

TEXAS STATE TECHNICAL COLLEGE
STATEWIDE OPERATING STANDARD

No. GA 4.3	Page 1 of 5	Effective Date: 01/04/2019
DIVISION:	General Administration	
SUBJECT:	Selection of Architects, Engineers, and Construction Contractors	
AUTHORITY:	Minute Order #27-13 Texas Education Code Chapter 51, Texas Government Code Chapter 2254, Texas Government Code Chapter 2258, Texas Occupations Code Chapter 1001, Texas Occupations Code Chapter 1051	
PROPOSED BY:	Ray Fried	
TITLE:	Associate Vice Chancellor Facilities Planning Construction and Maintenance	Date: 01/04/2019
RECOMMENDED BY:	Ricardo Herrera	
TITLE:	Vice Chancellor and Chief Student Services Officer	Date: 01/04/2019
APPROVED BY:	Mike Reeser	
TITLE:	Chancellor	Date: 01/04/2019

STATUS: Approved by Leadership Team 01/04/2019

HISTORICAL STATUS: Approved by LT 12/18/2017
Approved by EMC 12/1/2013
Approved by BOR 4/18/2013
Approved by MC 4/11/2013

I. STATEWIDE STANDARD

POLICY: It is the policy of Texas State Technical College (TSTC) that the College comply with all laws and regulations for the selection of project architects, engineers, and construction contractors.

II. PERTINENT INFORMATION

This policy establishes a process to select and contract for the services of architects, engineers, and construction contractors.

The process to approve construction or renovation projects shall follow the guidelines set forth in the College's Statewide Operating Standard (SOS) GA 4.4, Process for Approving Construction and Renovation of Facilities.

III. GENERAL GUIDELINES

TSTC shall select architectural firms, engineering firms, and contractors per the requirements outlined in state law as dictated by:

- Texas Education Code, Chapter 51;
- Texas Government Code, Chapter 2254;
- Texas Government Code, Chapter 2258;
- Texas Occupations Code, Chapter 1001;
- Texas Occupations Code, Chapter 1051.

IV. DEFINITIONS

Not applicable.

V. DELEGATION OF AUTHORITY

The TSTC Board of Regents delegates its authority for the selection of project architects, engineers, and construction contractors under Texas Education Code (TEC), Section 51.777, to the Chancellor, or his/her designee.

VI. PERFORMANCE STANDARDS

1. The selection and contracting of architects, engineers, and construction contractors are submitted to the appropriate authority at the College for approval.
2. All construction contracts include the prevailing wage rate for the project and appropriate region.

APPENDIX

VII. RELATED STATEWIDE STANDARDS. LEGAL CITATIONS, OR SUPPORTING DOCUMENTS

[Texas Education Code, Chapter 51](#)

[Texas Government Code, Chapter 2254](#)

[Texas Government Code, Chapter 2258](#)

[Texas Occupations Code, Chapter 1001](#)

[Texas Occupations Code, Chapter 1051](#)

[GA 4.4 Process for Approving Construction and Renovation of Facilities](#)

[GA 1.24 College Committees](#)

VIII. OPERATING REQUIREMENTS:

1. ARCHITECT/ENGINEER SELECTION PROCESS

The services of an architect shall be used when required by Texas Occupations Code (TOC), Chapter 1051.703, for new construction greater than \$100,000 and renovation projects greater than \$50,000. When an architect or engineer is not required by the TOC, the project manager may elect to use an architect or engineer.

The selection of the architect and engineer (A/E) falls under professional and consulting services as defined by the TOC, Chapter 1051. TSTC shall follow the Texas Government Code (TGC), Chapter 2254, when selecting architectural and/or engineering services.

If the project manager uses an A/E that is a full-time employee of TSTC, the project manager shall submit the name of the A/E and a brief description of the project to the Chancellor or to his/her designee for approval.

If the amount of the contract with the A/E including an amendment, modification, renewal, or extension of the contract exceeds \$14,000, TSTC must provide written notice to the Legislative Budget Board. The notice must be on a form prescribed by the Legislative Budget Board and filed not later than the 30th day after the date TSTC enters into the contract.

CONSTRUCTION DELIVERY METHODS

2. DESIGN-BUILD TEAM SELECTION PROCESS

A Design-Build Team shall be selected in accordance with TEC, Section 51.780. TSTC shall use an ad hoc committee as defined in SOS GA 1.24, College Committees, to evaluate and select the Design-Build Team.

3. CONSTRUCTION MANAGER-AGENT SELECTION PROCESS

A construction manager-agent shall be selected in accordance with TEC, Section 51.781. TSTC shall use an ad hoc committee to evaluate and select the construction manager agent.

4. CONSTRUCTION MANAGER-AT-RISK SELECTION PROCESS

A construction manager-at-risk shall be selected in accordance with TEC, Section 51.782. TSTC shall use an ad hoc committee to evaluate and select the construction manager-at-risk.

5. COMPETITIVE SEALED PROPOSAL SELECTION PROCESS FOR CONSTRUCTION PROJECTS

A competitive sealed proposal shall be selected in accordance with TEC, Section 51.783. TSTC shall use an ad hoc committee to evaluate and select the competitive sealed proposal.

6. CONTRACTING WITH ARCHITECT / ENGINEER FOR ON CALL, NONEXCLUSIVE, INDEFINITE QUANTITY, OR MISCELLANEOUS SERVICES.

TSTC may contract with an architect or engineer for undefined scope projects. In accordance with purchasing requirements, the process described in Operating Requirement Number 1, which is listed above, shall be used. The contract for these services shall include a contract term and a cost not to exceed for the term of the contract.

7. JOB ORDER CONTRACTS FOR CONSTRUCTION PROJECTS

In accordance with TEC, Section 51.784, TSTC may award job order contracts for minor construction projects if the work is of a recurring nature, but the delivery times are indefinite and indefinite quantities and orders are awarded substantially on the basis of pre-described and pre-priced tasks. In accordance with purchasing requirements, the process described in Operating Requirement Number 5, which is listed above, shall be used.

8. PREVAILING WAGE RATES

In accordance with TGC, Chapter 2258, construction contracts shall be required to incorporate prevailing wage rates established for each county of each campus. The schedule of wage rates included in the purchasing process shall be the wage schedule established and currently used by the campus where the work is to be performed for work of the same or similar character.