

Project Delivery Method Evaluation & Selection

Selection of the appropriate project delivery method is highly dependent on the project. There are many factors to consider, including: the parties, the level of risk the owner wants to take on; scheduling issues; and the owner's budget. Among the most common delivery methods are:

- Design-Bid-Build
- Construction Management At-Risk
- Design-Build
- Integrated Project Delivery

Gibbs Giden provides expert guidance to both public and private owners in selecting the most appropriate project delivery method to achieve the desired objectives.

Notable Matters

- Successfully defended a public entity on a petition seeking to enjoin the award and performance of a design-build contract for the construction of a park and recreational facility. Issue/Complexity: Petitioner claimed irregularities in the proposal process. After a trial, a writ of mandate seeking the injunction was denied. Value: Contract award was approximately \$14M.
- Retained to assist various municipal client's in drafting design-build and alternative project delivery charter amendments, ordinances. Administrative procedures and contract documents for various projects including parks, libraries, power generation and transmission facilities and a \$200 million water treatment facility expansion project.
- Retained to draft a design-build contract for a public parking structure funded by the Federal Emergency Management Administration. Drafted a design-build contract for use by the City's Parks and Recreation Department. Assists clients on an ongoing basis with updates to bid documents, bid protests and course of construction issues.
- Retained by private developers to assist in contracting drafting and negotiation of contracts for

engineering, procurement and construction (EPC) of solar power generating facilities.

- Retained by private developers and contractors to analyze contract requirements and to resolve claims arising from prevailing wage and skilled workforce requirements for solar generation and health care projects contracted with alternative project delivery methods.
- Gibbs Giden construction lawyers are frequently asked to present and author publications on Project Delivery Method Evaluation and Selection.

If you are interested in receiving a presentation on claims, please contact us. Below is a sample of relevant publications.

Relevant Articles

- Christopher E. Ng, Esq. Author, Is the Construction Manager Holding Any of the Cards? A Critical Look at Construction Management at Risk Today, The Construction Lawyer, Journal of the American Bar Association Forum on the Construction Industry, Volume 32, Number 4, Fall 2012.
- Barbara R. Gadbois, Co-Author, Turning a Battleship: Design-Build on Federal Construction Projects , (Winter 2011) The Construction Lawyer, Journal of the American Bar Association Forum on the Construction Industry, Volume 31, Number 1, at page 6.
- William D. Locher, Esq., Co-Author, Give PPPs a Chance article, appeared in the Los Angeles Lawyer (the Los Angeles County Bar Association Magazine), 24th Annual Real Estate Law Issue, January 2009 (pgs 20-28).