Pilot Program**

Public Buildings Design-Build Status



Summer 2021 progress and lookahead

Adaptations: Initiating Public Building's pilot program

- Developed capacity with in-house Design-Build knowledge and trainings
- Onboarded an Owner's Representative to implement best practices
- Initiated a portfolio of pilot projects and completed a scoping process, to document performance-based project goals and requirements
- Refined procurement processes, to accommodate a range of project typologies and contract values (e.g., lump sum versus GMP)
- Adapted DDC requirements to prioritize project excellence through performance validation and design management
 - *Include considerations for early works and fast track packages*

Public Buildings Design-Build Status



Progress and lookahead

Opportunities for Public Building's pilot program:

- Publish a 'Notice of Intent' on DDC's Design Build website, updated on a quarterly basis to prepare industry for upcoming opportunities
- Convened DB Forum at start of 2021, to engage members of the design and construction industry and share information about upcoming opportunities, with quarterly breakout sessions
- Released first series of procurements within the pilot program
- Publishing the shortlist to encourage teaming during the second step of the two-step procurement

Public Buildings Design-Build Status



Progress and lookahead

What's Next for Public Building's pilot program:

- Pilot project awards in coming months
- Expanding program to additional projects, with an updated 'Notice of Intent' to provide information about upcoming opportunities
- Hosting DB Forum series, with sessions that will focus on different aspects of the delivery process

DDC Design-Build



Design Build Contract

- On a project basis, DDC will manage a **two-step procurement** for Design Build services
 - Request for Qualifications (RFQ)
 - Request for Proposals (RFP)
- **At the RFQ step**, limited project information is provided to allow proposers to assemble a qualified team and submit a Statement of Qualifications
- DDC will evaluate the SOQs to establish a shortlist
- **At the RFP step, extensive project information** will be released to the shortlisted teams

DDC Design-Build



Stand-Alone Design Build

- The Design Builder is responsible for **overall design and construction** of the project
- The Design Build Agreement (DBA) will include provisions for:
 - Flexibility to use **fast-track construction** packages
 - **Scope validation** period
 - Alternate **dispute resolution**
- **Key terms** of the project's DBA are included with the RFQ, and a full draft of the DBA will be included at the RFP step to the short-listed respondents

HINT

RFQs are posted on DDC's Design Build website and include a summary of select Design Build Agreement (DBA) commercial terms.

DDC Design-Build



Teaming for Design-Build

- There is no role-requirement for the leadership of the DB team; **for example, teams may be designer-led.**
- Proposed DB team members are not required to have prior experience working together.

HINT

If members of the DB Team do not have extensive experience collaborating on projects, the Proposer shall explain the relationship and rationale for teaming.

DDC Design-Build



Teaming for Design-Build

- It is desirable that the DB Team have collective experience in **DB and DB-based project delivery methods** and other alternative project delivery methods.
- If key members of the DB Team do not have experience in DB and DB-based project delivery, the Proposer shall indicate **familiarity with the objectives of this alternative delivery approach** and demonstrate an understanding of the **interrelationship between design and construction** under the DB project delivery approach.

SPOTLIGHT: DESIGN BUILD PROCUREMENT

Jade Bailey, PE, PMP
Deputy Director, Design Build, Public Buildings

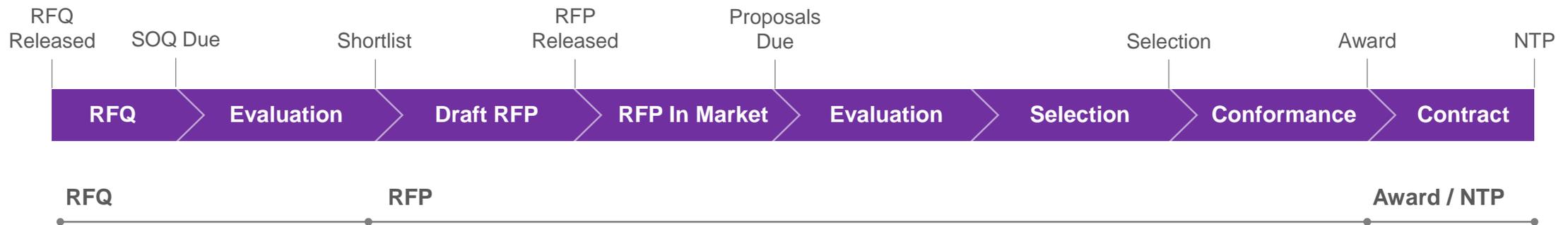


DB Procurement Overview



Design-Build Two-Step Procurement

DDC will utilize a **two-step, best value selection** that significantly prioritizes design, quality, qualifications and experience along with the proposed price



