



Get Organized

- *Elect chair & vice-chair*
 - *Greatest workload & time commitment*
 - *Spokesperson*
 - *Decision-maker*
- *Assign administrative duties*
 - *Takes meeting minutes / post (review)*
 - *Post meeting times*
 - *Enhances communication*
- *Establish meeting schedule*
 - *Advance notice of time / place helps ensure attendance*
 - *Update agendas 48 hours in advance*
- *Assign web-master*
 - *Valuable communication device*
 - *Commit to keep up-to-date, accurate*



Engage Owner's Project Manager

- Project Manager law: Chapter 149 Section 44A½
- OPM required on construction projects >\$1,500,000
- Qualifications based selection process (RFQ)
 - Assign to qualified employee / pay from bond proceeds
 - Same questions to all – Establish criteria - Develop a scoring system
- Appointment of selections committee recommended
 - Suggest: Building Committee
- Fee negotiated after selection (1%-4% of construction cost)
 - Principle – Project Manager – Clerk of Works
 - If fail to negotiate fee – go to next highest ranked
- Must engage OPM prior to designer selection



Engage Owner's Project Manager

Advises on:

- Optimum use of available funds
- Architect selection
- Defines the scope of the work
- Contractor/Subcontractor prequalification
- Contractor procurement
- Project schedule control
- Value engineering and cost estimating
- Change order review
- Dispute resolution
- Payment requisitions and procedures
- Construction risk assessment and mitigation

- Source: Massachusetts Municipal Association



Designer Selection

- *Architects & Engineers*
- *Qualifications based selection process (RFQ)*
 - *BOS have authority to select or delegate responsibility to a committee*
 - *Recommend building committee*
- *Required for projects >\$100,000 cost & >\$10,000 fees*
 - *Except: water/sewer, highway system buildings, demolition*
- *Firms must submit standard application*
- *Towns establish own procedures (except MSBA)*
 - *Same questions to all – Establish criteria - Develop a scoring system*
- *Fee negotiated after selection (7%-10% of construction cost)*



Designer Selection

- Designer Selection: Basic Steps
 - 1. Adopt written procedures.
 - 2. Develop the request for qualifications (RFQ) and contract for design services.
 - 3. Advertise the contract.
 - 4. Evaluate applicants and select at least three finalists.
 - 5. Rank the finalists.
 - 6. Finalize the contract.
 - 7. Award and publicize the contract.

Local jurisdictions may deviate in minor respects from the state's designer selection process, provided that the process complies with the requirements set forth in M.G.L. c.7C, §54, and the purposes and intent of the designer selection law that applies to the state's designer selection process set forth in M.G.L. c.7C, §§44-57.

Source: <http://www.mass.gov/ig/publications/manuals/dcmanual.pdf>



Design Process

- Feasibility Studies
 - *Location*
 - *Configuration or scale at a selected location*
 - *Scope of intended use*
- Schematic Design
 - Intended program or use of the building
 - Interviews with stakeholders / building occupants
- Design Development
 - Building takes shape
 - Multitude of decisions
- Value engineering (peer review)
- Construction documents
 - Details complete for bid process



Construction Bids

- ❑ *Bid documents prepared by the architect*
 - ❑ *Construction Cost estimate / measure against budget*
- ❑ *Post to the State's Central Register*
 - ❑ *Exposure depends on size, complexity of the project*
- ❑ *Bid process*
 - ❑ *Inspection & questions*
 - ❑ *General Contractor*
 - ❑ *Selects subcontractor to incorporate into bid*
 - ❑ *Filed sub-bids when subcontract >\$10,000*
 - ❑ *Restricted and Unrestricted*
 - ❑ *Pre-qualification (process for establishing credible subcontractors)*
 - ❑ *Add Alternatives (bid below budget, add in order of priority)*
- ❑ *Must accept lowest responsible bid*



Construction Monitoring

- ❖ Expenditure report on capital projects fund (accountant)
- ❖ Vendor warrants (accountant)
- ❖ Construction schedule (general contractor)
- ❖ Cash flow budget (OPM & architect)
- ❖ Construction tracking (OPM & architect)
- ❖ Budget tracking (OPM) vs. Cost estimates (consultant)
- ❖ Monthly building committee meetings
- ❖ Weekly construction site meetings



Construction Completion

- ✓ *Substantial completion <1% of work remaining or Take Occupancy*
- ✓ *Punch list*
- ✓ *Monetized value*
- ✓ *Claims settlement*
- ✓ *Litigation*



Resources

Public Construction Law - [MGL Chapter 149](#)

Project Manager Law - [MGL Chapter 149 sec. 44A 1/2](#)

Inspector General - [Designing & Constructing Public Facilities](#)

Inspector General - [Model Designer/OPM Selection Procedures](#)

General - [Standard Designer Application Form](#)

Inspector General - [Bid Submission Requirements](#)

MassPort - [Description of Filed Sub-Bid System](#)

Bid Rejection - [U. S. Circuit Court of Appeals decision \(2008\)](#)

Substantial Completion - [Definition and Notice](#)