

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

Policy Code: **9110**

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

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- 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.
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18 **B. SELECTION PROCESS FOR ARCHITECTURAL, ENGINEERING, SURVEYING, AND**
19 **CONSTRUCTION MANAGEMENT AT RISK SERVICES**
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21 Except as otherwise permitted under G.S. 115C-521(g), the procurement of architectural,
22 engineering, surveying, or construction management at risk services for facility design,
23 construction, and related services will be accomplished in accordance with the following
24 requirements.
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26 **1. Projects with an Estimated Professional Fee of \$50,000 or More**
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- 28 a. The superintendent shall solicit proposals from service providers for
29 selection based upon qualifications using the following or similar criteria:
- 30 1) training and experience of the service provider, especially in
31 school-related projects;
 - 32 2) planning ability and promptness;
 - 33 3) experience in specification writing, including reputation for
34 accuracy and sufficiency of detail;
 - 35 4) experience in the construction of K-12 buildings;
 - 36 5) reputation for quality of design and construction in appearance and
37 utility;
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- 6) history of thorough inspections and follow-through with jobs;
 - 7) timely completion of projects within the established budgets;
 - 8) relationships with contractors and designers; and
 - 9) any other factors the superintendent deems relevant.
- b. The superintendent shall provide a list of qualified service providers to the Transylvania County Board of Education (the “board”) for consideration and selection unless the estimated professional fee for the project is within the superintendent’s authority to contract as provided in policy 6420, Contracts with the Board. The list shall not include any ~~service provider~~ **company** whose name appears on the state treasurer’s ~~Final Divestment List or Iran Parent and Subsidiary Guidance list, as required by lists of~~ **restricted companies developed in accordance with G.S. 147, art. 6E or art. 6G.**
- c. 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.
- d. Fees will be negotiated with the selected firm. If a fair and reasonable fee cannot be agreed upon, the board or superintendent will select the next best qualified firm and negotiate fees. The contract with the firm must be reviewed by the board attorney and meet all applicable laws and board policies. The contract must have board approval unless the board has delegated this authority to the superintendent in policy 6420.
- 2. Projects with an Estimated Professional Fee of Less than \$50,000**
- a. The process established in subsection B.1 is not required unless otherwise directed by the board or superintendent for a specific project.
 - b. When the estimated professional fee for a project is estimated to be **within** the superintendent’s authority to contract on behalf of the board as

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85 provided in policy 6420, Contracts with the Board, the superintendent
86 shall have authority to select the firm. Board approval of the firm is not
87 required. The contract with the firm must meet all applicable laws and
88 board policies and must be consistent with G.S. 147, art. 6E and art. 6G.
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90 c. When the professional fee is estimated to **exceed** the superintendent's
91 authority to contract on behalf of the board as provided in policy 6420,
92 Contracts with the Board, the superintendent shall recommend one or
93 more firms to the board for consideration. The board will approve the
94 selection of the firm. The contract with the firm must be reviewed by the
95 board attorney, be approved by the board, meet all applicable laws and
96 board policies, and be consistent with G.S. 147, art. 6E and art. 6G.
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98 Legal References: G.S. 115C-521(g); 133, arts. 1 and 3; 143-64.31, -64.32; 147; art. 6E, art. 6G
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100 Cross References: Contracts with the Board (policy 6420), Site Selection (policy 9010), Facility
101 Design (policy 9020)
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103 Adopted: June 20, 2016

104 Revised: November 21, 2016; [DATE]
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REVISED