



DESIGN-BUILD INSTITUTE OF AMERICA | Western Pacific Region

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June 6, 2023

The Honorable Anna Caballero
Chair, Senate Governance and Finance Committee
1021 O Street, Room 7620
Sacramento, CA 95814

**RE: AB 400 (Rubio) Local agency design-build projects: authorization
As Amended on May 1, 2023 – SUPPORT**

Dear Senator Caballero:

On behalf of the California State Association of Counties (CSAC), Design-Build Institute of America Western Pacific Region (DBIA), League of California Cities (CalCities), California Special Districts Association (CSDA), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), we are pleased to be in strong support of Assembly Bill (AB) 400 by Assemblymember Blanca Rubio, which would allow local governments to continue the utilization of existing state law which allows them to use the Design-Build (DB) procurement process for qualifying public works projects. This bill achieves this by extending the existing January 1, 2025 sunset date to January 1, 2031 on the statutory DB authority.

Existing statute enacts more uniform provisions authorizing most local agencies, counties included, to use the DB procurement process for specified public works projects within Public Contract Codes Sections 22160-22169, which excludes roads but includes buildings, utility improvements associated with buildings, flood control, underground utility improvements, and bridges.

The DB method is an approach to delivering public works projects in which both the design and construction of a project are procured from a single entity. Under design-build, the owner contracts with a single entity to both design and construct a project at a fixed price. Simultaneously, contractors are provided with more flexibility over project design, materials and construction methods. This promotes project design and construction innovation, which can result in higher quality, as well as cost savings. The approach also reduces the county and local agencies' risk and results in fewer litigation claims for all parties involved.

In the traditional Design-Bid-Build (DBB) method of construction procurement the design and contracting phases are sequential, with no direct collaboration process. Allowing alternative delivery methods for construction projects gives local governments the ability to make the most cost-effective and advantageous decision for a particular project.

The DB method streamlines project delivery through a single contract between the owner and the design-build team. Thus, using the DB method for more complex projects facilitates the completion and delivery of public works construction projects efficiently and cost effectively. AB 400 would allow local governments to continue using this authority until January 1, 2031.

It is for these reasons that CSAC, DBIA, CalCities, CSDA, UCC and RCRC are proud to support AB 400 and respectfully request your AYE vote. Should you have any questions or concerns regarding our position, please do not hesitate to contact Mark Neuburger (CSAC) at mneuburger@counties.org, Beau Biller (DBIA) at bcb@platinumadvisors.com, Damon Conklin (CalCities) at dconklin@calcities.org, Heidi Hannaman (CSDA) at heidih@csda.net, Jean Hurst (UCC) at jkh@hbeadvocacy.com, or Sidd Nag (RCRC) at snag@rcrcnet.org.

Sincerely,



Mark Neuburger
California State Association of Counties



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Design Build Institute of America-Western
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Damon Conklin
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Heidi Hannaman
California Special Districts Association



Jean Hurst
Urban Counties of California



Sidd Nag
Rural County Representatives of California

CC: The Honorable Assemblymember Blanca Rubio, Author
The Honorable Members, Senate Governance and Finance Committee
Jonathan Peterson, Consultant, Senate Governance and Finance Committee
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