

51.02 Selection of Architect/Engineer Design Team and Construction Contractor

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Policy Statement

This policy complies with Texas Government Code, Chapter 2254, and Texas Education Code, Chapter 51, for the selection of architects, engineers and construction contractors.

Reason for Policy

This policy establishes a process to select the services of architect/engineer (A/E) design teams and construction contractor firms.

Procedures and Responsibilities

1. GENERAL

The Board of Regents (board) of The Texas A&M University System (system) delegates the approval of the selection of a project A/E design team, Design-Build (D-B) team and Construction Manager at Risk (CMAR) firm for construction projects to the chancellor or designee giving a seven day notice to the board to give exception to the ranked order. The board also delegates the approval of the selection of a contractor on Competitive Sealed Proposal (CSP) and other competitively bid projects to the chancellor. The selection of the A/E design team, D-B team and CMAR firm will be based on, among other factors, team members' qualifications, expertise for the project type and performance in the field. Also considered will be the system's past experience, if any, with the team members or firm to include timeliness of delivery, quality

of work, responsiveness and skill in solving design and construction problems, and ability to deliver a project within budget. CSP projects will consider the dollar amount bid, schedule proposed and demonstrated qualifications and experience with project type.

The term “project administrator” in the following sections shall refer to the Office of Facilities Planning & Construction (FPC) or the system member, whoever is administering the project.

2. ARCHITECT/ENGINEER SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting A/E design teams for major construction projects as defined in System Policy 51.04, *Delegations of Authority on Construction Projects*, the following process will be used:

- 2.1 The project administrator will develop a Request for Qualification (RFQ) which will describe the project, requirements for a response to the RFQ and evaluation criteria. The RFQ will be advertised on the *Electronic State Business Daily*.
- 2.2 Each team response to the RFQ will be required to present its qualifications for evaluation by the selection recommendation committee (selection committee).
- 2.3 The project administrator will develop an evaluation criterion that identifies the A/E design team’s competence, credentials and commitment to the project and the system for use by the selection committee in evaluating team responses.
- 2.4 The selection committee will evaluate responses to the RFQ based on established criteria. The selection committee will identify and rank the top three or more responses to the RFQ. The selection committee at its option may interview one or more of the top ranked respondents.
- 2.5 The selection committee members’ rankings are submitted to the chief financial officer (system CFO) on FPC-administered projects or the member chief executive officer (CEO) on member-administered projects for concurrence with the selection committee’s recommended order of ranking.
- 2.6 The system CFO or CEO submits the ranked order, along with an evaluation of the top three or more respondents and a description of the project, to the chancellor for approval and to the board, giving a seven day notice to the board to give exception to the ranked order.
- 2.7 For an emergency selection of an A/E design team due to time, as agreed to by the chancellor, the system CFO or CEO may identify three or more firms and request that they form a team and present their written qualifications. The responses are evaluated, ranked and approved as indicated in Sections 2.3 through 2.6.
- 2.8 The chancellor may select the same A/E design team for an additional phase of a project or extension to a project if the A/E design team was selected by the chancellor for the original project; or the chancellor may select an A/E design team for a project from a list of one or more teams identified by FPC that has unique and specialized design knowledge and qualifications relevant to the project. The board shall be given a 15-day notice to give exception to the selection.

3. DESIGN-BUILD TEAM SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting a D-B team for major construction projects as defined in System Policy 51.04, the following process will be used:

- 3.1 The project administrator will develop an RFQ which will describe the project, requirements for a response to the RFQ and evaluation criteria. The RFQ will be advertised on the *Electronic State Business Daily*.
- 3.2 Each D-B team response to the RFQ will be required to present its qualifications for evaluation by the selection committee.
- 3.3 The project administrator will develop an evaluation criterion that identifies the team's competence, credentials and commitment to the project and the system for use by the selection committee in evaluating D-B teams.
- 3.4 The selection committee will review responses to the RFQ based on established criteria. The selection committee will identify no more than five responses that will be asked to respond to a Request for Proposal (RFP).
- 3.5 The selection committee will evaluate the responses to the RFP and rank the responses based on established criteria. The selection committee at its option may interview one or more of the top ranked respondents.
- 3.6 The selection committee members' rankings are submitted to the system CFO or CEO as identified in Section 2.5 for concurrence with the selection committee's recommended order of ranking.
- 3.7 The system CFO or CEO submits the ranked order, along with an evaluation of the top three to five respondents and a description of the project, to the chancellor for approval and to the board giving a seven day notice to the board to give exception to the ranked order.

4. CONSTRUCTION MANAGER AT RISK FIRM SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting a CMAR firm for major construction projects as defined in System Policy 51.04, the following process will be used:

- 4.1 The project administrator will develop an RFP which will describe the project, requirements for a response to the RFP and evaluation criteria. The RFP will be advertised on the *Electronic State Business Daily*.
- 4.2 Each CMAR firm's response to the RFP will be required to present its qualifications and design approach for evaluation by the selection committee.
- 4.3 The project administrator will develop an evaluation criterion that identifies the firm's competence, credentials and commitment to the project and the system for use by the selection committee in evaluating CMAR firms.
- 4.4 The selection committee will evaluate responses to the RFP based on established criteria.

The selection committee will identify and rank the top three to five responses to the RFP. The selection committee at its option may interview one or more of the top ranked respondents.

4.5 The selection committee members' rankings are submitted to the system CFO or CEO as identified in Section 2.5 for concurrence with the selection committee's recommended order of ranking.

4.6 The system CFO or CEO submits the ranked order, along with an evaluation of the top three to five respondents and a description of the project, to the chancellor for approval and to the board, giving a seven day notice to the board to give exception to the ranked order.

5. COMPETITIVE SEALED PROPOSAL SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting a contractor using CSP for major construction projects as defined in System Policy 51.04, the following process will be used:

5.1 The project administrator will develop an RFP which will describe the project, requirements for a response to the RFP and evaluation criteria. The RFP will be advertised on the *Electronic State Business Daily*.

5.2 The project administrator will develop an evaluation criterion that identifies the contractor's proposal, competence, credentials and commitment to the project and the system for use by the selection committee in evaluating the responses to the RFP.

5.3 The selection committee will evaluate responses to the RFP based on established criteria. The selection committee will identify and rank the responses to the RFP.

5.4 The selection committee members' rankings are submitted to the system CFO or CEO as identified in Section 2.5 for concurrence with the selection committee's recommended order of ranking.

5.5 The system CFO or CEO then submits the ranked order to the chancellor for approval.

6. A/E SELECTION PROCESS FOR MINOR CONSTRUCTION PROJECTS MANAGED BY FACILITIES PLANNING & CONSTRUCTION

In selecting A/E design teams for minor construction projects as defined in System Policy 51.04, the system CFO will submit a best value or ranked order recommendation to the chancellor for approval.

Related Statutes, Policies, or Requirements

[Tex. Gov't Code § 2254.004](#)

[Tex. Educ. Code §§ 51.776-51.785](#)

Member Rule Requirements

A rule is not required to supplement this policy.

Contact Office

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