

Exhibit A-3

Owner's Project Representative Design Scoping Process

Preface: *Clearly Defined Project (Scope, Schedule and Budget), Workshops, Collaboration, Communications, Trusting Relationships Development, Skillful Execution = Successful Project*

Definitions:

Design-Builder (D/B) Services: design, engineering, preconstruction and construction management, labor and material, and equipment. The construction manager on the design-build team responsibilities include but are not limited to collaborating with AOR, constructability evaluations, cost control, schedule control, procurement of subcontracts, cost accounting and billing, General Conditions Construction, implementation and management of a safety program, review of shop drawings, construction, supervision, and regular reporting of the status of the project to the OPR State.

Owner Project Representative (OPR): Authorized representative of the State of Minnesota, Department of Administration, who is responsible for: 1) services listed in Exhibit A-1; 2) the development of the Design Guidelines and Imperatives; 3) managing communications with the legislature and building tenants; 4) verifying cost and schedule; and, 5) overseeing implementation of the project definition documents through the design and construction phases. *Note: The Design Guidelines in this context are those developed by this design process to be specific to this project and not to be confused with the State's Design Guidelines, which apply to all projects managed the State of Minnesota, Department of Administration.

Architect, Engineers and Sub-consultants (AOR): The architect on the Design-Build Team hired by the State of Minnesota that is responsible for leading the design and documentation process and will be responsible to stamp the contract documents and includes other design team members providing architectural design and structural, mechanical, electrical engineering and related services for this Project.

Fixed Limit of Construction Cost (FLCC): The FLCC includes the cost of the work to be performed by the contractor on the Design-Build Team, all work to be performed by subcontractors, general conditions construction, Design-Build Fixed Fees and Design-Builder's contingency. The FLCC in May 2013 dollars (not including escalation to mid-point of construction) for the new Legislative Office, Hearing Room and Parking Facilities is \$63.346M in May 2013 dollars. The FLCC in May 2013 dollars (not including escalation to mid-point of construction) for the Capitol Complex Parking Facilities is \$19.650M.

Envisioned Design Scoping Process

The following process will be applied separately to the new Legislative Office, Hearing Room and Parking Facilities and Capitol Complex Parking Facilities projects, respectively. Note: The references below to completion of a Pre-Design apply to the Legislative Office, Hearing Room and Parking Facilities only. There is a completed Predesign for the Capitol Complex Parking Facilities.

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Following the selection of the OPR, the OPR will work with the State to complete the development of the project definition documents, which will include the development of the Design Guidelines and Imperatives.

Following the selection of the design-builder, the team will be brought together in a project kick-off and team-building session lead by the OPM at the direction of the State. The OPM will review existing project definition documents, provide a general overview of what will be provided in the Design Guidelines and Imperatives, and review the intended Design Scoping Process. The Design-Builder will be given the opportunity to provide suggestions for modifying the Design Scoping Process to achieve the desired outcomes for the project in the most efficient, effective and collaborative manner. The State, in its sole discretion, reserves the right to accept or reject proposed modifications to the Design Scoping Process. Following this discussion, the OPM will lead a discussion on the definition of Quality for the project. The budget and schedule will be reviewed and discussed so that the Design-Build team fully understands their responsibility to design and build the project within the Fixed Limit of Construction Cost. Questions and comments will be discussed and issues will be identified for future discussion.

Following the initial meeting, the design-build team will be charged with:

- Completion of the Pre-Design Documents (Primary Responsibility: Architect of Record)
- Research and collect information to be used in the design workshops to follow (Primary Responsibility: Design-Build Team)
- Development of a CSI cost model as well as a cost model associated with each of the design scoping workshops that is linked back to the overall CSI Cost Model (Primary Responsibility: Design-Build Team)
- Development of a schedule and sequencing plan. (Primary Responsibility: Design-Build Team)

Upon submission of the completed Predesign by the AOR and the Design Guidelines and Imperatives by the OPM, and approval of these documents by the State, the project will move into the Design Scoping Phase. Unless otherwise agreed to by the State, the Design Scoping Process outlined below will be utilized. It has been designed to provide maximum involvement of the Design-Build Team, State, building tenants and OPR as well as other stakeholders from within and around the Capitol. This process is designed to bring to the project, at the appropriate time, all of the critical people who will be involved in the development and decision making at each workshop. The process will be highly collaborative. It will take advantage of the collective knowledge of all involved in the project. The process, which will be facilitated by the OPR at the direction of State, will involve a number of workshops (working sessions) as follows (The order may change based upon input from the Design-Build team in the kick-off meeting):

New Legislative Office Building, Hearing Room and Parking Facilities

- Workshop 1 – Building Information Modeling (BIM)
- Workshop 2 – Capitol Area Requirements
- Workshop 3 – Committee Room/Meeting Rooms/Public Space

