

FACILITIES DEVELOPMENT

Regulation 7120

Facilities Planning and Design

Procurement of Architects, Engineers and Land Surveyors

In selecting architectural, engineering and/or land surveying firm(s), the following criteria will be considered:

1. Training, specialized experience and technical competence, including that of partners and associates, demonstrated either with the District or elsewhere with respect to the type of services desired by the Board.
2. Planning ability, efficiency and promptness of the firm(s) including the capacity and capability of the firm(s) to perform the tasks requested and any specialized services within the time limitations established for the completion of the project.
3. Demonstrated educational specifications writing, to include accuracy and sufficiency of detail.
4. Inspection of job effectiveness to include an analysis of the past record of performance of the firm(s) with respect to control of costs, quality of work, design, appearance and utility and the ability to meet time schedules.
5. Proximity to and familiarity with the geographical area in which the project shall be located.

When considering the need for architectural, engineering and/or land surveying services, the administration of the District shall prepare a written description of the services desired by the District. Interested firms may be requested to submit statements of their qualifications and performance data with respect to the above criteria and also submit a fee schedule. The Superintendent, with the assistance of the administrative staff, shall analyze the data received and list the top three qualified firms.

The Board shall select the firm(s) considered best qualified and capable of performing the desired services and negotiate a contract. Should the Board be unable to negotiate a contract with the firm(s) first selected, the Board may negotiate a contract with another firm from the list or may direct the Superintendent to seek additional statements of qualifications from other firm(s) and submit a new list of qualified firms.

FACILITIES DEVELOPMENT

Regulation 7130

Facilities Planning and Design

Construction Manager Selection

When the District determines that it may need to engage the services of a construction manager, the Board of Education shall select a construction manager and negotiate with that construction manager to obtain a contract that is fair and reasonable. To select a construction manager, the District shall advertise and solicit proposals from qualified construction managers in the following manner:

1. If the total cost for the project exceeds five hundred thousand dollars (\$500,000), the solicitation shall be advertised for a period of ten (10) days in one (1) newspaper of general circulation in the county.
2. If the total cost of the project exceeds one million five hundred thousand dollars (\$1,500,000), the solicitation shall be advertised for ten (10) days in two (2) daily newspapers in Missouri which have not less than fifty thousand (50,000) daily circulation in addition to the advertisement required by number 1 above.
3. If the total cost of the project is five hundred thousand dollars (\$500,000) or less, the solicitation need not be advertised.

Solicitations shall require the bidders to submit the following information:

1. Fees for overhead and profit.
2. Reimbursable costs for reimbursable items.
3. Qualifications.
4. Demonstration of ability to perform projects comparable in design, scope and complexity.
5. Demonstration of good faith efforts to achieve compliance with federal, state and local affirmative action requirements.
6. References from owners for whom construction management services have been performed.

7. Financial strength.
8. Qualifications of personnel who will manage the project.
9. Demonstration of successful management systems which have been employed for the purposes of estimating, scheduling, and cost controls.

If the Board of Education selects a construction manager on the basis of the above factors, then contractual negotiations may be conducted with that construction manager and a contract may be executed between the District and that construction manager.

If the Board of Education cannot reach an agreement upon the terms of a construction management services contract through negotiations with the selected construction manager, then the Board of Education will attempt to select another construction manager and negotiate a contract with that construction manager. The Board of Education will continue to follow the procedures outlined in this policy until a contract has been executed between the District and a construction manager.

Furthermore, the Board of Education shall not award a contract for construction management services on a negotiated basis to any construction manager (or a firm that controls, is controlled by or shares common ownership or control with the construction manager), unless such construction manager:

1. Guarantees, warrants or otherwise assumes financial responsibility for the work of others on the project.
2. Provides the District with a guaranteed maximum price for the work of others on the project.
3. Furnishes or guarantees a performance or payment bond for other contractors on the project.

A construction management services contract to such a construction manager may only be awarded through a competitive bid process.

Under this regulation, the term “project” shall mean the erection or construction of a building or structure or the improvement, alteration or repair of a building or structure. The term “construction manager” includes, but is not limited to, consulting, advising, assisting and making recommendations on any and all aspects of preconstruction planning, design, bidding, and contract award and providing general observation, coordination and direction of the work and processing of payment requests and change orders during construction.