

## 51.02 Selection of Architect/Engineer Design Team and Construction Contractor



Revised [May 19, 2022](#) (MO -2022)  
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Click to view [Revision History](#).

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### Policy Summary

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This policy establishes a process in accordance with Texas Government Code, Chapter 2254, and Texas Education Code, Chapter 51, for the selection of architect/engineer (A/E) design teams and construction contractor firms.

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### Policy

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#### 1. GENERAL

The Board of Regents (board) of The Texas A&M University System (system) delegates the approval of the selection of a project A/E design team, Design-Build (D-B) team and Construction Manager at Risk (CMAR) firm for construction projects to the chancellor or designee giving a seven-day notice to the board to give exception to the ranked order. The board also delegates the approval of the selection of a contractor on Competitive Sealed Proposal (CSP) and other competitively bid projects to the chancellor. The selection of the A/E design team, D-B team and CMAR firm must be based on, among other factors, team members' qualifications, expertise for the project type and performance in the field. Also considered must be the system's past experience, if any, with the team members or firm to include timeliness of delivery, quality of work, responsiveness and skill in solving design and construction problems, and ability to deliver a project within budget. CSP projects must consider the dollar amount bid, schedule proposed, and demonstrated qualifications and experience with the project type.

The term "project administrator" in the following sections refers to the System Office of Facilities Planning & Construction (FPC) or the member, whoever is administering the project.

#### 2. ARCHITECT/ENGINEER DESIGN TEAM SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting A/E design teams for major construction projects as defined in System Policy 51.04, *Delegations of Authority on Construction Projects*, the following process is used:

- 2.1 The project administrator develops a Request for Qualification (RFQ), which describes the project and the requirements for a response to the RFQ and evaluation criteria. The RFQ is advertised on the *Electronic State Business Daily*.
- 2.2 Each team response to the RFQ is required to present its qualifications for evaluation by the selection recommendation committee (selection committee).

- 2.3 The project administrator develops evaluation criteria that identifies the A/E design team's competence, credentials and commitment to the project and the system for use by the selection committee in evaluating team responses.
- 2.4 The selection committee evaluates responses to the RFQ based on established criteria. The selection committee identifies and ranks the top three to five responses to the RFQ. The selection committee at its option may interview one or more of the top ranked respondents.
- 2.5 The selection committee members' rankings are submitted to the chief financial officer (system CFO) on FPC-administered projects or the member chief executive officer (member CEO) on member-administered projects for concurrence with the selection committee's recommended order of ranking.
- 2.6 The system CFO or member CEO submits the ranked order, along with an evaluation of the top three to five respondents and a description of the project, to the chancellor for approval and to the board, giving a seven-day notice to the board to give exception to the ranked order.
- 2.7 For an emergency selection of an A/E design team due to time, as agreed to by the chancellor, the system CFO or member CEO may identify three or more firms and request that they form a team and present their written qualifications. The responses are evaluated, ranked and approved as indicated in Sections 2.3 through 2.6.
- 2.8 The chancellor may select the same A/E design team for an additional phase of a project or extension to a project if the A/E design team was selected by the chancellor for the original project; or the chancellor may select an A/E design team for a project from a list of one or more teams identified by FPC that has unique and specialized design knowledge and qualifications relevant to the project. The board is given a 15-day notice to give exception to the selection.

### 3. DESIGN-BUILD TEAM SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting a D-B team for major construction projects as defined in System Policy *51.04*, the following process is used:

- 3.1 The project administrator develops an RFQ, which describes the project and the requirements for a response to the RFQ and evaluation criteria. The RFQ is advertised on the *Electronic State Business Daily*.
- 3.2 Each D-B team response to the RFQ is required to present its qualifications for evaluation by the selection committee.
- 3.3 The project administrator develops evaluation criteria that identifies the team's competence, credentials and commitment to the project and the system for use by the selection committee in evaluating D-B teams.
- 3.4 The selection committee reviews responses to the RFQ based on established criteria. The selection committee identifies the top three to five respondents that are asked to respond to a Request for Proposal (RFP).

- 3.5 The selection committee evaluates the responses to the RFP and ranks the responses based on established criteria. The selection committee at its option may interview one or more of the top ranked respondents.
- 3.6 The selection committee members' rankings are submitted to the system CFO or member CEO as identified in Section 2.5 for concurrence with the selection committee's recommended order of ranking.
- 3.7 The system CFO or member CEO submits the ranked order, along with an evaluation of the top three to five respondents and a description of the project, to the chancellor for approval and to the board giving a seven-day notice to the board to give exception to the ranked order.

#### 4. CONSTRUCTION MANAGER AT RISK FIRM SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting a CMAR firm for major construction projects as defined in System Policy 51.04, the following process is used:

- 4.1 The project administrator develops an RFP, which describes the project and the requirements for a response to the RFP and evaluation criteria. The RFP is advertised on the *Electronic State Business Daily*.
- 4.2 Each CMAR firm's response to the RFP is required to present its qualifications and design approach for evaluation by the selection committee.
- 4.3 The project administrator develops evaluation criteria that identifies the firm's competence, credentials and commitment to the project and the system for use by the selection committee in evaluating CMAR firms.
- 4.4 The selection committee evaluates responses to the RFP based on established criteria. The selection committee identifies and ranks the top three to five responses to the RFP. The selection committee at its option may interview one or more of the top ranked respondents.
- 4.5 The selection committee members' rankings are submitted to the system CFO or member CEO as identified in Section 2.5 for concurrence with the selection committee's recommended order of ranking.
- 4.6 The system CFO or member CEO submits the ranked order, along with an evaluation of the top three to five respondents and a description of the project, to the chancellor for approval and to the board, giving a seven-day notice to the board to give exception to the ranked order.

When an RFQ is desired as well as an RFP to select a construction manager at risk firm, the D-B selection process outlined in Section 3 must be used.

#### 5. COMPETITIVE SEALED PROPOSAL SELECTION PROCESS FOR MAJOR CONSTRUCTION PROJECTS

In selecting a contractor using CSP for major construction projects as defined in System Policy 51.04, the following process is used:

- 5.1 The project administrator develops an RFP, which describes the project, requirements for a response to the RFP and evaluation criteria. The RFP is advertised on the *Electronic State Business Daily*.
  - 5.2 The project administrator develops evaluation criteria that identifies the contractor's proposal, competence, credentials and commitment to the project and the system for use by the selection committee in evaluating the responses to the RFP.
  - 5.3 The selection committee evaluates responses to the RFP based on established criteria. The selection committee identifies and ranks the responses to the RFP.
  - 5.4 The selection committee members' rankings are submitted to the system CFO or member CEO as identified in Section 2.5 for concurrence with the selection committee's recommended order of ranking.
  - 5.5 The system CFO or member CEO submits the ranked order to the chancellor for approval.
6. A/E SELECTION PROCESS FOR MINOR CONSTRUCTION PROJECTS MANAGED BY FACILITIES PLANNING & CONSTRUCTION

In selecting A/E design teams for minor construction projects as defined in System Policy 51.04, the system CFO submits a best value or ranked order recommendation to the chancellor for approval.

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## **Related Statutes, Policies, or Requirements**

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[Tex. Gov't Code § 2254.004](#)

[Tex. Educ. Code §§ 51.776-51.785](#)

[System Policy 51.04, General Requirements and Delegations of Authority on Construction Projects](#)

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## **Member Rule Requirements**

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A rule is not required to supplement this policy.

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## **Contact Office**

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