

## **SECTION 6 – ARCHITECT/ENGINEER ADMINISTRATION**

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### **Relevant Law –**

- Annotated Code of Maryland, State Finance and Procurement Article, Title 3  
Budget and Management, Subtitle 6 Capital Program, Chapter 3-608 Revolving  
Preliminary Planning Fund
- Annotated Code of Maryland, Education Article, Division III, Higher Education

### **Relevant Regulation –**

### **Critical Due Dates –**

- Not applicable

## **6.01 GENERAL ARCHITECT/ENGINEER ADMINISTRATION**

The selection of an Architect/Engineer (A/E) is a very important step in developing the planned facility. The A/E is responsible for translating the approved Part I/II program into the drawings and specifications needed for construction.

This section describes general guidelines which are to be modified to meet each individual community college's needs. The local procurement practice will apply whether qualifications-based, price-based, or use of other agency projects.

## **6.02 SELECTION PROCEDURES**

The recommended selection procedures for architect/engineers are intended to obtain from all interested firms the general qualifications and the special qualifications needed for a specific project. To facilitate selection, the use of GSA forms, the Architect-Engineer and Related Services Questionnaire (Standard Form 254) and the Architect-Engineer and Related Services Questionnaire for Specific Projects (Standard Form 255) is recommended. Copies of the forms with instructions are available at [www.contacts.gsa.gov/](http://www.contacts.gsa.gov/).

The A/E firms interested in performing services for the college should submit an SF 255 to apply for a specific project even though the A/E firm may already have filed an SF 254 with the college. Typical selection procedures involve eight (8) basic steps, as follows:

1. Projects are announced publicly, usually in a newspaper advertisement, inviting all interested A/E firms in a given geographical area to indicate their interest in providing professional services to the college. Announcements should include the generalized selection criteria to be used in the evaluation process.
2. Interested A/E firms submit an SF 255, which gives the college specific information about the firm's qualifications for the project.
3. A selection committee reviews the SF 255 forms and, based on selection criteria, recommends a short list of firms considered to be the best qualified for the project.
4. All recommended firms are given additional information regarding the project, including detailed selection criteria. These firms are invited to make presentations and to attend interviews held by the selection committee.
5. The top three firms, in order of ranking, are recommended to the college board of trustees on the basis of their capabilities.
6. The top ranked firm selected is invited to submit a proposal which is the basis for contract negotiations.
7. If negotiations are unsuccessful, the second firm is invited to submit a proposal. If

negotiations fail again, the remaining firm is invited to submit a proposal. If negotiations fail a third time, a new group of three is recommended by the selection committee and the process continues until a satisfactory contract can be recommended to the Department of General Services for Board of Public Works approval.

8. Throughout the selection process there must be safeguards to ensure impartiality and objectivity. Evaluations should be made by professionals who represent both the board of trustees and the college staff. To protect the integrity of the process, deliberations should be kept confidential. However, the selection process and its results are a matter of public record.

### **6.03 SELECTION CRITERIA**

To obtain the best available A/E services, every effort should be made to maximize professional competition through the careful structuring of the selection criteria. The weight factors assigned to the various criteria, as well as the criteria, will change from project to project according to the nature and special needs of the project. Selection criteria and weights are both generalized and detailed. The public announcement, which is general, contains a summary of the elements for consideration and their weights. The detailed rating criteria and their weights for the specific project are made known to the A/E firms recommended for interview by the A/E selection committee.

### **6.04 PROJECT ADVERTISEMENT**

Upon approval by the board of trustees to proceed with the procurement of A/E services, the college releases the project announcement to the media for publication. This notice is written for and tailored to each specific project. It includes a description of the generalized selection criteria and their weights. The professional societies in the area of project consideration should be sent copies of the project announcement.

The project advertisement should invite firms that meet the requirements of the announcement to submit an SF254 (Architect/Engineer and Related Services Questionnaire), an SF 255 (Architect/Engineer and Related Services Questionnaire for Specific Project), and any supplemental data requested. Firms that have a current SF254 on file with the college are not required to resubmit that form; however they must submit an SF255 to be considered.

### **6.05 NEGOTIATION SUMMARY**

The college issues a Request for Proposal (RFP) to the A/E firm selected for the project. The RFP describes the requirements, available site information, draft of contract, and request for cost information. Meanwhile, the college develops an independent cost estimate using the best information available on current costs for similar type projects.

The negotiations and discussions should cover the project requirements, time constraints,

completion time, construction cost limitations, contract documents, and the A/E costs, with adjustments as necessary to reach mutual agreement by all parties. Every effort should be made to prepare a contract reflecting all agreements arrived at during negotiations.

