161.3414 DETERMINATION TO USE DESIGN-BUILD SELECTION METHOD.

Subdivision 1. **General criteria.** A design-build contracting procedure authorized under sections 161.3410 to 161.3426 may be used for a specific project only after the commissioner determines that awarding a design-build contract will serve the public interest.

Subd. 2. **Specific criteria.** The commissioner shall use the following criteria as the minimum basis for determining when to use the design-build method of project delivery:

(1) the extent to which it can adequately define the project requirements in a proposed scope of the design and construction desired;

(2) the time constraints for delivery of the project;

(3) the capability and experience of potential contractors with the design-build method of project delivery or similar experience;

(4) the suitability of the project for use of the design-build method of project delivery with respect to time, schedule, costs, and quality factors;

(5) the capability of the Department of Transportation to manage the project, including the employment of experienced personnel or outside consultants;

(6) the capability of the Department of Transportation to oversee the project with individuals or design-build firms who are familiar and experienced with the design-build method of project delivery or similar experience;

(7) the lack of ability and availability of any current state employee to perform the services called for by the contract;

(8) the original character of the product or the services;

(9) the work to be performed on the project is necessary to the agency's achievement of its statutory responsibilities and there is statutory authority to enter into the contract; and

(10) other criteria the commissioner deems relevant and states in writing in its determination to utilize the design-build method of project delivery.

History: *1Sp2001 c 8 art 3 s 3; 2014 c 227 art 2 s 5*