

Procurement of Construction:

Construction Management Methods

CCE

Selection of Construction Management Methods—

Subject to rules issued by the Procurement Policy Board, the Board of Education or the Procurement Officer may select the appropriate method of construction contracting management for a particular District construction project. The Board of Education or the Procurement Officer shall include in the contract file a written statement describing the facts which led to the selection of a particular method of construction contracting management for a particular project.

Utah Admin. Rules R33-13-204 (July 8, 2014)

Before choosing a construction contracting management method, the Board of Education or the Procurement Officer shall consider the following factors:

- when the project must be ready to be occupied;
- the type of project;
- the extent to which the requirements of the District and the way they are to be met are known;
- the location of the project;
- the size, scope, complexity, and economics of the project;
- the source of funding and any resulting constraints necessitated by the funding source;
- the availability, qualification, and experience of public personnel to be assigned to the project and the amount of time that the public personnel can devote to the project; and
- the availability, qualifications, and experience of outside consultants and contractors to complete the project under the various methods being considered.

Utah Code § 63G-6a-1302(2), (3) (2013)

Utah Admin. Rules R33-13-203(3) (July 8, 2014)

Common Construction Management Methods—

The following descriptions are provided for the more common construction contracting management methods which may be used by the District. The methods described are not all mutually exclusive and may be combined on a project. These descriptions are not intended to be fixed in respect to all construction projects. In each project, these descriptions may be adapted to fit the circumstances of that project.

(1) **Single Prime (General) Contractor.** The single prime contractor method is typified by one business, acting as a general contractor, contracting with the District to timely complete an entire construction project in accordance with drawings and specifications provided by the District. Generally the drawings and specifications are prepared by an architectural or engineering firm under contract with the District. Further, while the general contractor may take responsibility for successful completion of the project, much of the work may be performed by specialty contractors with whom the prime contractor has entered into subcontracts.

(2) **Multiple Prime Contractors.** Under the multiple prime contractor method, the District contracts directly with a number of general contractors or specialty contractors to complete portions of the project in accordance with the District's

drawings and specifications. The District may have primary responsibility for successful completion of the entire project, or the contracts may provide that one or more of the multiple prime contractors has this responsibility.

- (3) Design-Build. In a design-build project, an entity, often a team of a general contractor and a designer, contract directly with the District to meet the District's requirements as described in a set of performance specifications and/or a program. Design responsibility and construction responsibility both rest with the design-build contractor. This method can include instances where the design-build contractor supplies the site as part of the package.
- (4) Construction Manager Not at Risk. A construction manager is a person experienced in construction that has the ability to evaluate and to implement drawings and specifications as they affect time, cost, and quality of construction and the ability to coordinate the construction of the project, including the administration of change orders as well as other responsibilities as described in the contract.
- (5) Construction Manager/General Contractor (Construction Manager at Risk). The District may contract with the construction manager early in a project to assist in the development of a cost effective design. In a Construction Manager/General Contractor (CM/GC) method, the CM/GC becomes the general contractor and is at risk for all the responsibilities of a general contractor for the project, including meeting the specifications, complying with applicable laws, rules and regulations, that the project will be completed on time and will not exceed a specified maximum price.

Utah Admin. Rules R33-13-203(5) (July 8, 2014)

Construction Manager / General Contractor—

Subject to rules of the Procurement Policy Board and subject to this policy, the District may use a construction manager/general contractor as one method of construction contracting management. The construction manager/general contractor shall be selected using a standard procurement process or a valid exception to a standard process. In addition, when entering into a subcontract that was not specifically included in the construction manager/general contractor's cost proposal, the construction manager/general contractor shall procure the subcontractor by using a standard procurement process or a valid exception to a standard process in the same manner as if the subcontract work was procured directly by the District. A construction manager/general contractor contract may include provision by the contractor of operations, maintenance, or financing.

Utah Code § 63G-6a-1302(4), (5), (8) (2013)

Utah Admin. Rules R33-13-205(1), (2) (July 8, 2014)

Design-Build Contract—

Subject to rules of the Procurement Policy Board and subject to this policy, the District may use a design-build provider as one method of construction contracting management. A design-build contract may include a provision for obtaining the site for the construction project. A design-build contract may include provision by the contractor of operations, maintenance, or financing.

Utah Code § 63G-6a-1302(6), (7) (2013)