If the college and the A/E firm fail to reach an agreement on the price, the contract documents, or the requirements, the college terminates the negotiations, advises the A/E firm, and confirms the termination in writing. The college then issues an RFP to the A/E firm selected second in order of preference and proceeds to negotiate with that firm.

If negotiations with the second A/E firm fail, the above termination procedures are followed and an RFP is issued to the third firm recommended. If these negotiations also fail, the A/E evaluation committee proceeds to identify in preferential order the names of three additional highly qualified firms for submission to the selecting official so that negotiations may continue until a satisfactory contract is agreed upon.

A record of the negotiations for a contract for A/E services is prepared and incorporated into the contract file and is made available for use by reviewing authorities. The record shall contain sufficient detail to reflect the significant considerations controlling the negotiations and the establishment of the price and other contract items.

## **6.06 BOARD OF PUBLIC WORKS APPROVAL**

The Board of Public Works (BPW) consists of the Governor, Comptroller, and Treasurer of the State of Maryland. All contracts and allocations involving State funds must be approved by the BPW.

Immediately following a successful A/E fee negotiation, the college shall request, in writing, that the Maryland Higher Education Commission recommend that the Department of General Services prepare a Board of Public Works agenda item for an allocation of the State share of design funds and approval to expend funds for the A/E contract award.

The request letter, the DGS Board of Public Works Agenda Item Request A/E Contract Award form (See Section 14 Attachments) and all applicable information included in the checklist should be sent to:

Original to: Finance Policy Analyst for Community College Capital  
Maryland Higher Education Commission  
839 Bestgate Mall, Suite 400  
Annapolis, MD 21401-3013

Two Copies to: Program Administrator for Community Colleges  
(w/back up) Department of General Services  
301 West Preston Street, Suite 1207  
Baltimore, MD 21201-2365

One Copy to: Capital Budget Analyst for Community Colleges  
(w/back up) Department of Budget and Management  
301 West Preston Street, Suite 1209  
Baltimore, MD 21201-2365

The request letter shall include the following:

- Name of project and project number
- Name of A/E firm recommended
- Procurement method (Competitive Sealed Proposals, MD Architectural/Engineering Services Act, Competitive Bids)
- Design fee
- Design fee breakdown of basic and special services if applicable
- Explanation and justification for fees higher than the DGS guidelines for A/E fees.

The Board of Public Works announces meeting dates in December and May for the following six months. The Department of General Services issues a table of BPW dates. Included are DGS cut-off dates for the colleges to submit their BPW requests for inclusion in the next available agenda.

While the formal BPW request should go through the MHEC, the Department of General Services reviews and approves the A/E selection process and fees, prepares and carries the item on its agenda to the Board of Public Works. The colleges should contact DGS to discuss upcoming BPW items, dates, scheduling and issues regarding BPW approval.

If necessary, a representative of the College should be in attendance at the Board of Public Works meeting to support their projects and answer Board members questions.

Designs of projects that are funded entirely with local money do not require Board of Public Works approval. However, if the State will be participating in funding of the construction, the design documents shall be provided to the State agencies for a technical

design review.

#### **6.07 BOARD OF PUBLIC WORKS AWARD RELEASE**

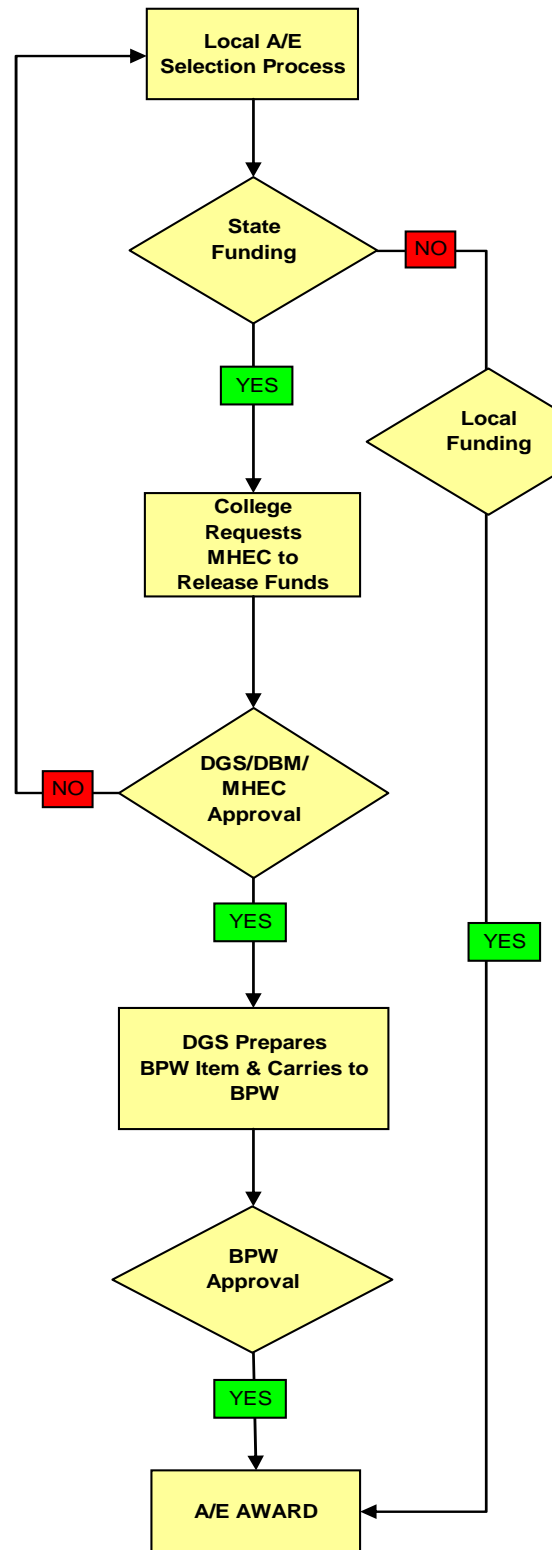
The college should not proceed with the A/E award and no public comment regarding any negotiation or its outcome is made before the BPW approval of the recommended A/E firm is obtained. Check the BPW web site [www.bpw.state.md.us/](http://www.bpw.state.md.us/) for the BPW schedule, agendas, and actions.

