

**USE AND SELECTION OF ARCHITECTS,  
ENGINEERS, SURVEYORS, AND  
CONSTRUCTION MANAGERS AT RISK**

*Policy Code:*     **9110**

---

1   **A.    USE OF ARCHITECTS AND/OR ENGINEERS**  
2

3           To the extent required by North Carolina General Statute 133-1.1, a registered architect  
4           or registered engineer, or both, will be used to design and inspect school system buildings  
5           being repaired or constructed. In addition, architects and/or engineers may be used for  
6           services, such as:

- 7
- 8           1.     preparing feasibility studies for additions, alterations, or renovations of existing  
9                    facilities;
  - 10           2.    providing consulting services on technical matters;
  - 11           3.    providing services related to long-range planning or facility design; and
  - 12           4.    assisting in the preparation and submission of any documents requested by other  
13                    governmental agencies.

14

15   **B.    SELECTION PROCESS FOR ARCHITECTURAL, ENGINEERING, SURVEYING, AND**  
16   **CONSTRUCTION MANAGEMENT AT RISK SERVICES**  
17

18           Procurement of architectural, engineering, surveying, or construction management at risk  
19           services for facility design, construction, and related services will be accomplished in  
20           accordance with the following requirements.

21           **1.    Projects with an Estimated Professional Fee of \$50,000 or More**

- 22           a.    The superintendent shall solicit proposals from service providers for  
23                    selection based upon qualifications using the following or similar criteria:
- 24                    1)    training and experience of the service provider, especially in  
25                            school-related projects;
  - 26                    2)    planning ability and promptness;
  - 27                    3)    experience in specification writing, including reputation for  
28                            accuracy and sufficiency of detail;
  - 29                    4)    experience in the construction of K-12 buildings;
  - 30                    5)    reputation for quality of design and construction in appearance and  
31                            utility;
- 32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

- 43                   6)     history of thorough inspections and follow-through with jobs;
- 44
- 45                   7)     timely completion of projects within the established budgets;
- 46
- 47                   8)     relationships with contractors and designers; and
- 48
- 49                   9)     any other factors the superintendent deems relevant.
- 50

51           b.     The superintendent shall provide a list of qualified service providers to the  
52           *Transylvania County Board of Education (the “board”)* for consideration  
53           and selection unless the estimated professional fee for the project is within  
54           the superintendent’s authority to contract as provided in policy 6420,  
55           Contracts with the Board. The list shall not include any service provider  
56           whose name appears on the state treasurer’s Final Divestment List or Iran  
57           Parent and Subsidiary Guidance list, as required by G.S. 147, art. 6E.

58

59           c.     A North Carolina resident firm will be granted a preference over a  
60           nonresident firm if the home state of the nonresident firm has a practice of  
61           granting a preference to its resident firms over North Carolina resident  
62           firms. Any preference granted to a resident firm will be in the same  
63           manner, on the same basis, and to the same extent as the preference  
64           granted by the nonresident firm’s home state. The solicitation documents  
65           must require that nonresident firms disclose and describe any construction  
66           contract preferences granted by the firm’s home state.

67

68           d.     Fees will be negotiated with the selected firm. If a fair and reasonable fee  
69           cannot be agreed upon, the board or superintendent will select the next  
70           best qualified firm and negotiate fees. The contract with the firm must be  
71           reviewed by the board attorney and meet all applicable laws and board  
72           policies. The contract must have board approval unless the board has  
73           delegated this authority to the superintendent in policy 6420.

74

75           **2.     Projects with an Estimated Professional Fee of Less than \$50,000**

76

77           a.     The process established in subsection B.1 is not required unless otherwise  
78           directed by the board or superintendent for a specific project.

79

80           b.     When the estimated professional fee for a project is estimated to be **within**  
81           the superintendent’s authority to contract on behalf of the board as  
82           provided in policy 6420, Contracts with the Board, the superintendent  
83           shall have authority to select the firm. Board approval of the firm is not  
84           required. The contract with the firm must meet all applicable laws and

**USE AND SELECTION OF ARCHITECTS,  
ENGINEERS, SURVEYORS, AND  
CONSTRUCTION MANAGERS AT RISK**

*Policy Code:*     **9110**

---

85                           board policies and must be consistent with G.S. 147, art. 6E.

86  
87                   c.     When the professional fee is estimated to **exceed** the superintendent's  
88                           authority to contract on behalf of the board as provided in policy 6420,  
89                           Contracts with the Board, the superintendent shall recommend one or  
90                           more firms to the board for consideration. The board will approve the  
91                           selection of the firm. The contract with the firm must be reviewed by the  
92                           board attorney, be approved by the board, meet all applicable laws and  
93                           board policies, and be consistent with G.S. 147, art. 6E.

94  
95   Legal References: G.S. 133, arts. 1 and 3; 143-64.31, -64.32; 147, art. 6E

96  
97   Cross References: Contracts with the Board (policy 6420), Site Selection (policy 9010), Facility  
98   Design (policy 9020)

99  
100   Adopted:  
101

NEW