



The Associated General Contractors of New Hampshire, Inc.

**48 Grandview Road ▼ Bow, New Hampshire 03304
603/225-2701 ▼ Fax 603/226-3859**

Recommendations for a Successful Design Build Project

Presented by Gary Abbott, Executive Vice President

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The Associated General Contractors of New Hampshire (AGC of NH) appreciates this opportunity to testify before the NH Department of Transportation on the Memorial Bridge Project that will use the Design Build method. The Association recognizes that for some projects this method is the most efficient and cost effective. Today, the Association would like to testify on two very separate issues, the hearing process and what the Association believes the criteria should be for a successful project in New Hampshire.

Our first concern is that today's hearing has many unknowns, which makes it hard for the industry to comment on specifics that won't be presented until further in the process. For example, many contractors will be interested in participating in these types of projects, but they should know early on how the technical selection will be made prior to deciding to participate. This would be in both the contractors and the state's best interest, rather than finding out later in the process that the selection criteria will be extremely difficult for a firm to achieve. We are not asking for every detail to be made available before this hearing, but a draft of the Request for Proposal (RFP) should be presented at this hearing for contractors to give input. Currently, the state is in the Design Build process for the Bedford Bridge project. While the RFP is not yet available, contractors submitting statements of qualifications are being asked to bid if selected for the final round even though they don't know the specifics of the RFP. The Association believes in order to have a successful project, contractors need the specifics of how a contractor will be selected in advance. Once you review our recommendations on the criteria below you will see that our goal is to have a successful process for this construction method that we can be proud of in New Hampshire. That being said, the Association has always valued and will continue to value its relationship with NH's Department of Transportation. The working relationship has brought both the Association and the Department numerous accomplishments.

There are several criteria that the Association believes needs to be a part of any Design Build project documents. AGC of NH's Board of Directors approved the following list of recommendations:

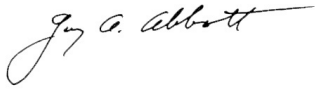
- The project should be awarded based on a cumulative score of two separate proposals:

- Technical: A weighted proposal based on specific technical (experience, skill, etc.) criteria that has previously been explained to the proposers
 - Price proposal: The proposers' total project cost estimate
 - The mathematics used in calculating the total score for a proposer will be explicitly spelled out using clear language.
- A meeting should be held prior to the issuance of the Request for Qualifications (RFQ), where the criteria for passing the RFQ round and the judging criteria in the Request for Proposals (RFP) will be explained to potential proposers. Upon selection of the proposers who will proceed to the RFP, a second informational meeting will be held.
- The final selection team should include at least one person who is outside of the owners' business or agency, but who is knowledgeable in the construction/engineering of similar projects.
- The make-up of the selection team should be identified in the RFQ.
- An estimated project timeline should be included in the RFQ.
- Rating descriptions for the RFQ submissions should be included in the RFQ.
- The RFQ will focus on a company's ability to perform the work (team structure, experience, QA/QC, project understanding, project safety, etc.).
- The owners should explicitly state their desired outcomes for the project, and provide a clear list of priorities.
- The owner should select from the RFQ submissions three to five contractors to go through the RFP process.
- Bidders who are short listed for the RFP should not be required to bid on the project if the requirements of the RFP are not given to them beforehand.
- The RFP process should have the technical review and scoring process completed for each contractor proposal prior to opening the contract price submitted. The formula for combining the technical score and the bid price determining should be made available as early as possible in the process, but no later than when the RFP selection is made.
- If Alternate Technical Concepts (ATC) are used, the process should allow the owner to confidentially pre-approve contractor ATC proposals before the final proposals.
- Proposers should have the opportunity to see the score sheets and respond to the selection committee criticisms before the final decision is made.

- Once the process is complete, all materials used in making the final decision including score sheets, etc. will be open to public inspection.

Lastly, the Association believes it is important to ensure that New Hampshire contractors have the opportunity to submit proposals on this project. AGC of NH is not requesting an in-state requirement or preferential treatment for New Hampshire contractors. The Association would like to ensure that the process maintains fairness and is open for any contractor to submit a proposal.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Gary A. Abbott". The signature is written in black ink and is positioned below the text "Respectfully Submitted,".

Gary A Abbott
Executive Vice President