

Procurement of Construction: *Construction Management Methods*

Selection of Construction Management Methods—

The Procurement Official may select the appropriate method of construction contracting management for a particular District construction project. The Procurement Official shall include in the contract file a written statement describing the facts which led to the selection of a particular method of construction contracting management for a particular project.

Utah Admin. Rules R33-13-204 (January 22, 2021)

Before choosing a construction contracting management method, the Procurement Official shall carefully assess the project requirements and at a minimum shall consider the following factors:

- when the project must be ready to be occupied;
- the type of project (for example, school facilities, offices, support facilities);
- the extent to which the requirements of the District and the way they are to be met are known;
- the location of the project;
- the size, scope, complexity, and economics of the project;
- the amount, type, and source of funding and any resulting constraints necessitated by the funding source;
- the availability, qualification, and experience of District personnel to be assigned to the project and the amount of time that the District personnel can devote to the project;
- the availability, qualifications, and experience of outside consultants and contractors to complete the project under the various methods being considered;
- the results achieved on similar past projects and the methods used on those projects; and
- the comparative advantages and disadvantages of the construction contracting method and how methods might be adapted or combined to fulfill the District's needs.

[Utah Code § 63G-6a-1302\(2\), \(3\) \(2022\)](#)

Utah Admin. Rules R33-13-203(3) (January 22, 2021)

Common Construction Management Methods—

The following descriptions are provided for the more common construction contracting management methods which may be used by the District. The methods described are not mutually exclusive and may be combined on a project. These descriptions are not intended to be fixed in respect to construction projects. In each project, these descriptions may be adapted to fit the circumstances of that project.

1. Single Prime (General) Contractor. The single prime contractor method is typified by one business, acting as a general contractor, contracting with the District to timely complete an entire construction project in accordance with drawings and specifications provided by the District. Generally, the drawings and specifications are prepared by an architectural or engineering firm under contract with the District. Further, while the general contractor may take responsibility for successful completion of the project, much of the work may be performed by specialty contractors with whom the prime contractor has entered into subcontracts.
2. Multiple Prime Contractors. Under the multiple prime contractor method, the District contracts directly with a number of general contractors or specialty contractors to complete portions of the project in accordance with the District's drawings and specifications. The District may have primary responsibility for successful completion of the entire project, or the contracts may provide that one or more of the multiple prime contractors has this responsibility.
3. Design-Build. In a design-build project, an entity, often a team of a general contractor and a designer, contract directly with the District to meet the District's requirements as described in a set of performance specifications and/or a program. Design responsibility and construction responsibility both rest with the design-build contractor. This method can include instances where the design-build contractor supplies the site as part of the package.
4. Construction Manager Not at Risk. A construction manager is a person experienced in construction that has the ability to evaluate and to implement drawings and specifications as they affect time, cost, and quality of construction and the ability to coordinate the construction of the project, including the administration of change orders as well as other responsibilities as described in the contract.
5. Construction Manager or General Contractor (Construction Manager at Risk). The District may contract with the construction manager early in a project to assist in the development of a cost-effective design. In a Construction Manager/General Contractor (CM/GC) method, the CM/GC becomes the general contractor and is at risk for the responsibilities of a general contractor for the project, including meeting the specifications, complying with applicable laws, rules and regulations, that the project will be completed on time and will not exceed a specified maximum price.

Utah Admin. Rules R33-13-203(5) (January 22, 2021)

Construction Manager / General Contractor—

Subject to this policy, the District may use a construction manager or general contractor as one method of construction contracting management. The construction manager or general contractor shall be selected using a standard procurement process or a valid exception to a standard process. In addition, when entering into a subcontract that was not specifically included in the construction manager or general contractor's cost proposal, the construction manager or general contractor shall procure the subcontractor by using a standard procurement process or a valid exception to a standard process in the same manner as if the subcontract work was procured directly by the District. A construction manager or general contractor contract may include provision by the contractor of operations, maintenance, or financing.

[Utah Code § 63G-6a-1302\(4\), \(5\), \(8\) \(2022\)](#)

Utah Admin. Rules R33-13-205(1), (2) (January 22, 2021)

Design-Build Contract—

Subject to this policy, the District may use a design-build provider as one method of construction contracting management. A design-build contract may include a provision for obtaining the site for the construction project. A design-build contract may include provision by the contractor of operations, maintenance, or financing.

[Utah Code § 63G-6a-1302\(6\), \(7\) \(2022\)](#)