

ACEC

AMERICAN COUNCIL OF ENGINEERING COMPANIES
of Connecticut

TESTIMONY BEFORE THE TRANSPORTATION COMMITTEE REGARDING SB33

February 22, 2012

I am Paul W. Brady, Executive Director of the American Council of Engineering Companies of Connecticut (ACEC/CT), representing over 85 engineering firms providing independent engineering services to the public and private sector.

On behalf of ACEC/CT, I would like to speak in favor of SB 33, AN ACT CONCERNING DEPARTMENT OF TRANSPORTATION PROJECT DELIVERY..

This bill would authorize the Commissioner of Transportation to use two new procurement methods: construction manager at risk (CMR) and design-build. Both methods are being used successfully in other state transportation departments, by the Connecticut Department of Construction Services and by the private sector. In June, 2010 the Connecticut Academy of Science and Engineering (CASE) prepared a white paper recommending the use of design-build by the Department of Transportation.

Concerning the CMR process in Section 1(b) of the bill, we would recommend eliminating "architect, engineer or" from line 16. The design professionals should be selected using the qualifications-based selection as required by the federal Brooks Act and CGS Sections 13b-20b through 13b-20k.

Concerning the design-build process in Section 1(c) of the bill, we would recommend the following changes:

1. For projects that require environmental permits, the Connecticut Department of Energy and Environmental Protection (DEP) requires project designs to be virtually complete (approximately 90% complete) prior to issuance of permits. This could create uncertainty and increase the cost of the design-build project. We would recommend that the legislation include a provision that DEEP work with the DOT and the design-build team to issue permits without necessarily having reviewed the completed project designs. There should be an agreement between DOT and DEEP prior to starting the design-build project that would provide the framework for permitting.
2. The legislation should incorporate stipends into the project selection process. The issuing of stipends should follow federal policy (23 CFR 636.112). The shortlisted design-build teams not selected should receive compensation for their design expenses.
3. The legislation should be clear in that the selection of the design-build team would be based on a two-step process as recommended by many national organizations, including

the American Association of State and Highway Transportation Officials (AASHTO). The first step involves shortlisting teams based on their responses to a request for statements of qualifications and without a preliminary design and price. The second step is issuance of a request for proposals and evaluation of technical and price proposals from the shortlisted teams. The Commissioner would then select the winning team based on best value.

The use of CMR and design-build will require training and experience by DOT staff. We hope that the DOT will work with ACEC and other industry groups in developing policies and procedures to make these new procurement methods a success.

Thank you for your consideration and I would be happy to answer any of your questions.

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