2013 Proposed Legislation- Discussion drafts

- Eliminate Board of Finance approval of PCD construction contracts.
  This approval is "out of sequence" for good project management. Approval of construction contract is at the end of the process that includes legislative authorization; design services procured through the NE Selection Act; bidding or other delivery method that follows the Procurement Code; review by GSD ASD and GSD Secretary; and DFA Financial Control Purchase Order approval. This approval process is inefficient, increases time to execute a construction contract and adds no value. If necessary, approval prior to bond sale, or prior to advertising for design services would be more appropriate (Similar to approval of Higher Education projects).
- Raise limit for "on call" design services from $200,000 to $500,000 over four-year term.
  Will increase efficiency by increasing the dollar value of 4-year design contracts procured through an open, competitive qualifications-based process for multiple unspecified projects.
- Eliminate the $10 Million threshold for the use of Design-Build project delivery.
  Allows the State Purchasing Agent or a central purchasing office to determine that Design-Build (D-B) is an appropriate construction delivery method using the criteria in statute, but eliminates the $10 Million threshold. Projects in the $400,000 to $9.99 Million may be good candidates for D-B, and should receive consideration under existing criteria. PCD's limited experience with D-B has resulted in significant reductions in Change Orders.
- Allow state agencies to utilize Construction Manager at Risk delivery method for construction.
  Will allow state agencies to benefit from efficiencies of this important project delivery tool. It is currently allowed only for public school projects, and is being used successfully by the Public School Facilities Authority.