



# CANADIAN DESIGN-BUILD INSTITUTE

## Practice Bulletin #3

### April 2001

## Selection of a Design-Builder 'A List of Principles'

The Joint Industry-Government of Canada Design-Build Task Force has approved the following set of principles to provide guidance to the federal government and the industry for the selection of a design-builder and the proper use of design-build. The principles, developed in partnership with the Association of Consulting Engineers of Canada (ACEC), the Canadian Construction Association (CCA), Construction Specifications Canada (CSC) and the Royal Architectural Institute of Canada (RAIC), are consistent with the CDBI's *Design-Build Practice Manuals (100 Series – Introduction and General, 200 Series – Procurement and Award)*.

These principles address the selection process, remuneration, copyright and request for proposal documents, and have been adopted for use by Defense Construction Canada (DCC), the Department of National Defense (DND), Public Works and Government Services Canada (PWGSC), the National Capital Commission (NCC) and Department of Foreign Affairs and international Trade (DFAIT) for future design-build assignments.

Of particular importance are the adoption of principles related to owners providing compensation to proponents submitting design-build proposals (see Principle 2) and the use of industry-endorsed standard contracts for use in all design-build agreements (see Principle 4).

There are several different project delivery methods for the design and construction of buildings and infrastructure. When the design-build method is determined to be the most appropriate method for a particular project, the following principles shall be applied in the selection of a Design-Builder:

### 1. Selection Process

- 1.1 In order to ensure that at least three (3) submissions are received, a maximum of 5 proponents, who were short-listed at first stage or Request for Qualifications (RFQ), may be invited to provide a detailed proposal.
- 1.2 The selection of a successful proponent (Design-Builder) shall be based on clear, pre-stated criteria. The Owner shall approach the highest-ranked Design-Builder to finalize details of a contractual agreement.

### 2. Remuneration

- 2.1 The Owner shall provide compensation to all invited proponents who meet the requirements of the invitation or Request for Proposals (RFP). The amount of compensation shall be stated in the RFQ and RFP.
- 2.2 The remuneration to each proponent for the preparation and submission of a Design-Build proposal shall be at least 50% of a reasonable estimate of the costs\*\* for the submission, including professional fees and the Design-Builder's costs and expenses.
- 2.3 The remuneration shall reflect the effort required for the submission. The remuneration shall be based on both the complexity of the project, and on the level of detail contained in the Request for Proposal.

(over)

*A Special Committee of the Canadian Construction Association*

400 - 75 Albert Street, Ottawa, Ontario K1P 5E7  
Tel: (613) 236-9455 Fax: (613) 236-9526 www.cdbi.org



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**3. Copyright at the Proposal Stage**

- 3.1 The copyright of the design and drawings prepared by, or on behalf of, the Design-Builder or Owner, belongs to the author(s) who prepared them.
- 3.2 Payment of compensation for design preparation and submission does not assign copyright ownership to the Owner or to the Design-Builder.

**4. Standardized Contracts**

- 4.1 Standard contracts endorsed by the construction industry shall be used in all Design-Build Agreements.

**5. Request for Proposal (RFP) Documents**

- 5.1 Identical Request for Proposal (RFP) Documents shall be sent to each proponent and shall include the following information:

**General Information**

- Introduction/ Project Scope
- Proposal Schedule
- Budget
- Project Schedule
- Proposal and Bond Forms
- Selection Procedure
- Selection Criteria and Criteria Weighting
- Selection Panel

**Site Information**

*(data relating to existing site conditions)*

- Site Location and Description
- Topographic and Boundary Survey
- Geotechnical Investigation Data
- Utility Information
- Covenants and Restrictions on Property
- Environmental Audit

**Project Requirements (design criteria)**

- Program Summary
- Functional Requirements (including goals and objectives)
- Functional Relationship Diagrams
- General Physical Characteristics / Building Systems Requirements
- Site Layout, General Layout and/or Space Plans
- Performance Specifications, including expectations for Warranties
- Codes and Standards

**Design-Build Contract Requirements**

- Design Services Responsibilities
- Construction Responsibilities
- Responsibilities of Owner
- Supplementary General Conditions
- Special Legislative Requirements

**Requirements for Proposal**

- Drawings (model: optional)
- Outline Specifications
- Project Organization
- Quality Control Program
- Safety Program
- Schedule
- Price Proposal
- Financing Strategy
- Bid Bond (optional)



*\*\* Costs shall be defined as all costs for the preparation of a Design-Build proposal and shall include the following:*

- *all normal professional fees for investigation, pre-design and design services;*
- *all expenses for graphic presentation and reproduction including renderings, models, etc.;*
- *all transportation, shipping and communication expenses;*
- *all fees for cost estimating and preparation of financial information and documentation; and*
- *all fees for bonds, guarantees and other securities.*