

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, line 2, strike "Director of Capital Projects" and insert "Directors of Capital Projects and/or Finance".

2. In Section 1, line 1, after "and/or" insert "Director of"; and in line 5, after "aka" insert "the"; and in line 6, between "full" and "depth" insert a hyphen; and strike "curb" and insert "curbs" and strike "sidewalk" and insert "sidewalks".

3. In Section 2, line 1, after "and/or" insert "Director of".

4. In Section 3, line 3, after "constructing the Improvement" strike the comma and insert "or any component".

5. Insert new Section 5a to read as follows:

"Section 5a. In addition and as an alternative to the construction contracting method authorized in Sections 3 and 4 above, the public improvement of any one or more distinct component parts of the Improvement may be made by one or more contracts combining professional design services and construction services in one or more design-build contracts including, but not limited to, bridging design-build and other design-build variants, or by combining construction management services, professional design services and construction services in one or more construction-management contracts or one or more construction-manager-at-risk contracts or other similar contracts, which may utilize open-book pricing and/or guaranteed maximum price, duly let to the person, firm, or corporation or combination of them submitting the best proposal, after a competitive qualifications-based selection process which takes into consideration the engineering and design, the proposed design and construction costs, the construction method, the schedule, the total life-cycle costs, the qualifications of the proposed design professional(s), construction firm(s) and construction management firm(s), the community benefits offered, and the risks and the objectives of the Improvement and the component(s).

The selection of the person, firm, or corporation to design, construct and/or manage the Improvement shall be made by the Board of Control on the nomination of the appropriate department director(s) from a list of qualified and available persons, firms, or corporations, as may be determined by the director(s) after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix the total compensation to be paid for all design and construction and/or construction management, or any combination of them, necessary for the Improvement. The contract or contracts shall be prepared by the Director of Law, approved by the appropriate department director(s) and certified by the Director of Finance."

6. In Section 7, line 4, strike "property rights such as" and insert "such property rights, including but not limited to,".

Date: _____ (Signed): _____

Jeffrey Marks
Assistant Director of Law

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