



College Station Independent School District

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MEMORANDUM

To: Amy Drozd, CFO

From: Carmella Shafer, Director of Purchasing

Date: December 3, 2021

Subject: Consider delegating authority to the Superintendent to determine the construction delivery method authorized under Chapter 2267 and 2269 of the Texas Government Code of Competitive Sealed Proposal (CSP) or Job Order Contract (JOC) for 2021 bond construction and renovation projects

Policy CV(Local) requires the Board of Trustees to determine the project delivery/contract award method for each construction contract valued at or above \$50,000. The policy also allows for the board to delegate authority to a designated representative, committee, or other person.

College Station ISD's recent bond election that passed on 11/2/2021 includes numerous construction and renovation projects. In order to move forward with the approved construction and renovation projects the Board will need to determine the construction delivery method that will be used in any construction or renovation project that provides the best value for the district. Texas Government Code Chapter 2269 details the options available for school districts who do building and renovation projects.

Allowable construction delivery methods:

- a. **Competitive bidding** - is a procurement method by which a district contracts with a contractor for the construction, alteration, rehabilitation, or repair of a facility by awarding the contract to the **lowest responsible bidder**.
- b. **Competitive sealed proposals**- is a procurement method by which a district requests proposals, **ranks the offerors**, negotiates as prescribed, and then contracts with a general contractor for the construction, rehabilitation, alteration, or repair of a facility. The district shall prepare a request for competitive sealed proposals that includes construction documents, selection criteria and the weighted value for each criterion, estimated budget, project scope, estimated project completion date, and other information that a contractor may require to respond to the request.
- c. **Construction manager-agent method (CM Agent)** - is a delivery method by which a district contracts with a construction manager-agent to provide consultation or administrative services during the design and construction phase and to manage multiple contracts with various construction prime contractors. Exclusively serves the interest of the owner, advises the owner, and helps the owner to make critical decisions regarding the project.
- d. **Construction manager-at-risk method (CMAR)** - is a delivery method by which a district contracts with an architect or engineer for design and construction phase services and contracts separately with a construction manager-at-risk to serve as the general contractor and to provide consultation during the design and construction, rehabilitation, alteration, or repair of a facility. Operates as a general contractor, holding a single contract with the owner and all of the subcontracts with subcontractors
- e. **Design-build method** - is a project delivery method by which a district contracts with a single entity to provide both design and construction services for the construction, rehabilitation, alteration, or repair of a facility. A design-build firm under this policy must be a sole proprietorship, partnership,

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corporation, or other legal entity or team that includes an architect or engineer and a construction contractor.

f. **Job order contracting** - is a procurement method used for maintenance, repair, alteration, renovation, remediation, or minor construction of a facility when the work is of a recurring nature but the delivery times, type, and quantities of work required are indefinite. Awarded substantially on the basis of pre-described and pre-priced tasks. Providing a list of work items and requiring the offerors to propose one or more coefficients or multipliers to be applied to the price book or pre-priced work items as the price proposal.

Of the options available to school districts, for smaller projects, the Competitive Sealed Proposal (CSP) and Job Order Contracting (JOC) methods have provided the best value for the district in the past as well as by allowing the flexibility to bid work out directly to general contractors, subcontractors, and vendors. This allows the district to realize more value for the money and get more local participation.

It is recommended that the Board of Trustees delegate to the Superintendent the authority to assign a procurement method of either CSP or JOC for construction or renovation projects included in the 2021 bond program. Should any other allowable method prove to be more beneficial, a recommendation will be brought to the Board of Trustees for approval.

RECOMMENDATION

It is recommended that the Board of Trustees of College Station Independent School District delegate to the Superintendent the authority to designate the construction delivery method of either Competitive Sealed Proposal or Job Order Contracting for any 2021 bond construction or renovation project.

A handwritten signature in blue ink that reads "Carmella Shafer".

Carmella Shafer, Director of Purchasing

A handwritten signature in green ink that reads "Jon E. Hall".

Jon Hall, Executive Director of Facilities