

CONSTRUCTION DELIVERY METHOD RUBRIC / DECISION TREE

During the initial stages of preparing for a capital construction project, OUSD facilities staff determines which method of project delivery will best match the District’s overall construction objectives.

Many factors are considered, including:

- Project size / Project duration
- Staff capacity / Specific construction experience
- Ability to meet OUSD local business objectives
- Available funding sources
- Influence on project planning, design and phasing

Listed below are the 3 delivery methods currently utilized or considered for by OUSD as well as 2 others accessible for use (but generally disfavored) by California school districts.

DELIVERY METHOD	Key Features	OUSD Criterion for selection	History
Design-Bid-Build (DBB)	The traditional model of project delivery called “design-bid-build”, which provides for districts to hire an architect-engineer to design a project, and then formally the project to the lowest responsive, responsible bidder.	<ul style="list-style-type: none"> • Size and complexity of Project. • Generally used for smaller modernization and deferred maintenance projects. • Projects <\$5 million are delivered DBB 	Prior to 2011, all OUSD capital projects were constructed via the design-bid-build delivery method.
Lease-Lease Back (LLB)	The “lease leaseback” delivery method, which allows districts the flexibility to “negotiate” directly with pre-selected contractors, without adhering to formal bidding requirements.	<ul style="list-style-type: none"> • Projects >\$5mil are considered. • Complexity of Project is considered • Assurance of maximum local business participation. • Selected through and RFQ process.¹ • Requires Developer/Contractor to form bona fide Joint Venture with Local Entity. • Weight is given to JV’s with proven Project success on previous LLB’s. 	Since 2011, OUSD has completed 8 major modernization and new construction projects, and 3 seismic retro-fit projects using the lease lease-back method.

¹ Education Code §17406 authorizes Districts to select *any firm* to perform work under the lease-leaseback model. However, OUSD has always followed a competitive solicitation process

**UNDER
CONSIDERATION**

**Design-Build
(DB)**

Following a lengthy solicitation, districts contract with one entity to both design and build the project.

Objectives:

Simplified contracting and contract administration: There is one contract with the design-build entity instead of separate contracts with an architect and a contractor.

Cost containment: The design-build entity is under a contract to complete the project meeting the school district's stated requirements within the contract price.

Reduced number of change orders and disputes: Errors and omissions in the design are the responsibility of the design-build entity. Proper allocation of risks under the design-build contract reduces the potential for change orders.

Reduction in adversarial relationships: Designer and builder are teamed together, working under a single contract.

Potential cost savings: Innovative, cost-effective solutions meeting performance criteria can be achieved.

Potential time savings: The design-build entity is allowed the freedom to explore time-saving construction methods or systems while meeting the district's stated criteria. Early communication between designer and builder can help prevent construction delays.

To date, no OUSD capital projects have been constructed using the design-build delivery method. However the Board may consider this model for future Measure J projects.

**NOT USED BY
OUSD**

CM at-risk

Construction manager makes a commitment to the school district to deliver a project within a guaranteed maximum price.

Multiple prime contracts

Separate trade contractors deal/contract directly with the district (and/or construction manager) for specific and designated elements of the project.

MAJOR LLB PROJECTS

Project	Developer/Joint Venture Team	Local business part of Developer Joint Venture	% of Local Business	Selection Process
New Highland Elementary	ADCo/Turner Group/Alten	Turner Group and ADCo	71	RFQ
LaEscuelita Education Complex Phase I	Turner Construction/ADCo	ADCo	62	RFQ
LaEscuelita Education Complex Phase II	McCarthy/Turner Group	Turner Group	62	RFQ
West Oakland Middle School at Lowell Campus	Arntz/Focon	Focon	70	RFQ
Montclair New Classroom and Multipurpose Building	Westbay Builders/CAS	CAS ²	63	RFQ
Life Academy Science and Technology Building at Simmons Campus	Cahill Builders/Focon	Focon	68	RFQ
New Classroom and Cafeteria Building at Havenscourt Campus	ADCo/Turner Group/Alten	Turner Group and ADCo	66	RFQ
Sankofa Modernization of Main Building at Washington Campus	Overaa Co./Turner Group	Turner Group	72	RFQ

² CAS dissolved before the project commenced; Westbay Builders completed the project and delivered it on time.