

WHAT IS DESIGN-BUILD?



PROVIDED BY: O'BRIANT LAW, PC

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- ❖ The NCDOT said this project is going to be “design-build.” However, I am not sure what that means or why I should care. What do I need to know?
- ❖ This is a point that many property owners miss or do not think much about because the NCDOT provides so much data during meetings leading up to the acquisition of your property. It is a point that does matter!
- ❖ This presentation will help you understand what it means, how it differs from the “normal” process and how it might impact you as a property owner.

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- ❖ Historically, the NCDOT used a very straight-line process to design and build a highway. Briefly stated as:
 - ❖ 1. Conducted planning, prepared environmental documents, obtained community input and then created preliminary designs.
 - ❖ 2. After more community involvement, final designs are completed.
 - ❖ 3. Right of Way acquisition begins and is completed.
 - ❖ 4. Construction begins.
- ❖ This is a very simple progression from one step to the next.

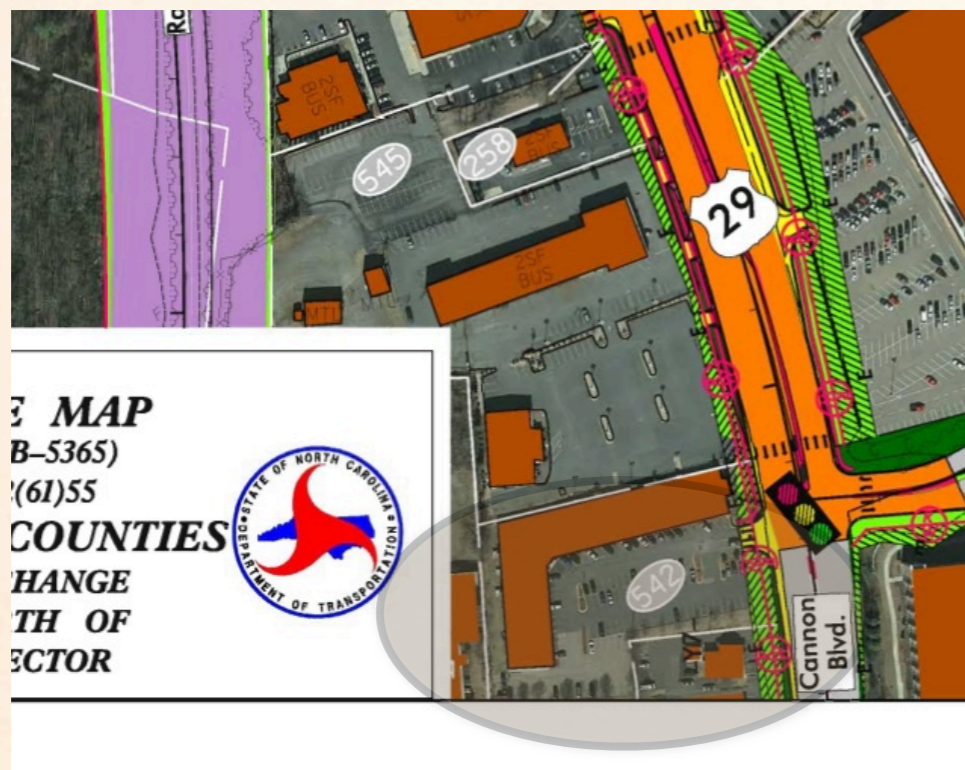
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- ❖ Design-build is more complex and not straight-line.
- ❖ In design-build, a team of designers and contractors are hired by the NCDOT to handle design, right of way and construction. They are often hired as Step #1 is either nearing completion or maybe even during that process.
- ❖ Why does the NCDOT do this?
 - ❖ They believe this “Team” will get the project completed faster.
 - ❖ It allows the “Team” to look for innovative ways to change the preliminary design, while still meeting overall project design objectives.
 - ❖ It allows for change and flexibility during construction to resolve issues or conflicts that might arise.

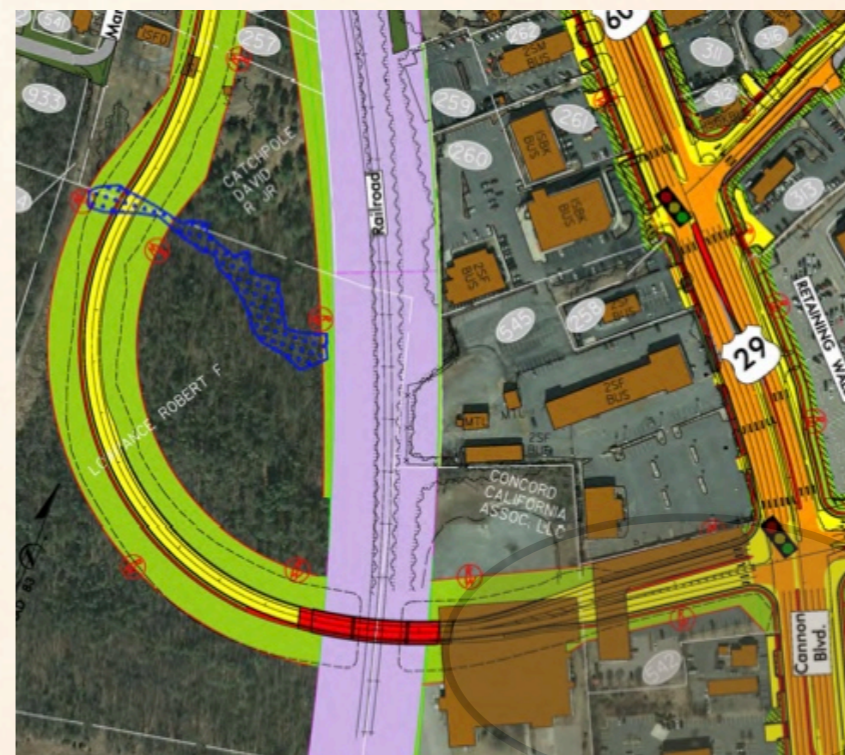
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- ❖ Now that I know what design-build means, how does that impact me as a property owner? **Change is a high risk!**

Before



After



This is a real example of how major changes may occur. In the first design, the brown “L” shaped building was planned to be barely impacted along the existing road frontage. Once the design-build team came in, they changed the design and the property was totally damaged. The new road now goes through the middle of the property. At no point during any of the preliminary discussions did the land owner ever think this would happen to his property.

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- ❖ **Common property owner concerns:**
 - ❖ **1. Change of design and how it might impact your property.** Even if you have seen maps showing little or no impact to your property, it can change quickly. So, it is important to be “in” on any change discussions.
 - ❖ **2. Changes can continue to happen** throughout the project construction.
 - ❖ **3. Property acquisition may be scattered.** For example, properties that will be totally taken may be confronted earlier than expected by right of way agents. They may be contacted before the entire project design is complete. Also, the right of way agents will not start the entire project at once. They will focus on the “hot area” where construction needs to start first.
 - ❖ **4. Phased Construction.** Construction may start immediately in some areas, while other areas that are more important to you seem to never begin. This can occur in the “normal” process as well, but is more likely here.

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More Questions?

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