#### **6.08 A/E FEES**

Since the fees for the Architect-Engineer are a portion of the cost of the project, the maximum A/E fee used in determining the State share shall not exceed the current policy of the Department of General Services regarding A/E fees. See Section 14.02 Department of General Services Forms/Instructions for the DGS CEW fee schedule. Should the college request State participation in Architect/Engineer fees higher than the Department of General Services A/E fee policy, complete justification must be provided to DGS for evaluation. The college shall be responsible for the total portion of all fees determined to be ineligible for State participation.



## ARCHITECTURAL & ENGINEERING APPROVAL PROCESS



## **6.9 ARCHITECTURAL/ENGINEERING SERVICES**

### **BASIC SERVICES**

1. Pre-design Surveys and Evaluation
  - a. Topographic Surveys
  - b. Natural Resources Inventory, Forest Stand Delineation, Forest Conservation Plan
  - c. Wetlands Identification/Delineation
2. Schematic Design Documents, Design Development Documents  
Construction Documents
3. Project/Design Team Management
  - a. Architectural Design Interior Space Layout
  - b. Building footprint development
  - c. Exterior elevation treatment
  - d. Interior design, room finishes, signage
  - e. Geotechnical design, foundation, building framing
  - f. Mechanical design, HVAC system
  - g. Temperature controls, gas or oil piping and controls
  - h. Plumbing design, water distribution, sanitary collection, fire protection, sprinkler system and controls
  - i. Electrical design, power distribution, lighting emergency power, special systems e.g. fire alarm, security, communication systems
  - j. Civil design, site grading, utility extensions (water, sewer, gas) roadways, walkways
  - k. Reforestation/afforestation assessment
  - l. Wetlands assessment
  - m. Storm water management analysis
  - n. Landscape design, finish grading, ornamental tree and shrub plantings
  - o. Cost estimating
4. Bidding, Construction and Post Construction Phases
  - a. Attend pre-bid meeting
  - b. Prepare addenda
  - c. Evaluate bids/recommend award
  - d. Attend pre-construction meeting
  - e. Attend bi-weekly construction progress meeting
  - f. Review shop drawings/equipment submittals
  - g. Site visits for quality control
  - h. Participate in final inspection/punch list development
  - i. Post construction inspections during two-year warranty period



## SPECIAL SERVICES

1. Acoustical evaluation/ design
2. Alternative energy evaluation/design
3. Art studio lab evaluation/design
4. Athletic facilities evaluation/design
5. Building commissioning
6. Food services design
7. Information technology evaluation/design
8. LEED Certification
9. Library evaluation/design
10. Life cycle cost analysis (LCCA)
11. Multi-media system design
12. Natural and applied sciences evaluation/design
13. Telecommunications evaluation/design
14. Theatre evaluation/design
15. Utility company (BGE, PEPCO, etc.) energy rebate program evaluation

## REIMBURSABLES

1. Professional renderings
2. Reproduction of drawings/specifications expenses
3. Soil borings and laboratory soil testing
4. Travel expenses
5. Water flow tests

### **6.10 A/E CONSTRUCTION INELIGIBILITY**

A/Es, whether primary or consultants, engaged in the preparation of design drawings and specifications, are not eligible to bid or participate in the construction of that project, whether as a general contractor or a sub-contractor.