

# PROJECT PROGRESS

Pilot program allows ports to use design-build

**By Ben Myers**

*Staff Writer*

[ben.myers@nopg.com](mailto:ben.myers@nopg.com)

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DESIGN-BUILD CONTRACTING is expanding at Louisiana ports, if only in a limited fashion.

Engineers and architects in the past have objected to the method, which allows government agencies to award a single contract for simultaneous design and construction on public works projects. But they reached a compromise with

port interests to create a pilot program that allows no more than 10 new design-build projects for cargo transport, production, storage or manufacturing.

Whether Louisiana moves in the direction of Texas, which uses design-build for all public projects, remains to be seen. But the pilot program marks a noteworthy consensus among parties previously at odds over the approach.

The linchpin for engineers was a requirement that

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ports retain third-party design professionals to furnish technical specifications and performance criteria to monitor design-build contractors, said Ron Rodi, a principal with Baton Rouge-based CSRS Inc.

In the past, engineers have been leery about working for contractors, which they feared would limit their ability to consult directly with public owners. That ultimately can jeopardize the quality of projects, said Rodi, who helped negotiate the bill on behalf of the Louisiana Engineering Society.

"Your position is compromised," Rodi said. "Being a contractor and a designer is somewhat paradoxical."

Third-party supervision satisfies that concern, said Rodi, who praised ports for recognizing this need.

Louisiana ports say they need to use the

design-build process to lure customers who expect timely completion of silos, crane installations and other specialized facilities. Not doing so puts them at a competitive disadvantage with facilities in Texas.

"When you just isolate that one feature of timing, Texas ports may look attractive to some private developers," Donald Brinkman, engineering director at the Port of Lake Charles, which competes directly with ports in Beaumont and Corpus Christi.

Architects have also held concerns about design-build, and projects requiring an architect are ineligible for the pilot program. But this exclusion did not result from any overt lobbying by architecture interest groups.

Rather, it appears port interests didn't want to unnecessarily pick fights with engineers and architects at the same time.

To get the bill passed, port interests agreed to limit themselves to highly technical

projects that don't typically require architects, said Joe Accardo, director of the Ports Association of Louisiana Executive Director.

Architects are typically needed for office buildings and other projects not critical to economic development, Brinkman said.

That, however, was not the case with Louisiana's first port design-build project, the Port of New Orleans' recently completed cold-storage warehouse. The new warehouse was built specifically to prevent New Orleans Cold Storage from relocating or going out of business and is seen as model for future port projects.

To complete the NOCS facility at the Henry Clay Avenue Wharf, the port took advantage of a temporary law allowing select public agencies to use design-build for repairs in hurricane-affected parishes.

But that project employed an architect so it's questionable whether it would have qualified under the new guidelines. That law, which is likely to expire next year after receiving a one-year extension, eschews tightly focused restrictions contained in the new pilot program.

In any case, the presence of an architect is not necessarily why the cold-storage warehouse was successful. The port's development director, Deborah Keller, is credited with devising administrative rules that balanced quality with speed, an objective that port executives and designers agree is in everyone's interest.

Keller said strict focus on speed risks costly and time-consuming surprises, even if

## Port gets to pilot

*A new pilot program allows Louisiana ports to use design-build procurement on no more than 10 projects through the end of 2015. The design-build method combines components of the new construction process that are typically handled through separate bids. Provisions of the pilot program include:*

- a third-party design professional must devise technical specifications and performance criteria;
- projects requiring an architect are ineligible; and
- projects are subject to House and Senate Transportation Committees

Source: Louisiana Legislature

speed is a primary reason for using design build. For example, allowing time for proper site investigation in advance of a design-build contract provides contractors with clearer instructions and fewer chances for misunderstandings, she said.

"The common misperception is design build is always faster and cheaper," Keller said. "What people have to understand is that design build is about value."

Accardo said he expects some ports to push for more design-build projects in coming years.

Pearlina Thomas, a representative of the New Orleans chapter of Louisiana Associated General Contractors, said contractors generally will support more design-build projects so long as they're awarded in a transparent manner. •

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DEBORAH KELLER

development director  
Port of New Orleans