

NON-INSTRUCTIONAL SERVICES: Purchasing

CONSTRUCTION Consultants

Selection Process for Consultants for Construction Projects

IN ACCORDANCE WITH BOARD POLICY 3250, the following procedures shall be followed in selecting CONSTRUCTION CONSULTANTS, WHICH INCLUDE architects, engineers, [landscape architects,] surveyors, and construction managers [to perform work for the Baltimore County Public Schools].

I[a]. Public Notices

A[(1)]. Upon approval of the succeeding fiscal year budget request and five-year capital program for Baltimore County Public Schools, the Superintendent or designee shall provide, for public dissemination, information about each construction project in order for it to be available to all professional firms.

B. THE DEPARTMENT OF PHYSICAL FACILITIES SHALL PERIODICALLY DETERMINE THE ANTICIPATED REQUIREMENTS FOR CONSULTANTS FOR CONSTRUCTION PROJECTS.

C. WHEN APPROPRIATE, THE OFFICE OF PURCHASING SHALL SOLICIT REQUESTS FOR PROPOSALS FOR CONSULTANT SERVICES.

II[b]. [Application Submission] PRE-QUALIFICATION OF CONSULTANTS

A[(1)]. [Consultants offering services for a specific project will be considered by submitting current and complete Government Standard Form 255 or Baltimore County Department of Public Works Form 102, and other requests as stated in the public advertisement to the Office of Engineering and Construction, Division of Physical Facilities. A separate request must be prepared and submitted for each project. Additional information, if appropriate, shall be transmitted with this submission.] ALL CONSTRUCTION CONSULTANTS MUST BE PRE-QUALIFIED WITH THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS, BUREAU OF ENGINEERING AND CONSTRUCTION.

B[(2)]. [Requests for consideration must be received no later than the date and time stipulated in the advertisement. It is the consultant's responsibility to

have the information submitted and received by the Office of Engineering and Construction on time. Noncompliance will be cause to reject the submission.] ALL CONSULTANTS MUST MAINTAIN ALL THE APPROPRIATE PROFESSIONAL LICENSES REQUIRED BY THE STATE OF MARYLAND.

III[c]. Qualification AND SELECTION Process

Qualification and selection will be accomplished as follows:

A[(1)]. Qualification Committee

1[(a)]. The Superintendent [or designee] will appoint a Qualification Committee with a minimum of four (4) members including a chairperson. Members are to be selected from the staff of the Department of Physical Facilities and one member from the Office of Purchasing.

2[(b)]. [The Qualification Committee will meet after the closing date for receiving applications. A list of all firms submitting applications will be supplied to the Superintendent or designee and to each committee member.] THE DEPARTMENT OF PHYSICAL FACILITIES SHALL DETERMINE THE APPROPRIATE NUMBER OF CONSULTANTS NECESSARY FOR THE VARIOUS CATEGORIES OF PROFESSIONAL SERVICES (E.G. ARCHITECTURAL, ENGINEERING, SURVEYING, ETC.) BASED ON ANTICIPATED CONSTRUCTION PROJECTS.

3[(c)]. [The Qualification Committee will review all requested documents and information submitted with the application to determine whether each firm applying for consideration qualifies and satisfies the established project program requirements.] THE DEPARTMENT OF PHYSICAL FACILITIES AND THE OFFICE OF PURCHASING SHALL ESTABLISH PROCEDURES FOR EVALUATING PRE-QUALIFIED CONSULTANTS, WHICH CONSIDER TECHNICAL REQUIREMENTS, EXPERIENCE, STAFFING, PAST PERFORMANCE, AND OTHER APPLICABLE FACTORS. THE QUALIFICATION COMMITTEE WILL MEET AND REVIEW ALL REQUESTED DOCUMENTS AND INFORMATION SUBMITTED WITH THE

APPLICATION TO DETERMINE WHETHER EACH PRE-QUALIFIED APPLICANT QUALIFIES.

