

Oregon DOT

General Information	
Contact Information	<p>Russell Swearingen Alternative Contracting Program Manager 503-986-3759 Russell.Swearingen@odot.state.or.us</p>
Relevant Statute	<ul style="list-style-type: none"> • No restrictions related to use of DB
DB Program Characteristics	<ul style="list-style-type: none"> • Annual highway and bridge construction budget approximately \$300 to \$400 million • ODOT has delivered 16 DB projects total, all under the Oregon Transportation Investment Act State Bridge Delivery Program <ul style="list-style-type: none"> - Includes 2 pilot projects; the first of which was in 1999 - Since then, have intermittently used DB (funding has been the limiting factor) - Last DB project was in 2008 - Largest DB project \$130 million - Medium: \$25-30 million (bundling multiple bridges under one contract) - Smallest \$2.4 million • Once used DB Low Bid (Lite) for designing, fabricating, and installing a tied-timber arch pedestrian bridge (2011)

Agency Culture, Organization and Training	
Dedicated DB Program Staff	<ul style="list-style-type: none"> • 1 dedicated staff (Russ) to alternative contracting • Regions are being encouraged to consider DB • If a Region were to do a DB project, Alternative Contracting Program Manager would assist with document development, the procurement process, and training (e.g., for the evaluators scoring the proposals) • For future DB projects, intent is to delegate more responsibility to the regions (instead of having a large dedicated DB program office)
Outsourcing	<ul style="list-style-type: none"> • Consultants assisted with document development, procurement, evaluation, and oversight • Future use of consultants would depend on the project and internal resource availability
Internal Issues Related to DB Use	<ul style="list-style-type: none"> • Lack of awareness of the benefits of DB at the regional level • Lack of resources to execute an extensive DB project
Industry Issues Related to DB Use	<ul style="list-style-type: none"> • Some early resistance from industry <ul style="list-style-type: none"> - Contractors did not like working on a lump sum basis - Consultants were reluctant to work under a contractor • Learning curve: <ul style="list-style-type: none"> - Contractors initially had a lack of understanding of all that was needed to put together a successful proposal package (issue was resolved by ODOT spending time debriefing unsuccessful proposers) - Industry was initially unclear as to what “reference” documents meant

Procedural Guidance and Template Documents	<ul style="list-style-type: none"> • Templates for base documents (need to be somewhat updated to reflect current standard specifications) <ul style="list-style-type: none"> - ITP - DB general provisions - Technical provisions • Users are to red-line changes to boilerplate language
Training	<ul style="list-style-type: none"> • Consultants provided initial training to ODOT • People that serve on scoring committees receive training on the proposal evaluation process (evaluators must understand that they can only score against the minimum requirements – their own preferences cannot come into play)

Selection of Project Delivery Method	
Drivers for Using DB	Provide for a “season savings” with the overlap of design and construction
Process and Tools	ODOT has a simple 1-page decision matrix that outlines the key considerations for DBB, DB Basic, and DB Low Bid
Key Considerations	<p><i>Project characteristics that are suitable for DB:</i></p> <p><u>DB Basic</u></p> <ul style="list-style-type: none"> • Used on any type or size project • For complex and large projects, consider the time required to assemble relevant site specific information and to establish project requirements • Anticipate 9 to 20 months from project initiation to Contract Award <p><u>DB Low Bid</u></p> <ul style="list-style-type: none"> • Avoid using on projects that significantly impact utilities or the environment, require ROW acquisition, or entail railroad crossing • Use for schedule critical projects (9 to 12 months from project initiation to Contract Award) <p><i>Project characteristics that are <u>not</u> suitable for DB:</i></p> <ul style="list-style-type: none"> • Projects that lack opportunities for innovation or time savings • Projects with significant risks (e.g., major utility relocations or ROW acquisition)
Entity Making the Delivery Decision	Not discussed

