



## **Design-build: Engineered for success - by Jay Simson**

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Jay Simson, ACEC New York

ACEC New York believes in the value of project delivery systems that guide the design of public and private facilities, are in the best interest of the owner, utilize a Qualifications-Based Selection (QBS) procedure for the selection of design professionals, provide unbiased protection for existing and future infrastructure, and protect the health, welfare and life safety of the public.

ACEC New York recognizes that the traditional design-bid-build project delivery system is utilized for the majority of constructed projects. However, ACEC New York also acknowledges design-build as an alternative project delivery system that, while not appropriate for every project, is a useful delivery tool to have in certain circumstances for private and public projects.

To better equip design professionals and their clients to utilize this project delivery method, ACEC New York has developed a position paper, "Design-Build: Engineered for Success," which provides details and guidance on the design-build process, from start to finish, including negotiating the contract, selection criteria, when design-build should be used, selecting a design consultant, selection of design-build team, implementing qualifications-based selection, payments and stipends, bridging documents, differing site condition relief for inaccurate information in the RFP, insurance requirements for designers, prohibition of payment withholding, and other key information.

Design-build is an integrated approach that provides the owner with design and construction services under one contract with a single source of project responsibility. As a public policy issue, when design-build is utilized, ACEC New York endorses a two-step procedure and implementation process, sometimes referred to as the "bridging method," as the process that best protects the interests of the owner, design professional, contractor, and the public.

As noted above, while design-build is a useful delivery tool to have in certain circumstances for private and public projects, it is not appropriate for every project. Factors affecting the decision to use the design-build method include time and owner/contractor working groups, attributes of working group members, innovation, sharing of common elements, and protection of proprietary information/approaches/methods.

Since its authorization in 2011, design-build has allowed the state to deliver projects that might not

have been pursued without this project delivery tool. Industry and public owners have worked together to refine the process and enhance their respective abilities to contribute to the successful delivery of a design-build project. This continued collaboration and willingness of all parties to learn and adapt is key to completing a successful design-build project, and ACEC New York looks forward to working with our industry partners and state and city public policy makers to expand authorization of design-build in New York State and New York City in 2019 and further refine and enhance its effective use in the future.

Founded in 1921, the American Council of Engineering Companies of New York (ACEC New York) is the state's premier organization for consulting engineering firms, representing nearly 300 companies and over 30,000 employees in New York. The organization's mission is to further the business interests of its members through advocacy, networking, education and business services. For more information, and to read the full position paper, visit [www.acecnyc.org](http://www.acecnyc.org)

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