

CBOC ACTION ITEMS
MAY 24, 2011

CATEGORY	ISSUE RAISED	CBOC ACTION ITEM
<p>Bid Process</p>	<ul style="list-style-type: none"> • Scopes of work in bid packages should be broken down more to increase the likelihood for response by smaller firms. • Require general contractors to provide bid tabulations to subcontractors. 	<ol style="list-style-type: none"> 1. AISD requires all CMs @ Risk to seek and receive bids from companies that are only able to bid components of various scopes of work, in addition to those that can bid complete scopes of work. Any scope "component" bids received are to be: <ul style="list-style-type: none"> • Evaluated on an "apples-to-apples" basis with the similar components included in bids received for "complete" scopes of work. • Shared with AISD Construction Management staff during the subcontractor bid evaluation process for CM @ Risk projects. 2. AISD Construction Management staff requires general contractors who bid all AISD projects (not just CM @ Risk) to seek and receive bids from companies that bid components of various scopes of work, in addition to those that bid complete scopes of work. This message is to be effectively communicated at pre-proposal meetings. <p>AISD requires the successful prime bidder/proposer to share feedback with subcontractors who submitted bids to help subs understand how their bid compares to bids received from other subcontractors.</p>
<p>Listing HUB Firms on Disclosure Statements Submitted for Projects but NOT Using Them On The Project</p>	<p>Some general contractors list HUB firms as subcontractors simply to obtain HUB use points; once they are awarded the contract, they do not use the</p>	<p>Amend the Disclosure Statement to advise Prime Contractors that prior approval from AISD must be sought in the event that firms listed on the Disclosure Statement are not actually used on the project (See Attached Revised Disclosure Statement). Sanctions</p>

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	<p>listed HUB firm.</p>	<p>that may be levied against firms that violate this procedure include:</p> <ul style="list-style-type: none"> • 1st Violation: Loss of points for future CB, CSP or CM at Risk proposals submitted to AISD • 2nd Violation: Probation for a period of up to 6 months • 3rd Violation: Suspension or Debarment for a period of up to 24 months <p>In addition, after award of prime contract, the HUB consultant must contact each HUB firm listed on the Disclosure Statement to verify award of subcontracts.</p>
<p>Payment Processing</p>	<p>Subcontractors are not paid promptly. Explore the City's prompt payment process, which helps expedite payment to subcontractors.</p>	<p>Any contractor or subcontractor that has a concern about the process for pay applications should contact the AISD Director of Construction Management at: 512-414-1715 or via email. The "General Conditions" section of an AISD construction contracts now refers to the TX Government Code, Chapter 2251, Payment for Goods and Services. Under §2251.022, Time for Payment by Vendor, a vendor who receives payment from a governmental entity must pay the subcontractor no later than the 10th day after the date the vendor receives payment. Section 2251.023 requires that a subcontractor to pay a person who supplied goods or services no later than the 10th date after the date the subcontractor has received payment. Sections 2251.025 and 2251.028 provide for interest on overdue payments.</p>
<p>Technical Assistance</p>	<ul style="list-style-type: none"> • Many contractors cannot read blue prints or plans, which prevents them from bidding. 	<ul style="list-style-type: none"> • Firms seeking assistance in reading plans may contact the HUB consultant for referral to available training programs, including but not limited to, programs offered by the Building Construction

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	Some suggested solutions:	Technology Department of Austin Community College.
Contract Award Process	Internal process for selecting professional services and contractors should be reviewed.	AISD ensures that the screening committee reflects the diversity of the community.
Miscellaneous Issues	<ul style="list-style-type: none"> • Have a HUB advocate work with each general contractor; someone with a vested interest. • Re-consider Job Order Contract (JOC) delivery method • Disparity Study • Additional Recommendation from CBOC 	<ul style="list-style-type: none"> • AISD encourages general contractors and CMs @ Risk to engage internal HUB coordinators to help facilitate outreach to and utilization of HUB subcontractors/suppliers. • AISD is re-considering the viability of using the Job Order contracting construction delivery method for various types of work. • The HUB Subcommittee will continue to research the feasibility of a disparity study for AISD or other similar options. (It should be noted that a disparity study would encompass all of AISD procurement practices, not just those under the bond programs or construction management.) • The HUB consultant will create and maintain a registry of HUB firms, certified by the State of Texas or the City of Austin, that will electronically be available to all contractors.