ConsensusDocs[™] BUILDING A BETTER WAY

How One Owner Revamped a Public Construction Program Through Better Contracts, Better Technology, and Better Project Delivery

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What happened? When? Highlights?

• Modernized the State's construction program.

• Changes occurred during 2011 following the election of Governor Branstad and appointment of Director Mike Carroll.

• ConsensusDocs. Privatization. Technology. Sophistication.



- Named general counsel to DAS in April 2011.
- Private practice with a firm in Des Moines, IA, known for its construction law practice. Mentored by one of the premier construction lawyers in the Midwest.
- Civil engineer (P.E.) before and during law school.
- Represented an AGC affiliate in a lawsuit aimed at increasing the number of jobs that go to Iowa contractors as opposed to out-of-state contractors.



What is DAS?

- State department.
- Four divisions: 1) Accounting, 2) Information Technology, 3) Human Resources, and 4) General Services.
- Created in 2003 to provide "world class customer service" to its agency "customers."
- Construction and Central Purchasing (Procurement) in General Services.



DAS Construction pre-2011

- 125 projects valued at \$300 million.
- 68 projects completed/year.
- \$40,664,000 of completed projects/year.
- Traditional project delivery method.
- Construction projects managed by State employees.
- AIA contract documents with modified general conditions.
- Limited technology.

