



# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

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Fourth District

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Fifth District

**DATE:** May 19, 2026

# 12

**TO:** Board of Supervisors

### **SUBJECT**

**AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS VIA CONSTRUCTION MANAGER AT RISK, PROGRESSIVE DESIGN BUILD, DESIGN BUILD, AND JOB ORDER CONTRACTING DELIVERY METHODS (DISTRICTS: ALL)**

### **OVERVIEW**

The Construction Manager at Risk (CMAR), Progressive Design-Build (PDB), Design-Build (DB), and Job Order Contracting (JOC) delivery methods offer efficient, industry-proven approaches to public works contracting that deliver higher value, reduce risk, and improve project outcomes compared to traditional low-bid contracting. Unlike conventional low-bid contracting, which silos the designer and contractor and requires the County to select a contractor based solely on price, these methods integrate design and construction services or use competitively procured, pre-established pricing to streamline delivery. CMAR, PDB, and DB allow for best-value selection, enabling the County of San Diego (County) to consider factors beyond price, including sustainable building experience, safety record, and Small-Local Business participation, while JOC utilizes competitively awarded on-call contracts to deliver repair and renovation projects that are more accessible to Small-Local Businesses. Together, these delivery methods provide flexibility to address diverse project needs, accelerate project initiation and completion, reduce administrative burdens, and promote collaboration and accountability.

The County's past practice has typically been to approve construction projects multiple times. For capital projects, the Board approves the Capital Improvement Needs Assessment (CINA), a five-year plan of new construction or renovation projects. Next, the Board of Supervisors (Board) approves each project by allocating funding towards it, which is usually done as part of the Operational Plan approval each June. Finally, when staff are ready to publish a Request for Proposals, staff return to the Board for each project requesting authorization to use a selected delivery method (CMAR, PDB, or DB). The Board approved streamlining of that process in 2016 and again in 2021 with the authorization of the ability to advertise and award CMAR contracts up to \$10 million for a period of five years. Today's action requests the expansion of this authorization to include PDB and DB delivery methods and remove the qualifying criteria of \$10 million and five-year time limit. If today's request is approved, projects would be delivered more efficiently by providing staff the authority to select the type of delivery method and advertise and award those contracts in accordance with the Board approval of the project and funding, while maintaining

**SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS VIA CONSTRUCTION MANAGER AT RISK, PROGRESSIVE DESIGN BUILD, DESIGN BUILD, AND JOB ORDER CONTRACTING DELIVERY METHODS (DISTRICTS: ALL)**

oversight through the annual budgeting process and applicable Public Contract Code requirements. It is anticipated that this streamlining will shorten project timeframes by approximately four months. The Board will continue to maintain multiple touchpoints with capital and major maintenance projects through planning, budgeting, and project-specific actions when required, ensuring continuous oversight across all phases of project delivery. Accordingly, streamlining project-specific contract award approvals does not reduce Board oversight, but instead eliminates duplicative administrative steps. This streamlined approach does not alter any independent statutory requirements, including Board consideration of CEQA documents when applicable. Accordingly, approval is requested to authorize the Director of Purchasing and Contracting to advertise and award CMAR, PDB, DB, and JOC contracts consistent with State law, and to designate the Directors of General Services, Parks and Recreation, and Public Works to administer those contracts pursuant to Board Policy F-41.

**RECOMMENDATION(S)  
CHIEF ADMINISTRATIVE OFFICER**

1. Find that today's action is not subject to the California Environmental Quality Act (CEQA) under Article 5, Section 15060(c)(3) of the State CEQA Guidelines because it is not a project as defined by Section 15378.
2. Authorize the Director, Department of Purchasing and Contracting to take any action authorized by Article XXIII, Section 401, et seq. of the Administrative Code, Public Contract Code Sections 20146, 22185 et seq., 22160 et seq. and 20128.5, and Board Policy F-41 to advertise, award, and amend any Construction Manager at Risk (CMAR), Progressive Design-Build (PDB), Design-Build (DB), and Job Order Contracting (JOC) contracts.
3. Designate the Director, Department of General Services, the Director, Parks and Recreation, and the Director, Department of Public Works as the County officers responsible for administering awarded CMAR, PDB, DB, and JOC contracts, as appropriate and pursuant to Board Policy F-41, and to execute any and all documents necessary for the implementation of awarded CMAR, PDB, DB, and JOC contracts.

**EQUITY IMPACT STATEMENT**

The requested authorization to expand and streamline the use of Construction Manager at Risk, Progressive Design-Build, Design-Build, and Job Order Contracting delivery methods enhance equitable access to County of San Diego's contracting opportunities. Streamlined procurement methods that incorporate best-value selection and inclusive contracting practices support efforts to dismantle barriers to economic opportunity and expand access for traditionally underserved businesses, including small-local firms. By reducing administrative delays while maintaining oversight and compliance with Board policies, moreover, this action promotes fair competition, broadens participation in public works projects, and advances more inclusive economic outcomes across all districts.

