

1 HB 1028 – School Construction – by Darin Scherr, Business and Operations
2 Manager, Bismarck Public School District.

3 I am here today to testify in opposition to HB 1028. I believe the current law as
4 written works well for school districts. I have been involved for over 25 years with
5 construction procurement and management. For the past 20 years I have been with
6 Bismarck Public Schools and have been involved with over 125 projects totaling
7 \$250 million.

8 Bismarck may not approach a project the same as Ellendale, but that decision is
9 made by the local School Board based on input from their team. For example, in
10 Bismarck we don't allow our Construction Manager to self-perform but require them
11 submit a bid for any work they are able to do but you may need to allow self-
12 performing in a remote school district based on industry wiliness and availability. I
13 also have a concern about the change to the selection committee. You are asking
14 potentially unsuccessful Architects and Engineers to sit on your selection committee.
15 This may be awkward, and this will likely cause unneeded expenses for their time. I
16 also have an issue of changing from most responsible to lowest responsible bidder.
17 For example, is a lower bidder from Minneapolis acceptable when we know from
18 experience that that contractor may not come back for any one-year warranty work.

19 In closing, are these changes needed? We have successfully completed multiple
20 projects under the current language. I recommend a do not pass and I would stand
21 for any questions.