- 4[(d)]. The Qualification Committee will submit a list of all firms found to be qualified and their rankings BASED ON THEIR SCORING BY THE COMMITTEE to the Superintendent [or designee]. Firms found to be not qualified will be notified [by letter] IN WRITING BY THE OFFICE OF PURCHASING.
- 5[(e)]. [The Qualification Committee will recommend a minimum of two (2) firms for consideration by the Selection Committee.] THE DEPARTMENT OF PHYSICAL FACILITIES WILL RECOMMEND THE NUMBER OF FIRMS IN RANK ORDER FOR EACH CATEGORY OF PROFESSIONAL SERVICES TO MEET THE ANTICIPATED NEEDS OF THE SCHOOL SYSTEM.
- 6. THE LIST OF QUALIFIED FIRMS CHOSEN FOR EACH CATEGORY OF PROFESSIONAL SERVICES SHALL BE SUBMITTED TO THE BOARD FOR APPROVAL.
- 7. IF NECESSARY, BASED ON THE ANTICIPATED VOLUME OF PROJECTS, ADDITIONAL FIRMS MAY BE SOLICITED IN ACCORDANCE WITH THE PROCESS ABOVE. THE ADDITIONAL FIRMS WILL BE RECOMMENDED TO THE BOARD FOR APPROVAL.
- 8. FIRMS ON THE APPROVED LIST MAY BE USED FOR ON-CALL CONSULTING IN ACCORDANCE WITH POLICY AND RULE 3260.

B[(2)]. Selection Committee

- 1[(a)]. [The Selection Committee will be composed of a minimum of four (4) members including a chairperson with representatives of the Division of Physical Facilities and the Office of Purchasing. A maximum of two (2) members of the Qualification Committee may serve on the Selection Committee for the same project.] WHEN A CONSULTANT IS REQUIRED FOR A PROJECT, A SELECTION COMMITTEE SHALL BE FORMED AND TECHNICAL PROPOSALS REQUESTED FROM THE APPROVED LIST OF QUALIFIED FIRMS AS NEEDED.

2[(b)]. THE SELECTION COMMITTEE WILL BE COMPOSED OF A MINIMUM OF FOUR (4) MEMBERS INCLUDING A CHAIRPERSON WITH REPRESENTATIVES FROM THE DEPARTMENT OF PHYSICAL FACILITIES AND THE OFFICE OF PURCHASING. [The Selection Committee shall meet after receipt of the recommendation from the Qualification Committee. A list of all qualified firms will be provided to each committee member by the chairperson of the Qualification Committee.

The Selection Committee will rank the consulting firms according to the highest score and/or evaluation.]

3[(c)]. [The Selection Committee will submit to the Superintendent of Schools and the Board of Education the results of the selection process. The Board of Education will approve the selection and authorize negotiations.] THE SELECTION COMMITTEE SHALL EVALUATE THE SPECIFIC PROJECT PROPOSALS, AND SELECT THE HIGHEST RANKED FIRM FOR THE PROJECT.

4.[(d)].Fee Negotiation

A[(1)]. The [Office of Engineering and Construction] EXECUTIVE DIRECTOR OF PHYSICAL FACILITIES (OR DESIGNEE) will negotiate with the [Board approved] SELECTED firm to enter into a contract for professional services. Should [the Office of Engineering and Construction be unable to negotiate a satisfactory contract with any of the selected, approved firms, the Selection Committee shall select additional firms in order of their qualifications and follow the procedures as outlined above.] NEGOTIATIONS FAIL TO RESULT IN A SATISFACTORY CONTRACT WITH THE SELECTED FIRM, NEGOTIATIONS MAY COMMENCE WITH THE NEXT HIGHEST RANKED FIRM.

B[(2)]. THE DEPARTMENT OF PHYSICAL FACILITIES SHALL SUBMIT WRITTEN DOCUMENTATION OF THE NEGOTIATED FEES TO THE OFFICE OF PURCHASING FOR RETENTION. [The recommended consultant contract

award and the negotiated fee shall be submitted to the Superintendent of Baltimore County Public Schools.]

[(3) In the event the Superintendent rejects the negotiated fee, the office of Engineering and Construction will be instructed to submit a new consultant and/or negotiated fee.]

[e. Final Selection

(1) Upon the recommendation of the Superintendent, the Board of Education shall approve or reject the recommended consultant award and negotiated fee.

As a standard practice, the Board of Education shall prohibit any consultant from serving in the role of construction inspection where the said consultant has previously been hired or selected to prepare construction design documents on the same project.

(2) In the event the Board of Education rejects the Superintendent's recommendations, the Selection Committee will be instructed to submit a new consultant and/or negotiated fee.

(3) The Interagency Committee for School Construction, State of Maryland, is to be informed of the consultant contract award and furnished a copy of the agreement.]

[f. Administration of Contracts

All procedures shall be implemented in accordance with state law and current Board of Education policy and procedure.]

Legal References: *Annotated Code of Maryland*, Education Article, §4-117, §5-112, §14-302
[State Finance & Procurement Article, §14-302*]
[COMAR, Title 21, 12.04]

[* This statute will be abrogated on July 1, 2000.]

Rule
Approved: 9/25/69
Revised: 8/12/76
Revised: 8/11/77
Revised: 6/18/87
Revised: 11/1/90
Revised: 7/13/99
REVISED: _____

Superintendent of Schools