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- Workshop 4 – Office Space/Support Areas
- Workshop 5 – Accessibility and Life-Safety
- Workshop 6 – Mechanical/Electrical/Plumbing
- Workshop 7 – Security
- Workshop 8 – Telecommunications
- Workshop 9 – Decorative Finishes, Paint and Metal work
- Workshop 10 – Furnishing, Fixtures and Equipment
- Workshop 11 – Grounds
- Workshop 12 – Maintenance and Life-Cycle Costs, materials

Capitol Complex Parking Facilities

- Workshop 1 – Building Information Modeling (BIM)
- Workshop 2 – Capitol Area Requirements
- Workshop 3 – Architectural/engineering program
- Workshop 4 – Security
- Workshop 5 – Sustainability, Energy Conservation, Renewable Energy
- Workshop 6 – Furnishing, Fixtures and Equipment
- Workshop 7 – Grounds
- Workshop 8 – Maintenance and Life-Cycle Costs, materials

The OPR will provide a schedule for the team to work with and it will be presented for discussion at the kick-off meeting. Each workshop will follow a three week schedule as follows: Prior to the workshop the Design-Build team will invite those individuals from their team or in support of their work that will be advantageous to attend. The State and OPR will do the same such that all critical players and stakeholders are in attendance for these meetings. It is critical that those in attendance are empowered with the ability to make a decision. It is recommended that notice be provided to these participants as early as possible.

- Week 1 – Typical Workshop Agenda
 - Tuesday the Design-Build team and others will gather together in the specified location.
 - 8:30 AM Receive a briefing from the OPR on the workshop topic.
 - 12:00 PM Break for lunch. Prior to lunch the workshop members will be divided into working groups that will spend the rest of the week together focused on specific design issues related to the workshop topic.
 - 4:00 PM The working groups will gather together to report their findings for the day. The Design-Builder will be advised to pay particular attention throughout the week to constructability and to cost of the schemes that are being developed as they will be pricing the schemes in week 2.
 - Wednesday morning
 - 8:30 AM The working groups will continue to work from day before.

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- 4:00 PM Reporting on progress, receive feedback.
- Thursday morning
 - 8:30 AM The working groups will continue to work through the design process.
 - 2:00 PM Reporting on recommended solution
- Friday Morning
 - 8:30 AM The Design-Build Team, OPR and the Owner will meet to develop the workshop summary. This document will describe the collaborative understanding and direction of the design.
 - The AE on the Design-Build Team will be given approval to proceed with the design.
 - The Design-Builder will be asked to use the documents generated from the workshop to verify that the direction is within budget (the Design-Build budget will be due at the end of the following week).
 - Assignments will be given to the OPR and Owner as appropriate.
- Week 2 – Budget Reconciliation and workshop Overlap
 - Monday morning
 - The Design-Builder will estimate results of the workshop. This budget will be in a CSI format similar to the one prepared for the workshop. The budget estimate will be due to the OPR on Friday.
 - The AE will provide a list of items that need future discussion prior to moving into the development of “Scope Documents”. This list will be due to the OPR by Tuesday. The Design-Build Team will consider this list in the budget process.
 - The OPR and the Owner will follow up on their respective assignments.
 - Monday afternoon
 - 1:00 PM The Design-Build Team, OPR and Owner will Reconcile workshop budget. This review will be a line by line comparative review to the pre workshop budget. Once it is reconciled and it is determined that scope is within budget, the Design-Build team will be released to proceed into “Scope Documents”. The Design-Build team will not be allowed to proceed until it is demonstrated that the scope and budget extrapolated from the initial cost model, provided by the Design-Build Team at the outset of the project, are in alignment.
 - Tuesday through Friday Workshop agenda will proceed as described above.

This process will continue over the total number of workshops until all aspects of the project scope are aligned with the budget. The Design-Builder will be responsible for the ongoing cost estimating that is required to accomplish this and the AE will be required to provide the information needed to address the scope. Additional estimating reconciliation meeting will be held as needed to keep the project scope and budget aligned with the FLCC.

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The deliverables, to be completed over an approximately 12 week period for the New Legislative Office, Hearing Room and Parking Facilities and 8 week period for the Capitol Complex Parking Facilities, respectively, are as follows:

- Completed Predesign Document (Primary responsibility: AOR)
- Completed Design Guidelines and Imperatives Summary Documents (Primary responsibility: OPR)
- Updated Project Budget and Schedule (Primary responsibility: Design-Build Team)
- Completed Schematic Design Documents submitted for owner's review (Primary responsibility: AOR)
- Weekly Workshop Activities report (Primary responsibility: OPR). Include meeting minutes structured to include "Critical Path Design Issues" with issues that were resolved and issues that remain. Include recommendations of actions, investigations, or other efforts required to resolve remaining issues along with time required for resolution.
- A final document in hardcopy and electronic version comprising all deliverables. (Primary responsibility: All of the above, coordinated by OPR).

Cost Estimating Process

Accurate cost estimating and forecasting of the work will be a very important activity during the pre-design, design and construction phases of the project.