**SUSTAINABILITY IMPACT STATEMENT**

**SUBJECT:** AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS VIA CONSTRUCTION MANAGER AT RISK, PROGRESSIVE DESIGN BUILD, DESIGN BUILD, AND JOB ORDER CONTRACTING DELIVERY METHODS (DISTRICTS: ALL)

By reducing project delivery timelines and improving operational efficiency, this action supports the Sustainability goal of aligning available resources to maintain long-term fiscal stability and strategically investing in infrastructure that strengthens regional resilience.

### **FISCAL IMPACT**

There is no direct fiscal impact as a result of today’s requested action. Funding for Construction Manager at Risk, Progressive Design-Build, Design-Build, and Job Order Contracting projects are budgeted through the Capital Improvement Needs Assessment, Major Maintenance Improvement Plan, departments, or other related Board actions. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

Approval of the requested authorization to advertise and award Construction Manager at Risk, Progressive Design-Build, Design-Build, and Job Order Contracting delivery methods will have a positive impact on Small-Local businesses. By streamlining procurement processes and reducing project delivery timelines, the County of San Diego (County) will create more predictable and timely contracting opportunities for construction firms, consultants, subcontractors, and suppliers throughout the region. The use of best-value selection methods and on-call contracting mechanisms expands opportunities for qualified small-local businesses to compete and participate in County projects, including through subcontracting and specialty trade roles. Continued adherence to Board Policy B-53, Small-Local Business Policy requirements and other inclusive contracting practices helps ensure that local firms—particularly small, emerging, and historically underutilized businesses—have meaningful access to County contracting opportunities. Overall, this action strengthens the local construction market, supports job creation, and promotes economic activity across all districts without imposing new regulatory burdens on the business community.

### **ADVISORY BOARD STATEMENT**

None.

### **BACKGROUND**

On January 1, 2014, the California Legislature authorized counties, with Board of Supervisor (Board) approval, to utilize the Construction Manager at Risk (CMAR) delivery method for projects in excess of \$1 million through Public Contract Code Section 20146. This provision allows the County of San Diego (County) to use CMAR contracts for the erection, construction, alteration, repair, or improvement of any infrastructure, excluding roads. CMAR provides a framework for integrated project delivery in which the construction manager acts as an advisor throughout the design phase before entering into the construction phase. The County may also select the CMAR contractor on a best-value basis, unlike in traditional low-bid contracting. On September 13, 2016 (22) and again on May 4, 2021 (30), the Board authorized the County to award CMAR contracts up to \$10 million for a period of five years. These actions were earlier successes the County took to remove duplicative project approvals, but they were limited to qualifying projects. Staff now propose that this approach be continued for all projects capable of being delivered via CMAR until the Board directs otherwise. Over the past 10 years, the Department of

**SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS VIA CONSTRUCTION MANAGER AT RISK, PROGRESSIVE DESIGN BUILD, DESIGN BUILD, AND JOB ORDER CONTRACTING DELIVERY METHODS (DISTRICTS: ALL)**

General Services, in collaboration with the Department of Purchasing and Contracting, has implemented the CMAR procurement method, establishing consistent procurement procedures, contract templates, and source selection practices that ensure efficiency, transparency, and alignment with County policies.

The California Legislature expanded its authorization for alternative delivery methods for Public Works projects through Public Contract Code Section 22160, *et seq.*, enacted in 2015, and 22185, *et seq.*, in 2024. Sections 22160 and 22185 authorize the County, with Board approval, to use Design-Build (DB) and Progressive Design-Build (PDB) contracts, respectively. Both DB and PDB provide for a single contract that covers the design and construction of a project with a single contractor that acts as both the project designer and builder. Unlike traditional low-bid contracting, DB and PDB contracts are awarded on a best-value basis.

The California Legislature first authorized counties to use Job Order Contracting (JOC) in 1983. Public Contract Code Section 20128.5, the current JOC statute, fills a gap in public contracting that allows the County, with Board approval, to deliver repetitive repair, renovation, and maintenance projects through pre-established unit pricing. The County's continued use of JOC contracts enables the County to obtain greater efficiency of delivery in scoping, contracting, repair, and renovation projects. JOC, while awarded on a low-bid basis, includes smaller, individual-task-oriented projects that are accessible to the County's Small-Local Businesses. On November 18, 2025 (10), the Board authorized the County to award JOC contracts for up to \$175 million for an indefinite period of years. That action established a precedent for allowing qualifying JOC contracts to proceed without returning to the Board for project-by-project authorization, an approach staff now proposes to continue on an ongoing basis without limitation as to individual project cost or duration of this authorization to further streamline project delivery while maintaining Board oversight through funding approvals and applicable statutory requirements.

