APPENDIX B

STATE OF WISCONSIN
FACILITY DEVELOPMENT PROCESS
All public buildings case analyzed in this study follow the State of Wisconsin's building program. The following appendix presents an outline of the State of Wisconsin's building program as it has been adopted by the State Building Commission. In this appendix, the investigators have re-interpreted the State's building program according to the definition of the facility development process used in this study.

The facility development process can proceed once the State Building Commission authorizes the release of funds for the design and construction of a project that has been approved in the State Budget. There are a total of 38 steps that all State of Wisconsin agencies normally follow in the development of a building project from inception to final inspection and acceptance of the work.

2.1 Capital Budget Requests Process (State Building Program)

The Capital Budget consists of capital improvement, remodeling, renovation, maintenance, equipment purchase and land acquisition projects authorized by the State Building Commission and funded by the State Legislature. It also includes a long-range planning process used to identify agency mission, direction, goals, and future facilities needs.

The process begins with the filing of the Six Year Facilities Plan as part of the Capital Budget Request which covers specific building projects a particular agency wishes to request for the next six years. The Division of Facilities Development reviews this plan to forecast the Building Program scope, timing, and cost that may evolve during the six year time period. The Six Year Facilities Plan is reviewed by various Commission staff and Building Commission Subcommittee hearings, action is taken by a Joint Committee on Finance hearings, and finally the Legislature and passes the Capital Budget resulting in the enumeration and funding of each major project, the level of funding of special category projects, and the identification of projects selected for advance planning.

2.2 Definition of Scope

The division "performs" a total of 38 distinct "functions" beginning with Function 1: Initiation of Project to Function 38: Warranty Items.

Of the 38 distinct "functions" of the facility development process, functions 1, 2, 4, and 7 define the scope of the project:

1. Initiation of Project: Management Services Section receives requests to proceed on building project from the State Building Commission or agency and hold project for Selection Committee.

2. Program Review: Capital Budget, Physical Planning Section and Project Manager review agency prepared program to assure that project is responsible to the mission of the Agency and in conformance with prior Agency approved requests.

4. Initial contact in Project Development: The Project Manager arranges a meeting with A/E, their consultants and the agency to agree on scope of program, provides A/E with explicit direction and instructions concerning authorized program requirements at kick-off meeting.

7. Evaluate Budget and Program: The Architect/Engineer performs an initial evaluation of the adequacy of the authorized budget and program. If the budget is adequate, preliminary design will be developed, if not the budget and/or scope will be revised.
2.3 Staff/Consultant Selection

DFD "very infrequently" selects architects from out of state. If the DFD can find the expertise in the state they will use these architects. If expertise cannot be found within the state, DFD will encourage state architects to affiliate with out-of-state firms. Affiliation is seen as a good mechanism for introducing new design ideas into the state.

Of the 38 distinct "functions" of the facility development process, functions 3, 5, and 6 outline the staff/consultant selection procedure:

3. Selection of Architect/Engineer: Selection Committee review request, confer with agency, and recommend selection of architect/engineer to the Secretary.

Selection Committee
A selection committee is assembled which consists of a group composed of 6 state employees appointed by the secretary of the DOA, one being designated the chairperson and a minimum of 3 who shall be registered architects/engineers.

If the project has an estimated cost which exceeds $250,000, the agency for whom the project is to be constructed will be requested to appoint a representative to serve as an additional member on the committee for the selection of an architect/engineer for that project. An absence from the agency is considered a waiver of their vote.

The key to whether the selection procedure will be by nomination or by advertisement is based on the estimated project cost. The selection by nomination procedure is used for projects costing less than $2,500,000 and the selection by advertisement procedure is used for projects more than that amount.

An eligible architect/engineer must meet or exceed the following criteria:

(a) Responsibility: Has more than one architect/engineer as a responsible member of the firm.
(b) Experience: Has been in business for a period of not less than 3 years.
(c) Residency: Has a permanent office within Wisconsin, where responsible direction of all services will be based. Out-of-state firms will be considered when the selection committee determines there are no Wisconsin firms qualified or available to provide the services required.
(d) Capability: Has been responsible for the design and completion of a project with a total construction cost or size of at least 50% as large as the construction cost or size of the project under consideration.
(e) For those projects which are estimated to have a project cost of less than $250,000, the criteria for eligibility stated in a, b, and d may be waived.

