

Representative Tyrone Carter  
Chair of House Regulatory Reform Committee  
375 Capitol Building  
Lansing, MI 48933

Re: HB 4603 and 4604 Enhancing Construction Options for Michigan's K-12 Educational Community

My name is Michael Livendale, and I am a Design Builder and a member of the Design Build Institute of America (DBIA). I have also had the privilege of serving as a former board member of the DBIA Great Lakes Region. The DBIA is a nationally recognized association that brings together architects, engineers, and leaders from the construction industry. Our national Board comprises industry leaders from some of the largest construction, architectural, and engineering companies in the United States.

Within the DBIA Midwest Region, we have over 200 members, including prominent firms such as Barton Mallow, Hunt Construction, Christman, and Walsh. Today, I wish to discuss an important issue facing our state of Michigan - the absence of specific design build legislation for public schools. I urge your support for HB 4603, which seeks to rectify this situation by implementing design build laws based on best practices recognized by the DBIA.

Michigan is among the few states that lack specific design build legislation for public schools. This legislation aims to bridge that gap and enable the efficient use of the Design-Build delivery method for constructing critical educational facilities. I would like to highlight some success stories from critical facilities and infrastructure design builds in Michigan:

- The I-75 project in Detroit Metro was completed in just 5 years using Design-Build, compared to the projected 15 years under traditional methods.
- Despite the challenges posed by the pandemic, the Gordie Howe International Bridge remains on schedule for completion in 2024.
- Heritage Hall at the State Capital and McClaren's new hospital in Lansing are additional examples of successful Design-Build projects.

The Design-Build approach consolidates design and construction services under a single entity, the "design-builder." This method offers numerous advantages over the traditional Design-Bid-Build approach, as supported by peer-reviewed studies:

- It leads to lower total design and construction costs, ensuring project cost certainty that aligns with the owner's budget.
- Projects are completed more rapidly, reducing project delivery times.
- The single point of responsibility eliminates disputes and costly change orders.
- Guaranteed costs and outcomes provide the best value to the public.

By supporting HB 4603, you would promote an efficient and streamlined procurement and contracting method that can effectively compete with the outdated Design/Bid/Build process currently prevalent in the K-12 market in Michigan. The bill aims to clarify the qualifications of a design builder, define procurement methods, and ensure that licensed State of Michigan architects play essential roles as criteria developers and members of the design build team.

I would like to emphasize that the American Institute of Architects (AIA) is a key member and ally of the DBIA and the entire construction industry. Here are a few quotes from AIA leaders regarding the advantages of Design-Build:

Jim L. Whitaker, AIA, DBIA, NCARB Advisory Board of AIA's Project Delivery Knowledge Community, stated, "We don't have to be the leaders of everything. We have to come to grips that the owner, contractor, engineer may have a better idea."

[Reference: <http://www.prolibraries.com/dbia/?select=speaker&speakerID=59333>]

Tom Vandever, AIA, Senior Vice President for global architecture firm HDR, mentioned, "Today, I've never seen more variation in exploring different ways of delivery."

[Reference: [http://www.architectmagazine.com/practice/best-practices/engaging-in-architect-led-design-build\\_o](http://www.architectmagazine.com/practice/best-practices/engaging-in-architect-led-design-build_o)]

Dennis Bolazina, AIA, a member of the AIA Documents Committee, believes that "Design-Build delivery is gaining use in the industry" and highlights the importance of establishing proper criteria for projects to maintain control over design and quality.

[Reference: <http://www.aia.org/contractdocs/AIAB104039>]

In conclusion, I respectfully request your support for HB 4603 of 2023. This legislation aligns with the best practices recognized by the DBIA, promotes competition in the Michigan school construction market, and ultimately benefits our educational community and the public at large. Your support for this bill will be a significant step toward enhancing construction options for Michigan's K-12 educational facilities.

Thank you for your time and consideration. I am available to discuss this matter further and provide any additional information you may require.

Sincerely,

Michael Livendale

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