DB Project Development	
Project Development Activities	Design is taken to the level needed to adequately identify and understand risks
Use of Performance Requirements	Not discussed
Lessons Learned	Project development teams must be cognizant of the options allowable in ODOT manuals

Procurement Process	
Delivery Options	<p><i>DB Low Bid</i></p> <ul style="list-style-type: none"> • One step • 1 pilot project thus far <p><i>DB Basic</i></p> <ul style="list-style-type: none"> • Two-step best value <p><i>CM/GC</i></p> <ul style="list-style-type: none"> • 1 bridge project
Procurement Steps	Not discussed
Selection Method	<p>$Total\ Score = Quality\ Weight(Q_f) + Price\ Weight(P_f)$</p> <p>Where:</p> $Q_f = \frac{Proposer's\ Total\ Quality\ Score}{Highest\ Proposal\ Quality\ Score}$ $P_f = \frac{Lowest\ Proposal\ Pricee}{Proposer's\ Proposal\ Pricee}$ <p>Weightings based on risk assessment, complexity of the project, and importance of having a better qualified firm</p>
Bundling DB Projects	<ul style="list-style-type: none"> • Bundling was very successful for ODOT’s bridge program (projects came in under budget) • Used “programmatic” streamlined permitting process
Use of Alternative Technical Concepts (ATC)	ATCs are allowed on DB Basic (not for DB Low Bid)
Stipends	Amount calculated systematically based on risk and size of project
Other Comments	<p>Negotiations to create a conformed RFP</p> <ul style="list-style-type: none"> • Incorporates amendments made to original RFP documents • Clarifications where the successful team’s proposal didn’t quite meet minimum requirements (ensures that the team understands that the minimum requirements must still be met)

Risk Allocation	
Risk Management Philosophy	Allocate risk to the party best able to manage it
Differing Site Conditions	Need to focus on better assessing geotechnical risk
Permitting	<p><i>DB Basic</i></p> <ul style="list-style-type: none"> • Environmental permits by Agency with support from DB team • Compliance monitoring by DB Team <p><i>DB Low Bid</i></p> <ul style="list-style-type: none"> • Environmental permits by Agency • Compliance monitoring by Agency
Utilities	<ul style="list-style-type: none"> • For DB Basic, avoid reimbursable utilities • Avoid using DB Low Bid on projects that significantly impact utilities

Right-of-Way	<ul style="list-style-type: none"> • ROW and Construction easement acquisition by Agency • If DB Team proposes a different concept, the ROW risk is on them
Third Parties	Agency obtains easements/agreements for railroad crossings

DB Contract Administration	
Design Oversight	<ul style="list-style-type: none"> • For DB Basic, Agency reviews DB Team’s design • For DB Low Bid, Agency designs up to preliminary design with quantities. DB Team finalizes design for Agency review and acceptance
Construction Oversight and Quality Management	<p><i>DB Basic</i></p> <ul style="list-style-type: none"> • DB Team QA/QC, with Agency oversight and right to inspect <p><i>DB Low Bid</i></p> <ul style="list-style-type: none"> • Agency QA • DB Team provides QC
Payment	Payment on one bridge project included some roadway preservation work that was on quantities
Best Practices and/or Lessons Learned	<ul style="list-style-type: none"> • Bring the Agency’s construction project manager into the procurement and project development process so as to impart a clearer understanding as to what the contract says and why certain decisions were made (should subsequently help with determining if any alleged changes are truly out of scope) • Develop a checklist of deliverables for both the Agency and DB Team

Performance Outcomes	
Tracking of Metrics	<p>Prepare closeout evaluation reports:</p> <ul style="list-style-type: none"> • Attempt to compare to hypothetical low bid project • Include change orders • What worked vs. what didn’t
Success Factors	<ul style="list-style-type: none"> • Interaction of all parties • Clarity of RFP scope and design and construction criteria • Clarity of performance criteria • Timely owner reviews/approvals (received feedback that ODOT’s turnaround time was not quick enough, especially when stakeholder reviews were involved)