Selection by Nomination
The selection by nomination procedure is normally conducted once a month, usually about 10 days following the Wisconsin State Building Commission meeting. Each Selection Committee member is furnished an agenda containing information on currently funded projects, and a manual containing architect/engineer data records in the State who have expressed a desire to do work for the State. The selection by nomination procedure is as follows:

1. Firms are nominated which committee members feel are best suited for the projects on the agenda.
2. Pros and cons of each nomination are discussed.
3. A vote is taken to determine the first and second place recommendations for each project.
4. The recommendations are submitted to the Secretary of the Department of Administration for approval.
5. Selected architects/engineers are provided with project programs prior to negotiation of the contract.
6. Once an architect/engineer is selected they meet with the department's designated representative to negotiate a contract, a summary of which is distributed to the
selection committee chairperson. Negotiations are based on complexity and estimated value of the project. Various combinations of these considerations are used to determine an overall percentage fee, which is converted to a fixed lump sum fee for contract purposes.

Selection by Advertisement
When the project under consideration costs $2,500,000 or more the selection committee are required to follow a more detailed procedure called selection by advertisement, which includes advertisement, review and interview processes.

1. Advertisement: An advertisement is published to announce that submittals will be accepted from firms interested in the proposed project.

2. Review Process: Eligible architect/engineers must submit a proposal indicating interest in providing architectural services. The selection committee convenes to review and screen background information on architect/engineer proposals. Each firm is rated on a screening form, the forms are tallied and the four or six firms that have the highest scores are then notified that they have made the "short list" for firm interviews.

Proposals submitted by architects/engineers meeting eligibility criteria shall then be reviewed for the following qualification criteria:

(a) Past performance on projects for which the architect/engineer has been responsible.
(b) Production capabilities
(c) Current workload of state projects under contract by the architect/engineer
(d) Experience or specialization in the type or function of the project begin considered.
(e) Geographic proximity.

3. Interview Process: Qualified architect/engineer's who pass the initial screening of the Qualification Questionnaires are interviewed by the selection committee for the purpose of presenting their understanding of the scope of services required and their proposed method of meeting the program. Usually firms are given approximately 30 days for preparation for the interview.

The negotiation process for the selection of advertisement of the architect/engineer is the same method described for the selection by nomination procedure.

Performance Reporting

Department staff members involved in specific phases of the work will submit independent written evaluations of the architect/engineer performance of the professional service to the department's representative who is responsible for the general supervision of project implementation. Reports may be based on the following criteria:

(a) Design ability to meet program, schedules, and budgets.

(b) Accuracy and completeness of contract documents as evidenced by the number and character of addenda and change orders required.

(c) Administration of contracts, payments and construction documents as evidenced by the timeliness of the service rendered.

(d) Responsiveness to field observations and construction activities and requirements as evidenced by the timeliness of the service rendered.

(e) Overall professional responsibilities demonstrated.

5. Negotiation of Architect/Engineer agreement: Management Services Section negotiate contract with A/E.
6. Preparation and Execution of Architect/Engineer agreement: Management Services Section writes the A/E agreement contract based on agreed terms, supervises its distribution and execution.

2.4 Design Development and Review

Of the 38 distinct "functions" of the facility development process, functions 8-13 outline design development phase procedures:

8. Completion of Preliminary Design Documents: The A/E develops preliminary design drawings and outline specifications within the parameters established by the authorized program and budget, and updates estimates of project cost and schedule.

9. Prepare Design Report: The A/E prepares the design report in conjunction with the preliminary documents. The report represents a brief summary of the scope of the project. The concept and budget report was originally conceived as a simplified explanation for the building which serves as a tool to explain the building to legislators.


11. Approval of Preliminary Documents: Project Manager along with technical staff schedule review meetings with agency, designer, Construction Representative, and staff as required to review preliminary drawings and specifications in detail.


2.5 Construction Documents & Estimates

Of the 38 distinct "functions" of the facility development process, functions 14, 15, and 27 outline construction document phase procedures:

14. Preparation of Working Drawings and Specifications: A/E to direct and coordinate the development of working drawings and specifications, based on approved preliminary documents and verify budget.

15. Approval of Working Drawings: Project Manager and Division Staff review and approve final drawings and specifications before the project is let for bid. Project Manager consolidates all questions and comments for action by the A/E. PM circulates A/E responses to review comments.

27. Evaluation of A/E for Working Drawing Phase: The Project Manager, Division staff and Agency evaluate the work of the A/E.

2.6 Bids & Contract Negotiation

Of the 38 distinct "functions" of the facility development process, functions 16-26 outline bidding and negotiation phase procedures:

16. Coordinate Scheduling of Bid Openings: Management Services Section with input from the Project Manager and the Construction Administration Section maintain a master list of all
projects and coordinate scheduling of bid openings with the Project Manager who reviews the schedule with the Construction Administration Section Chief. A Construction Coordinator is assigned to the project.

17. Preparation of Invitation to Bid: A/E prepares an Invitation to Bid and submits it to the Project Manager.

18. Publication of Invitation to Bid: Management Services Section arranges for the publication of the Invitation to Bid on a scheduled date.

