

## 5.6.4 Use of Design Professional Services

Policy Tracking	Date
Approved	July 9, 2018
Revised	
Reviewed	

### I. Use of Architects and/or Engineers

As required by N.C.G.S. § 133-1.1 and the Office of State Construction ("State Construction"), the College must use a licensed, registered, architect and/or engineer for College buildings that are being repaired and/or constructed. In addition, architects and/or engineers may be used for other services including:

- A. Preparing feasibility studies for additions, alterations or renovations of existing facilities;
- B. Providing consulting services on technical matters;
- C. Providing services related to long-range planning or facility design; and
- D. Assisting in the preparation and submission of any documents requested by other governmental agencies.

### II. Selection Process for Architects, Engineers, Surveyors and other Construction Design Services

#### A. Project Expenditures \$500,000 or Greater

1. The President or a designee shall solicit qualifications from design service providers based on a request for qualifications using a uniform criterion that the President deems relevant. At a minimum, the College shall publicly advertise on the State of North Carolina Interactive Purchasing System website for a period of at least fifteen (15) calendar days.
2. The President shall provide a list of the qualified, responsive design service providers to the Board's Facilities Committee ("Committee"). The Committee will select its top candidates and one alternate and present its recommendation to the Board. The Board will vote on the Committee's recommendation.
3. A North Carolina resident firm will be granted a preference over a nonresident firm if the home state of the nonresident firm has a practice of granting a preference to its resident firms over North Carolina resident firms. Any preference granted to a resident firm will be in the same manner, on the same basis and to the same extent as the preference granted by the nonresident firm's home state. The solicitation documents must require that nonresident firms disclose and describe any construction contract preferences granted by the firm's home state.
4. The Board will submit the top candidate to State Construction. State Construction will conduct contract negotiations with the top candidate. If a fair and reasonable fee cannot be agreed upon, State Construction will negotiate with the alternate. The contract with the selected design professional will be developed by State Construction. The Board will approve the final contract with the selected design professional.

#### B. Project Expenditures below \$500,000 (or for projects less than \$300,000 where an Annual Service Agreement is not applicable)

1. The request for qualification process outlined above is not required; however, the President may use this selection process if s/he so desires or develop an alternative qualification process.
2. The President is authorized by the Board to enter into such contracts within the price limitation. The contract with the selected design professional must be reviewed by the Board's attorney and meet all applicable laws and Board policies.
3. At the next regularly scheduled Board meeting, the President will, as information items, update the Board on all contracts executed under this section.

### III. Annual Service Agreements

The Board may enter into an Annual Service Agreement. An Annual Service Agreement is a contract option when the College needs the services of a design professional for projects under \$300,000 on a fixed term basis for the period of one (1) year. No Annual Service Agreement shall exceed \$150,000 in total fees per year regardless of the number of projects. No individual fee shall exceed \$36,000 per project. Total fees shall not exceed \$150,000 for the first year or \$300,000 in total fees for the two-year period regardless of the number of projects.

- A. The President or designee shall solicit qualifications for Annual Service Agreements from design service providers (one RFQ for engineering services category and one RFQ for architect services category) based on a request for qualifications using a uniform criterion that the President deems relevant.
- B. The President shall provide a list of the qualified, responsive design service providers in both categories to the Committee. The Committee will recommend its top candidate and one alternate for each category and shall present its recommendation to the Board. The Board will vote on the Committee's recommendation.
- C. The President is authorized by the Board to enter into such contracts within the price limitation. The contract with the selected design professionals must be reviewed by the Board's attorney and meet all applicable laws and Board policies.
- D. All contracts shall be for a term of one (1) year. The President is authorized to extend the term of the contract for one (1) additional year. At the end of two years, if the contract is extended, or if the contract is not extended after one year, the President will repeat the RFQ process.

*Legal Reference: N.C.G.S. §§ 133-1.1, 143-64.31 - .34; State Construction Manual – Chapter 300*