

ORDINANCE NO.: 2014-085

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 2-208 Source selection method for procurements related to construction and Sec. 2-209 Design-build project delivery method authorized

BE IT ORDAINED by the Mayor and Council this 19th day of August 2014, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 2-208 Source selection method for procurements related to construction and Sec. 2-209 Design-build project delivery method authorized, are amended to read as follows:

Sec. 2-208. Project delivery methods authorized for procurements relating to construction.

(1) The following project delivery methods are authorized for procurements relating to construction of any public infrastructure facility:

- (a) design-bid-build;
- (b) construction management at-risk;
- (c) design-build;
- (d) design-build-operate-maintain; and
- (e) design-build-finance-operate-maintain.

(2) Participation in a report or study that is later used in the preparation of design requirements for a project does not disqualify a firm from participating as a member of a proposing team in a construction management at-risk, design-build, design-build-operate-maintain, or design-build-finance-operate-maintain procurement unless the participation provides the business with a substantial competitive advantage. The City Manager or his designee may establish guidance by regulation for the application of this item by departments procuring construction services.

(3) Definitions:

- (a) *Construction management at-risk* means a project delivery method in which the City of Columbia awards separate contracts, one for architectural and engineering services to design a public infrastructure facility and the second to a construction manager at-risk for both construction of the public infrastructure facility according to the design and construction management services.
- (b) *Design-bid-build* means a project delivery method in which the City of Columbia sequentially awards separate contracts, the first for architectural and engineering services to design a public infrastructure facility and the second for construction of the public infrastructure facility according to the design.
- (c) *Design-build* means a project delivery method in which the City of Columbia enters into a single contract for design and construction of a public infrastructure facility.
- (d) *Design-build-finance-operate-maintain* means a project delivery method in which the City of Columbia enters into a single contract for design, construction, finance, maintenance, and operation of a public infrastructure facility over a contractually defined period. Money appropriated by the City is not used to pay for a part of the services provided by the contractor during the contract period.
- (e) *Design-build-operate-maintain* means a project delivery method in which the City of Columbia enters into a single contract for design, construction, maintenance, and operation of a public infrastructure facility over a contractually defined period.
- (f) *Public infrastructure facility* means any public structure, public building, or other public improvements of any kind to real property.

(4) Choice of project delivery method.

(a) Selection of Method. The project delivery method used for a city construction project must be that method which is most advantageous to the city and results in the most timely, economical, and successful completion of the construction project. The city shall select the appropriate project delivery method for a particular project

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and shall, for all project delivery methods other than design-bid-build, state in writing the facts and considerations leading to the selection of that particular method.

(b) City Manager Review. The department procuring construction services shall submit its written report stating the facts and considerations leading to the selection of the particular project delivery method to the City Manager or his authorized designee for his review.

Sec. 2-209. Source selection methods assigned to project delivery methods.

(1) Scope. This section specifies the source selection methods applicable to procurements for the construction project delivery methods identified in section 2-208, except as otherwise provided by regulation for small purchases, sole source procurements, and emergency procurements.

(2) Design-bid-build:

(a) Design, architect-engineer, construction management, and land surveying services. A qualifications-based selection process must be used to procure design, architect-engineer, construction management, and land surveying services, unless those services are acquired in conjunction with construction using one of the project delivery methods provided in subsections (3) through (7) of this section.

(b) Construction. Competitive sealed bidding must be used to procure construction in design-bid-build procurements.

(3) Construction Management at-risk. Contracts for construction management at-risk must be procured by either competitive sealed bidding or competitive sealed proposals.

(4) Design-build. Contracts for design-build must be procured by competitive sealed proposals

(5) Design-build-operate-maintain. Contracts for design-build-operate-maintain must be procured by competitive sealed proposals.

(6) Design-build-finance-operate-maintain. Contracts for design-build-finance-operate-maintain must be procured by competitive sealed proposals.

Requested by:

Assistant City Manager Gentry



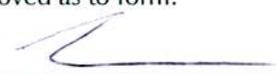
Mayor

Approved by:



City Manager

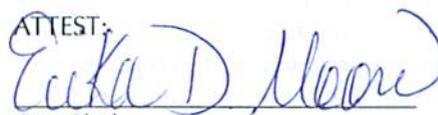
Approved as to form:



City Attorney

Introduced: 8/5/2014

Final Reading: 8/19/2014

ATTEST:


City Clerk