



## **NSPE Position Statement No. 1726—Design/Build in the Public Sector**

**ADOPTED: July 1995**

**LATEST REVISION: July 2010**

**NSPE CONTACT: Legislative and Government Affairs Committee**

Design/build in the public sector combines the roles of the design professional and the contractor. It is believed that by removing delays and conflicts between the design and construction functions, projects can be expedited. Design/build creates an integrated project team including design professionals, the general contractor, and major subcontractors to work together during design development and construction operations. Design/build allows the project owner to know the project cost before design initiation, because most design/build contracts are awarded on a fixed sum basis.

Design/build can take on many forms: 1) the owner acts as design/builder with in-house design professionals and construction forces; 2) the owner completes abbreviated design and then hires a design/builder to complete design and construction; or 3) the owner hires the design/builder to complete all phases of design and construction.

NSPE believes that owners should evaluate the following factors in determining the design/build form:

- Scope of the project;
- Technical, managerial, and administrative design and construction capability of the owner;
- Technical, managerial, and administrative design and construction capability of outside designers and constructors;
- Requirements of or restrictions in federal, state, or local statutes and regulations;
- Case law and contract provisions;
- Availability of financing, insurance, and bonding to the design/build team members; and
- Customary business practices in the locality or region.

At the federal level, agencies must select design/builders utilizing the two-phase process defined by legislation enacted in 1996. Phase one involves selection of no more than five design/build teams that best meet the owner's request for qualifications. This phase uses a qualifications-based selection method. In phase two the agency selects a team from phase one based on a more complete technical proposal and a price proposal. NSPE recommends that this process be used at all levels in the public sector. In order to ensure high quality to the public, qualifications should play a significant role in addition to price.

Since not all projects are best served by the design/build method, NSPE believes the owner should consider the following when assessing the suitability of a project for design/build:

- The project must be completed more quickly or efficiently than can be accomplished through other project delivery systems, since construction may begin before design is complete;
- The owner's project requirements must be completely defined;
- The project does not require extensive environmental permitting or right-of-way acquisition during the design phase;
- The owner is willing to accept alternative designs and construction methods;
- The owner can maintain a traditional direct line of communication with the design/build team; and
- Design and construction services are procured on the basis of qualifications and technical proposals.

NSPE is neither an advocate nor opponent of the design/build project delivery system. NSPE recognizes that more than one project delivery system may meet project requirements such as safety, function, time from conception to completion, capital and life cycle costs,

environmental quality, and appearance. Accordingly, NSPE acknowledges that owners may have the freedom to choose among an array of project delivery systems, including design/build.