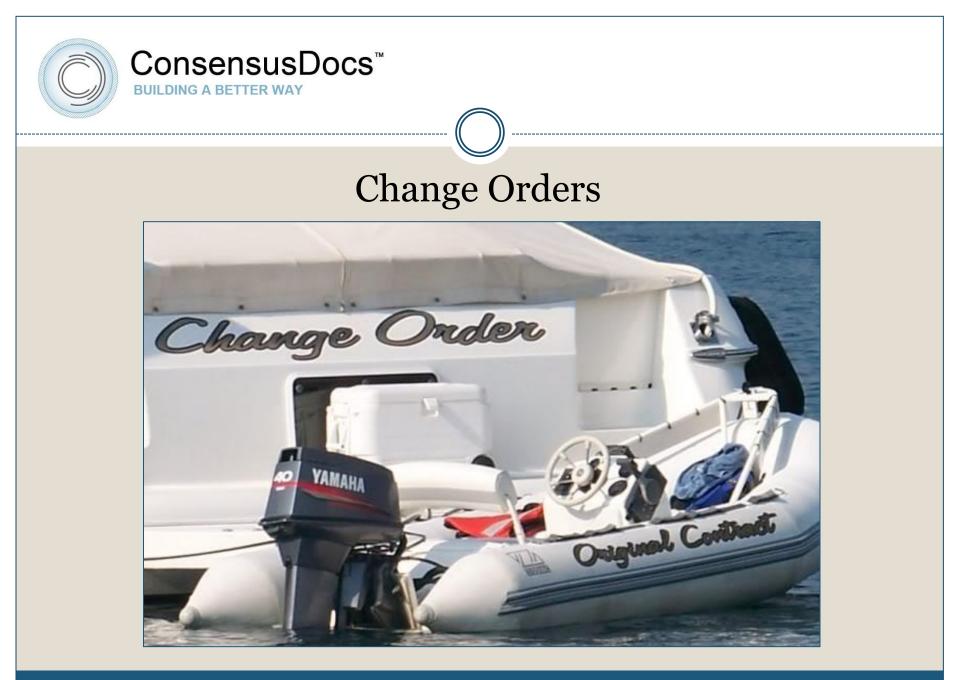


Exhibit A Accountable Government Act Requirements & Fees			
Project: Consultant:	DAS Project No. 5661.01 IVH Master Plan Implementation Phase 1 – Construction Management Consultation & Related Services Iowa Veterans Home, Marshalltown, Iowa DCI Group, Inc.		
oonsuluit.	2500 West 2 nd Avenue Indianola, IA 50125		
Accountable Government Act Requirements			
Item to b	e Measured and Monitored	Person Responsible	
Services provided shall be evaluated by the Owner to determine that they are performed in a timely manner and deliverables are provided in accordance with requirements of the Owner.		Paul Carlson, Administrator of Architectural & Engineering Services	
Construction Manageme be provided on an as-nee completion of constructi - Phase 1 project. Const	nt Consultation and Related Services are to sed basis in connection with the on of the IVH Master Plan Implementation liting Services shall be as described in the d June 22, 2011 and the DCI Group		
proposal response dated was revised June 26, 201	June 24, 2011 as the Hourly Rate Schedule		
with services upon t proposal of June 24 Hourly Rate Schedu	ce. Consultant is authorized to commence he Owner's acceptance of the Consultant's , 2011, including the June 26, 2011 revised le, to which this Exhibit A is attached, and e of a Purchase Order to the Consultant.		
 Consultant shall rev contractor's current Meet with DAS rep with current schedu 	iew and evaluate the construction schedule for completion of the project. resentatives to identify issues and concerns le and make recommendations for course of le requirements do not meet contractor's		
 Review current chan move them through establishing timeline 	nge order status and identify steps needed to the contractual process. Assist Owner in es and sequences for implementing rder work and incorporating in overall		
 Attend scheduling n contractor as require sequencing and coo operations. 	neetings with Owner and construction ed to assist in determining phasing, rdination of remaining work with ongoing		
construction operati consistent with proj variances between s Review schedule fo	on at least a weekly basis to analyze ons being performed to confirm they are ect schedule. Identify and report potential scheduled and probable completion dates. r work not started or incomplete, and make adjustments in schedule to meet established		
	n the steps required to achieve substantial se-out.		

Payment Clause	Person Responsible
Payment amounts against individual invoices may be adjusted so as	Paul Carlson, Administrator of Architectural &
to be commensurate with the extent and progress of services	Engineering Services
performed. Payments may be reduced if invoice amounts do not	
correspond with services rendered or if services are determined to	
be unsatisfactory to the Owner. If payments are reduced, full	
payment will be made when required services have been delivered	
to the satisfaction of the Owner.	
Consultant to be paid in progress payments for services provided	
on a time and material basis at the hourly billing rates stated in	
the 6/26/2011 email from Kevin Kain to Paul Carlson (attached	
to the DCI Group's 6/24/2011 proposal response to the	
6/22/2011 DAS informal Request for Proposal), in which the	
hourly billing rates shall include the cost of such materials and	
DCI staff recoverables, including office overhead, travel costs,	
reimbursable expenses, project administration, and profit.	
Total Compensation: The total amount paid under the	
Agreement, to which this Exhibit A is attached and made a part	
of, shall not exceed \$50,000.	

Fees

Overall compensation for the described services is limited to the amount identified above, to include reimbursable expenses incurred in the course of the Consultant's providing the described services, unless an amendment to this Purchase Order is agreed to by the Owner and executed authorizing such additional Compensation.

This Exhibit A is an attachment and a part of the Consultant's proposal dated June 24, 2011.

OWNER

CONSULTANT

(Signature) Director or Director's Designee Iowa Department of Administrative Services

(Printed name and title)

(Signature) Kevin C. Kain, President DCI Group, Inc.

(Printed name and title)



DAS Construction post-2011

- 321 projects valued at \$495 million.
- 98 projects completed/year.
- \$80,300,000 of projects completed/year.
- CMa project delivery method.
- Construction projects managed by private construction management companies.
- Technology—project management software, critical path method scheduling, BIM.
- ConsensusDocs.



How did we change to ConsensusDocs?

- Identify the need.
- Propose a reasonable solution.
- Collaboration with industry groups.
- Collaboration with AG and DOM.
- Collaboration with our customers.
- Communicate the advantage to taxpayers.
- Statutory authority.



Perceived benefits of privatization and ConsensusDocs?

- Progressive.
- Owner-focused.
 - No disputes.
- Potential for the expedient resolution of disputes.
 - Insurance.



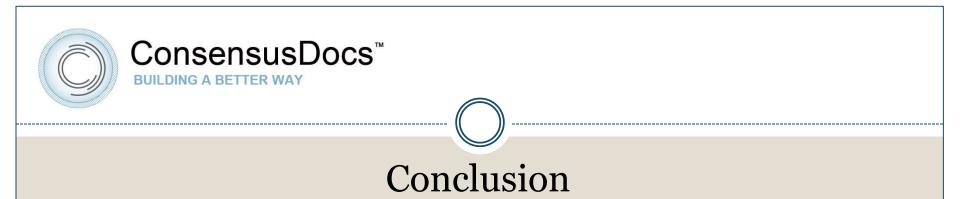
Perceived benefits of privatization and ConsensusDocs?

- Better designers.
- Better management.
 - Timely.
- Controlled outcomes.
 - Cost effective.
- High quality results.
- Satisfied customers.



Keys to success?

- Know more about the subject matter than those who oppose it.
- Build support.
- Leadership endorsement.
- Have a problem that you need to fix.
- Teamwork.



- More than willing to consult with you on facilitating this process.
- Brian Perlberg was instrumental.



Questions?

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