

## RESOLUTION 22-11026

### A RESOLUTION AUTHORIZING THE USE OF AN ALTERNATIVE PROJECT DELIVERY CONTRACT METHOD FOR CONSTRUCTION, REMODEL, AND REPAIR OF THE NEW CITY HALL FACILITY

WHEREAS, Section 18-2-502, MCA, authorizes the City to use an alternative project delivery contract method for construction.

WHEREAS, an alternative project delivery contract means a construction management contract, a general contractor management contract, or a design-build contract.

WHEREAS, the City Administrator has determined that an alternative project delivery contract method will likely be the most effective way to achieve significant cost savings and time efficiencies to implement construction of the New City Hall Facility Project.

WHEREAS, a governing body that uses an alternative project delivery contract shall determine that the proposal meets at least two of the criteria described in Section 18-2-502, MCA subsections (2)(a) through (2)(c) and the provisions of subsection (3); and

WHEREAS, the City Council desires that City Administration has discretion to use an alternative project delivery contract method for construction, remodel, and repair of the New City Hall Facility and therefore makes the following findings, in conformance with the referenced State law.

### FINDINGS

1. The City has working relationships with professional design firms having significant relevant alternative project delivery experience.
2. Procurement of alternative project delivery contracts shall be through an open competitive public process by publishing requests for qualifications and/or proposals for designers and contractors which will not encourage favoritism or bias in awarding the contracts.
3. Under the circumstances pertinent to the New City Hall Facility, an alternative project delivery contract maintains the most efficient project schedules and arrives at the greatest cost certainty and potential savings in both project design and construction. Alternative project delivery contracts bring the selected contractor onto the project team as early as possible to bring their unique expert contributions to the design. By involving the contractor early on in the projects and combining the talents of the project designers and contractor into a unified working team, the following cost and time benefits will be realized:

- a. The project team can take early advantage of contractor expertise and receive valuable analysis and evaluation of the constructability of preliminary project designs. Alternatives for improvement, completeness and clarity can be incorporated into the project early.
- b. The project is expected to be phased construction and concurrent project design and construction achieves significant cost and schedule benefits. Information gained about means, methods and materials early in construction lead directly to design accuracy and completeness improvements. The result is more efficient project construction, less contractor risk and greater cost certainty.
- c. The design/construction overlap of alternative project delivery contracts shortens the overall project schedule over traditional contracts. Completing projects sooner achieves the overall project goals of making the new space available and solving facility space needs more quickly than a traditional bid process.
- d. The design and overlapping schedules of upgrading building systems and completing different areas of the building in a phased manner are interrelated and present a high level of technical complexity that can necessitate the use of an alternative project delivery contract.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, as follows:

The City Council hereby adopts the above stated findings and authorizes City Administration, in its discretion, to use an alternative project delivery contract method for construction, remodeling, and repair, of the New City Hall Facility. These findings comply with the requirements of Sections 18-2-502(2) and 18-2-502(3), MCA.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 28th day of February, 2022.

CITY OF BILLINGS



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DocuSigned by:  
*William A Cole*  
 By: \_\_\_\_\_  
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 William A. Cole, Mayor

ATTEST:

DocuSigned by:  
*Denise Bohlman*  
 By: \_\_\_\_\_  
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 Denise R. Bohlman, City Clerk