19. Distribution of Drawings and Specifications: Management Services Section obtains the required number of drawings and specifications and distributes them on request to potential bidders and issues agenda.

20. Bid Opening: Management Services Section receives all bids and publicly opens and reads them.

21. Recommend Contractors: The A/E and Construction Administration Section review bids and recommend the award of contracts to the Project Manager who reviews it with the Construction Administration Section Chief.

22. Preparation of Project Budgets: The Project Manager reviews the total funds available and recommends a project budget. Administration Section prepares a budget letter.

23. Approval of Project Budget: The Division Administrator reviews the recommendation and approves contract awards and project budget.

24. Process Contracts & Letter of Transmittal: Management Services Section processes contracts and transmits them for approval to contractual parties.

25. Approval of Contracts: The Governor and the Division Administrator transmit contracts to signatories for action.

26. Notification to Proceed: Management Services Section and the Division Staff upon receipt of approved contract, prepare notice to proceed.

2.7 Construction & Project Management

Of the 38 distinct "functions" of the facility development process, functions 28-38 outline construction phase procedures:

28. Construction Meetings:
   A. Preconstruction Planning Meeting: A/E, Regional Construction Coordinator and Construction Representative discuss intent and direction.
   B. Preconstruction Meeting: A/E, Regional Construction Coordinator and Construction Representative make necessary arrangements with all contractors and involved parties.
   C. Construction Progress Meetings: Construction Representative conducts meetings with A/E and contractors.

29. Administration of Construction (Construction Phase Activities): The Construction Coordinator and Construction Representative administrate and coordinate all construction phase activities and ensure conformance with plans and specifications. The Regional Field Office is the primary central file during construction phase activities after the award of contract. The A/E responds to requests for information, prepares construction bulletins, writes change orders, construction site visit reports and reviews and approves contractor payment requests. The Project Manager reviews construction bulletins, change orders and payment requests.
30. Responsible Inspection of Construction: The A/E and Construction Administration Section are responsible as required by the Contract to document changes or make clarification's of contract documents in response to RFI's (Requests for Information).

31. Change Order Procedures:
   A. Requests for Information: The A/E, PM, Contractor, and or Construction Administration Section to prepare requests for information and send to the Construction Representative at the regional field office, A/E and PM.
   B. Review: The A/E and Construction Administration Section review request to determine validity, consult with PM and recommend acceptance or rejection.
   C. Construction Bulletin: The A/E and Construction Administration Section prepare and send to the contractor to obtain a quotation and negotiate price with the contractor.
   D. Change Order: The A/E prepares change order and sends to the Construction Representative who will review and send to the PM.
   E. Review Scope/ Cost/ Design Issues: The PM reviews, processes and recommends the change order and tabulates responsibility.
   F. Approval: The Governor, Agency, Division, Administrator or Project Manager reviews recommendations, approves and signs the change order. Source of approval is contingent on cost implications of the change order: less than $15,000 by Project Manager; less than $30,000 by Division Administration; greater than $30,000 by Governor.

32. Payment Procedures
   A. Request for Payment: The contractor submits request for payment to the regional field office.
   B. Review Request: The Construction Representative initials and sends the request for payment to the A/E.
   C. Evaluate Payment Request: The A/E and Construction Administration Section review the request, correct if necessary and forward to the Division.
   D. Approval of Request: The PM reviews and approves the request.
   E. Audit of Request: Management Services Section checks all computations, makes corrections if required, obtains necessary approvals, processes and distributes the request.

33. Completion of contract work: Complete testing and punch list items., turn over service contract to agency, and the Contractor starts up systems, tests and demonstrates operation of systems as specified.

34. Final Inspection: Construction Administration Section, A/E and agency representatives conduct the final inspection and recommend acceptance of the facility.

35. Substantial Completion: The A/E Division Representative and Contractor send letters notifying contractors and the agency.

36. Project Close Out: Management Services Section obtain the necessary approvals including final payment release from the PM, obtain agency final acceptance, make final payments, close out contracts and contingency fund and terminate the project after preparing the close out letter signed by the PM.

37. Construction Phase A/E Evaluation: The Construction Representative prepares an evaluation of the A/E with the advice of others and submits it to the Construction Administration Section Chief and then to the PM. The PM Coordinates the overall A/E evaluation and discusses the evaluation with the A/E. The PM sends the results to management services for entry into the A/E database.

38. Warranty Items: The Contractor is responsible for any problems which arise with warranty items. The PM assures that the A/E takes whatever action is required to resolve problems.
2.8 Occupancy & Facility Management

When an agency occupies state office buildings, DOA has responsibility for maintenance. The DOA is considered the owner of the building, and the agency is considered the tenant. When the building is owned by a private owner, the DOA is responsible for lease negotiations between the landlord and the agency.