In order to ensure that the project progresses through each stage of planning and design within the pre-established budgets, the design-build team will provide cost estimating, scheduling and constructability review functions as part of its pre-construction services. The design-build will provide timely cost, schedule and constructability information to the owner and design team during the pre-design and design process.

Following selection of the design-build team and a Kick off Meeting (as described in the Design Scoping Process) the design-build team will be required to provide an initial, conceptual master cost model in a Construction Specifications Institute (CSI) format. The project's initial cost model will be based upon information contained in the Preliminary Pre-design and PreDesign Documents, respectively. The cost model will illustrate, at a conceptual level, the cost of each facet of the project and demonstrate what can be constructed within the FLCC. Specific cost models associated with each of the design workshops will also be required and will be utilized to update the initial CSI cost model. The design-builder will also provide a critical path method schedule that is coordinated with the cost model.

Pre-Workshop/Workshop/Schematic Design (SD)

The pre-workshop estimates will utilize the conceptual cost model as a basis. As each work scope is further defined through the workshop process the corresponding estimate will be verified and tested through the design-builder's workshop summary update estimate. This information will be

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used to keep the team informed as to the cost implications of the decisions made during the workshop process. Each workshop summary update estimate will be incorporated by the OPR into the workshop summary documents. If the workshop summary update estimate exceeds the original pre-workshop estimate then a resolution meeting will be held to; 1) accept the scope changes and modify the budget accordingly, 2) accept the scope changes and reduce scope or quality of other areas of the project to offset the budget deficit or 3) rework the "over-budget" area of scope in order to reduce scope and bring the summary workshop update estimate back in line with the pre-workshop estimate. The final scope summary must fit within the overall FLCC.

Following each of the workshops the overall project cost estimate will be updated to provide a "real time" accounting of the projected construction costs. After completion of the workshop process the design team will complete the Schematic Design documents which will incorporate all of the decisions made throughout the workshop process. The Design-Builder will develop an update estimate from the Schematic Design to confirm that the project is within budget and that the scope of work developed in the workshops has been incorporated into the current documents. In conjunction with the Design-Builder's estimate and review, the OPR will develop comparative estimates in the same CSI format. The OPR will lead a reconciliation workshop to review the estimates with the owner and Design-Builder. Areas of large discrepancies within the estimates will be reviewed in detail and each estimator will present his/her basis of estimate and assumptions. This process will continue until a consensus is reached for a "fair and reasonable" estimate. Any design changes and modification that are required to keep the project within the FLCC will then be incorporated by the AOR.

It is imperative for the success of this process and the project that a high level of teamwork, collaboration, and clear communication is achieved between all team members. The design-build team will be inaugural team members, each contributing to the shaping the design of the project through their specific expertise.

Design-Build Team Deliverables:

1. Cost model in CSI format for the project equal to or less than the FLCC
2. Schedule coordinated with the CSI cost model
3. Update cost models in CSI format for each individual workshop (See Design Scoping Process)
4. Workshop Summary update estimate in CSI format
5. Constructability review comments to AOR, OPR and Owner as needed to communicate findings
6. Schematic Design Estimate in CSI format
7. Reconciled Schematic Design Estimate
8. Schematic update to the schedule

Design Development Documents (DD)

The process of collaboration will continue through all phases of the project. The Design-Builder shall provide feedback during the development of the design in order to help keep the design within budget

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and schedule. The project team will be reviewing the design against the design guidelines to ensure the design is within the intent of the guidelines. During the Design Development Phase it is expected that the Design-Builder will perform another complete estimate and constructability analysis. Following the completion of the design development phase the Design-Build Team and OPR will conduct another budget reconciliation workshop following the same procedure as utilized at the Schematic Design phase.

Design-Build Team Deliverables:

1. Ongoing constructability review
2. Design Development Cost Estimate in a CSI format
3. Reconciled Design Development Estimate
4. Constructability review comments to the AOR, OPR and Owner as needed to communicate findings
5. Design Development update to the schedule as needed

Construction Documents (CD)

The CD phase will proceed similarly to the DD phase. The Design-Builder will continue to assist by providing constructability reviews identifying potentially problematic design detailing and providing guidance on best construction practices for accomplishing the goals of the project.

Formal cost, constructability and schedule information will be required from the CM at each of the following CD milestones:

- 50% complete CDs
- 75% Complete CDs - provide an overall estimate update and an analysis of bid packages
- 90% complete Construction Documents - provide an overall update estimate and an analysis of bid packages.

Deliverables

1. Ongoing constructability reviews
2. CD cost estimates (3) in a CSI format at each of the three milestones as noted above
3. Updated schedule (3) as required with each estimate.
4. Constructability review comments to the AOR, OPR and Owner as needed to communicate findings
5. Resolution estimates (3) at the completion of each of the three CD estimates
6. Bid package estimates (2) in CSI format at each of the two milestones noted above
7. GMP that is less than the FLCC, which includes all of the identified project elements of the project, for the owner's review and acceptance.
8. GMP Schedule that is tied to the GMP