DB Procurement Overview: RFQ

RFQ Lookahead

- This RFQ is the **first step** of the two-step procurement
- The intent of the RFQ is to shortlist the **most highly qualified** Proposers



DB Procurement Overview: RFQ

RFQ Lookahead

- The RFQ will include information about whether a stipend is available or not for the proposal stage
- It will also include key terms for the **Design-Build Agreement (DBA)**, including whether the contract price will be Fixed-Price Lump Sum or Guaranteed Maximum Price (with option to convert to Fixed Price)



DB Procurement Overview: RFQ

RFQ Lookahead

- In response to the RFQ, proposers provide a **Statement of Qualifications (SOQ)**
- The intent of the SOQ is to demonstrate the team's ability to **undertake the complete design and construction work** for the project



DB Procurement Overview: RFQ



RFQ Lookahead

The SOQ will establish the **fundamental qualifications** of each Proposer, such as:

- Insurance and bonding capacity
- Legal structure
- Teaming agreements
- Employment practices

DB Procurement Overview: RFQ



RFQ Lookahead

The qualitative materials of the SOQs will include:

- Design-Build Approach
- Key Personnel and Team Organization, with sub-weighting for the Design Lead
- Experience and Past Performance
- M/WBE Program Experience and M/WBE Approach

DB Procurement Overview: RFQ



RFQ Lookahead

- The SOQ will demonstrate the team's **approach to ensuring successful collaboration** among members of the DB team.
- This includes the **rationale for teaming, approach to partnership**, and may include a history of **past working relationships** where applicable.

HINT

DB team members are not required to have worked together in the past but should describe their approach to **building a successful partnership**.

DB Procurement Overview: RFQ



RFQ Lookahead

- The SOQ will demonstrate that all Key Personnel have the qualifications, expertise, experience, resources, and competence required.
- At the RFQ step, **not all team members required for the project** will be identified.
- This allows shortlisted proposers to **expand their teams at the RFP step** to include other roles necessary to complete the work, allowing additional qualified subconsultants and subcontractors to **partner with shortlisted teams**.

DB Procurement Overview: RFQ



RFQ Lookahead

- No **Major Participant** or **Key Personnel** may be a member or participant in more than one DB Team, either during Step 1 or Step 2.
- Examples of Key Personnel include:
 - Design-Build Project Executive
 - Design-Build Project Manager
 - Construction Project Manager
 - Design Manager
 - Design Lead
 - Project Architect-of-Record

DB Procurement Overview: RFQ



RFQ Lookahead

- The SOQ will include reference projects that **collectively represent the work of the DB team members**, including the work of the Designer and the work of the Builder, and are **not required to represent prior experience working together**.
- At least two projects must represent the work of the **Design Lead**
- Other specific requirements will be provided that reflect the project requirements: e.g., experience administering a GMP contract, designing a greenhouse, or constructing on a complex urban site with adjacent Landmarks structures

DB Procurement Overview: RFQ



RFQ Lookahead

Sample requirements for **Required Experience**:

- Alternative delivery methods in which the design and construction personnel collaborated throughout project delivery (DB, DB-based delivery, or other alternative approaches)
- Innovative design and construction solutions to similar issues
- Sustainable Design
- Schedule oversight, budget management, safety, and QA/QC.

DB Procurement Overview: RFQ



RFQ Lookahead

Example requirements for **Desirable Experience**:

- Public, municipal, or community facilities, especially in NYC or similar urban context
- Synthesizing input from multiple stakeholder groups
- Site planning, including within an urban campus
- Critical facilities supporting community resiliency
- Resilient design

DB Procurement Overview: RFQ



RFQ Lookahead

- The SOQ will also include a section on **M/WBE Program Requirements and M/WBE Approach**
- The respondent will demonstrate the team's approach to meeting M/WBE goals during **design and construction**

DB Procurement Overview: RFQ



RFQ Lookahead

- DDC will **evaluate all proposals** and will generate a shortlist of up to three proposers.
- The **shortlist will be posted publicly** on DDC's website.
- Only the shortlisted respondents will move to the second step of the procurement