The CMAR, PDB, and DB delivery methods are proven alternatives to traditional low-bid contracting. Unlike low-bid procurement, which separates design and construction and emphasizes price over value, these methods integrate services to maximize efficiency and project quality. A core benefit of all three methods is early contractor input in the design of a Capital or Major Maintenance Improvement Plan project, thereby enhancing project alignment with client department requirements and enabling identification of cost-saving alternatives. Because these delivery methods (CMAR, PDB, and DB) use best-value selection methods, the County can award based on an array of crucial policy goals—unlike in traditional low-bid contracting. Factors that the County can consider in award include contractors' commitment to sustainable practices and effective use of Small-Local Businesses. Together, these methods offer the County flexibility to select the most appropriate delivery strategy for each project while maintaining high standards of quality, accountability, and fiscal oversight. Over the past three years, the Department of General Services has sought Board authorization to utilize CMAR, DB, or PDB delivery methods for ten separate projects. The Board approved of all these projects on its consent agenda, reflecting both the Board's established familiarity with these alternative contracting approaches and its determination that such approvals are routine in nature. The routine nature of these approvals

**SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS VIA CONSTRUCTION MANAGER AT RISK, PROGRESSIVE DESIGN BUILD, DESIGN BUILD, AND JOB ORDER CONTRACTING DELIVERY METHODS (DISTRICTS: ALL)**

supports a more streamlined, blanket authorization for staff to proceed within established parameters.

The Board maintains multiple, recurring touchpoints with Capital and Major Maintenance projects delivered by the Department of General Services throughout the project lifecycle. These touchpoints include: (1) consideration of projects during development and updates of the Capital Improvement Needs Assessment (CINA), including both future planning and active project status updates; (2) approval and periodic updates to the Major Maintenance Improvement Plan (MMIP); (3) project funding authorization through adoption of the County's annual Operational Plan; (4) subsequent budget modifications and reappropriations through Quarterly Fiscal Adjustments; (5) project-specific actions brought before the Board through individual Board Letters, including, as applicable, contract award, CEQA-related approvals; and (6) district-level engagement opportunities such as groundbreakings, ribbon cuttings, and other milestone events coordinated with Board offices. Collectively, these touchpoints provide continuous Board visibility and oversight across planning, funding, procurement, and project-delivery phases, ensuring alignment with County priorities, fiscal controls, and statutory requirements.

Granting ongoing authorization for these CMAR, PDB, and DB and JOC alternative delivery methods allows departments to proceed efficiently without the unnecessary step of returning to the Board for approval of the selected delivery method and to advertise and award the contract. Because the Board must still allocate project funding through the County's Operations Plan and overall budgeting process, and because Capital and Major Maintenance Capital Outlay Fund projects remain line-item appropriated and require Board approval for any budget changes, the Board does not lose any oversight. This approach therefore accelerates project timelines, reduces administrative burdens, and preserves contracting efficiency, while simultaneously maintaining oversight, ensuring compliance with all applicable procurement requirements, and achieving measurable cost savings. This streamlined approach does not alter any independent statutory requirements, including the requirement that projects subject to Board consideration or approval of CEQA documents continue to be presented to the Board in accordance with applicable law. The County will also continue to incorporate equity and inclusive contracting criteria in the procurement process through these delivery methods, ensuring fair and inclusive procurement practices that comply with, among other things, Board Policy B-53, Small-Local Business Policy.

**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

The requested authorization to expand and streamline the use of Construction Manager at Risk, Progressive Design-Build, Design-Build, and Job Order Contracting methods directly advances the County of San Diego's (County) 2026-2031 Strategic Plan by promoting Sustainability, Equity, Empower, Community, and Justice initiatives. Maintaining oversight through the Operations Plan and adhering to established procurement standards reinforces the Empower and Justice pillars by ensuring transparency, accountability, and equitable public investment. Collectively, this action enhances the County's ability to deliver timely, high-quality capital improvements that strengthen community infrastructure, promote economic opportunity, and support equitable outcomes across all districts.

**SUBJECT:** AUTHORIZATION TO ADVERTISE AND AWARD CONTRACTS VIA CONSTRUCTION MANAGER AT RISK, PROGRESSIVE DESIGN BUILD, DESIGN BUILD, AND JOB ORDER CONTRACTING DELIVERY METHODS (DISTRICTS: ALL)

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ebony N. Shelton', written in a cursive style.

EBONY N. SHELTON  
Chief Administrative Officer

**ATTACHMENT(S)**

N/A