

SOUTHWESTERN COMMUNITY COLLEGE	ADMINISTRATIVE USE OF DESIGN PROFESSIONAL SERVICES	Policy 3.02.12
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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 Greater¹

1. The President shall solicit proposals 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 days².
2. The President shall provide a list of the qualified, responsive service providers to the Board for its consideration and approval. The Board, or a committee thereof, will select its top three candidates ranked in order.

¹ Under NCGS 143-64.31 and -64.32, K-12 schools and NCDOT must use the request for qualifications process for all projects with an estimated **design professional fee** of \$50,000 or greater. G.S. 143-64.34, however, only requires the request for qualifications process for community colleges where the estimated **project cost** is more than \$500,000. Whether the Board wants to lower this threshold is voluntary.

² Required by NCGS 143-64.31-.34 and State Construction Manual.

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. State Construction will conduct contract negotiations with the top ranked candidate. If a fair and reasonable fee cannot be agreed upon, State Construction will negotiate with the next ranked candidate and so forth. The contract with the selected design professional will be developed by State Construction. The Board will approve the final contract or delegate this authority to the President to approve and execute the contract.

B. Project Expenditures less than \$500,000

1. The request for qualification process outlined above is not required; however, the President may use this selection process if s/he so desires.
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.

C. Annual Service Agreements³

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. Annual Service Agreements may be extended for a term of one additional year. No individual fee shall exceed \$36,000 per project. Total fees shall not exceed \$150,000 for the first year or \$300,000 for the two-year period regardless of the number of projects.

³ Optional.

1. 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.
2. The President shall provide a list of the qualified, responsive design service providers in both categories to the Board or appropriate committee of the Board. 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 recommendation.
3. 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.
4. 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](#)

Adopted: July 24, 2018