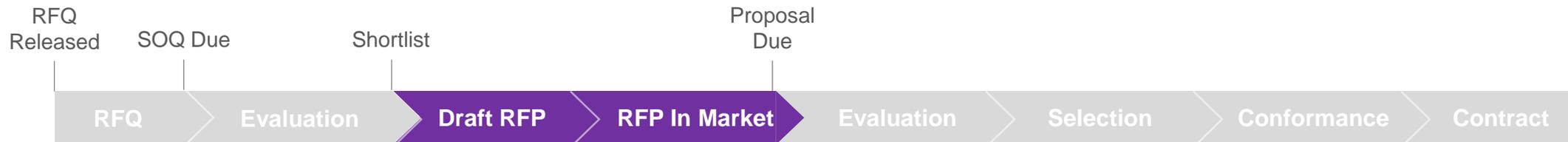


DB Procurement Overview: RFP



RFP Lookahead

The RFP is the **second step** of the two-step procurement



DB Procurement Overview: RFP



RFP Lookahead

At the RFP step, DDC will release:

- Scoping Documents, including detailed information on project requirements
- Draft Design-Build Agreement

HINT

As a point of reference, the **RFQ Exhibits** includes a RFP lookahead with a list of anticipated proposal requirements.



DB Procurement Overview: RFP



RFP Lookahead

During the RFP in-market stage, there will be:

- RFIs and amended RFP documents as needed
- Collaborative dialogue meetings
- Progress meetings to review technical development, with design option investigations as applicable

HINT

When **concept design** is part of the proposal, DDC will facilitate a pre-proposal advisory PDC review of presentation materials



DB Procurement Overview: RFP



RFP Lookahead

- **As part of the proposal**, DDC will require deliverables that represent a **thoughtful, comprehensive approach** to executing the work, including schematic-level investigations, construction schedule, and project plan.

HINT

As a point of reference, the **RFQ Exhibits** includes a RFP lookahead with a list of anticipated proposal requirements.



DB Procurement Overview: RFP



RFP Lookahead

On a project basis, the **in-market engagement process and extent of development for proposal deliverables** will be adjusted based on project needs, such as schedule or complexity, as well as the availability of a stipend to compensate for proposal development resources



DB Procurement Overview: RFP



RFP Lookahead

On a project basis, the **in-market engagement process and extent of development for proposal deliverables** will be adjusted based on project needs, such as schedule or complexity, as well as the availability of a stipend to compensate for proposal development resources



DB Procurement Overview: RFP



RFP Lookahead

At the end of the in-market stage, DB teams submit their proposals, including:

- **Administrative Proposal:** Team legal and financial information
- **Technical Proposal**
 - Technical Approach, Delivery and Execution Approach, Schedule
 - MWBE Approach
 - Management Approach, Team Qualifications and Experience
- **Price Proposal:** Detailed price proposal and payment schedule



DB Procurement Overview: RFP



RFP Lookahead

Proposals are evaluated based on the criteria outlined in the RFP and a DB team is selected. The process will involve team members from DDC Public Buildings, ODIR, ACCO and Legal as well as the Sponsor agency and the Owners Rep and/or AE1 as applicable, and will include:

- **Technical Evaluation**
 - Design, Schedule and Logistics, Team Experience, Financial Strength, Price/Value Reasonableness
- **Selection**
 - Best Value Determination



DB Procurement Overview: RFP



RFP Lookahead

Upon selection, DDC enters a period of negotiation with the selected proposer to ensure the proposal meets all requirements prior to award:

- **Negotiation**
 - Limited negotiations if initiated by DDC
- **Conformance**
 - Minor changes to the contract documents if needed
- **Award**



Q & A

NEXT STEPS

Next Steps



- Visit <https://designbuild.ddcanywhere.nyc/> regularly for current and past DDC Design-Build Opportunities
- Review existing and current Design Build Opportunities and familiarize yourself with DDC's existing RFQ's
- If you are an interested sub, click on the interested sub form within a specific project page and fill it out to share your information with interested Design-Build Primes
- Sign up and file disclosures in [PASSPort](#)

RESOURCES

Resources



- <https://designbuild.ddcanywhere.nyc/>
- [PASSPort](#)
- [MWBE Certification Webpage](#)
- <https://dbia.org/what-is-design-build/>
- Email: Design_Build@ddc.nyc.gov

THANK YOU!