

## **FACILITIES DEVELOPMENT**

**Regulation 7130**

### **Facilities Planning and Design**

#### **Construction Manager Selection**

When the District determines that it may need to engage the services of a construction manager, the Board of Education shall select a construction manager and negotiate with that construction manager to obtain a contract that is fair and reasonable. To select a construction manager, the District shall advertise and solicit proposals from qualified construction managers in the following manner:

1. If the total cost for the project exceeds five hundred thousand dollars (\$500,000), the solicitation shall be advertised for a period of ten (10) days in one (1) newspaper of general circulation in the county.
2. If the total cost of the project exceeds one million five hundred thousand dollars (\$1,500,000), the solicitation shall be advertised for ten (10) days in two (2) daily newspapers in Missouri which have not less than fifty thousand (50,000) daily circulation in addition to the advertisement required by number 1 above.
3. If the total cost of the project is five hundred thousand dollars (\$500,000) or less, the solicitation need not be advertised.

Solicitations shall require the bidders to submit the following information:

1. Fees for overhead and profit.
2. Reimbursable costs for reimbursable items.
3. Qualifications.
4. Demonstration of ability to perform projects comparable in design, scope and complexity.
5. Demonstration of good faith efforts to achieve compliance with federal, state and local affirmative action requirements.
6. References from owners for whom construction management services have been performed.
7. Financial strength.
8. Qualifications of personnel who will manage the project.

9. Demonstration of successful management systems which have been employed for the purposes of estimating, scheduling, and cost controls.

If the Board selects a construction manager on the basis of the above factors, then contractual negotiations may be conducted with that construction manager and a contract may be executed between the District and that construction manager.

If the Board cannot reach an agreement upon the terms of a construction management services contract through negotiations with the selected construction manager, then the Board will attempt to select another construction manager and negotiate a contract with that construction manager. The Board will continue to follow the procedures outlined in this policy until a contract has been executed between the District and a construction manager.

Furthermore, the Board shall not award a contract for construction management services on a negotiated basis to any construction manager (or a firm that controls, is controlled by or shares common ownership or control with the construction manager), unless such construction manager:

1. Guarantees, warrants or otherwise assumes financial responsibility for the work of others on the project.
2. Provides the District with a guaranteed maximum price for the work of others on the project.
3. Furnishes or guarantees a performance or payment bond for other contractors on the project.

A construction management services contract to such a construction manager may only be awarded through a competitive bid process.

Under this policy, the term *project* shall mean the erection or construction of a building or structure or the improvement, alteration or repair of a building or structure. The term *construction manager* includes, but is not limited to, consulting, advising, assisting and making recommendations on any and all aspects of pre-construction planning, design, bidding, and contract award and providing general observation, coordination and direction of the work and processing of payment requests and change orders during construction