

**ADMINISTRATIVE REGULATIONS
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FACILITIES DEVELOPMENT

Regulation 7120

Facilities Planning and Design

Procurement of Architects, Engineers and Land Surveyors

When the College determines that it may need to engage the services of an architect, engineer, or land surveyor, the Board of Trustees shall first attempt to select and conduct contractual negotiations for such a service with a professional who falls within one of the two following categories: (1) any architect, engineer, or land surveyor who has contracted previously with the College to provide services to the College; or (2) any architect, engineer, or land surveyor who has been recommended to the College by a construction contractor with whom the College is familiar.

If the Board determines that an architect, engineer, or land surveyor selected from one of the two categories in the prior paragraph is appropriate for the project contemplated, then contractual negotiations may be conducted with that architect, engineer, or land surveyor, and a contract may be executed between the College and that professional. The determination of whether a particular architect, engineer, or land surveyor is "appropriate" for a project is discretionary on the part of the Board.

If the College cannot agree upon the terms of a contract with the architect, engineer, or land surveyor whom it has selected and with whom it has negotiated, or if the College determines that a professional selected according to this policy is not appropriate, the College will then attempt to select an appropriate architect, engineer, or land surveyor through advertisements inviting the submission of proposals or by directly contacting other architects, engineers, or land surveyors. After making its selection pursuant to this paragraph, the College will attempt to negotiate a contract with that professional. The College will continue to follow the procedures outlined in this regulation until a contract has been executed between the College and an appropriate architect, engineer, or land surveyor.

FACILITIES DEVELOPMENT

Regulation 7130

Facilities Planning and Design

Construction Manager Selection

When the College determines that it may need to engage the services of a construction manager, the Board of Trustees 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 College 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 Junior College District.
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 College 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 College 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), if such construction manager:

1. Guarantees, warrants or otherwise assumes financial responsibility for the work of others on the project.
2. Provides the College 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 preconstruction 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.

FACILITIES DEVELOPMENT

Regulation 7210

Facilities Construction

Construction Contracts, Bidding and Awards

All facilities construction projects which exceed an expenditure of \$15,000 shall be advertised once a week for two consecutive weeks in general circulation newspapers published within the College's taxing districts. In addition to the city or county newspapers, the College may also advertise in business, trade or minority newspapers. Competitive bids shall be solicited according to state law only after the plans and specifications have been approved by the Board of Trustees. In order to protect the Board, each bidder may be required to submit, with his bid, a bidder's bond in an amount determined by the estimated cost of the project. Plans and specifications, requests for proposals, advertisements and the bidding process are conducted by the construction manager under terms of the firm's contract with the Board of Trustees.

Whenever two or more proposals or bids of equal amount are the lowest proposals submitted by reasonable bidders pursuant to the advertisement of bids, the Board of Trustees may award the contract to any one of the bidders as determined by exercise of discretion.

The contractors shall receive monthly payments for the work completed, less a percentage to be determined to ensure completion. Contractors may be required to submit performance bonds and material and labor bonds to the satisfaction of the Board. Final payments shall be made only after acceptance of the project by the Board of Trustees and completion of the items to be corrected. Lien waivers, prevailing wage affidavits and certified payrolls shall be provided by the contractors and suppliers.

All payment requests by contractors shall be submitted with required documentation to the construction manager for approval prior to submission to the Board of Trustees for payment.
(approved 1-23-06)

FACILITIES DEVELOPMENT

Regulation 7310

Naming Facilities

Recognition Opportunities

Naming of rooms, buildings and other physical facilities shall be accomplished through the following procedure:

- A written proposal may be presented to the vice president of the department or operating unit in which the naming is proposed.
- The vice president may present the proposal to the Executive Leadership Team (ELT) for review.
- The ELT may form an ad hoc cross-representational campus committee to review the proposal that will make a recommendation back to the ELT.
- After review and recommendation by the ELT, the President may bring the proposed naming to the Board of Trustees for consideration and action. The decision of the Board of Trustees is final.

The SFCC Foundation will provide guidelines for naming facilities and spaces and the appropriate financial contribution that would be necessary to do so. The Foundation's guidelines will set the parameters for naming opportunities related to capital campaigns, major gifts received outside of campaigns, deferred gifts, and notification of planned gifts to be received at some point in the future. "Naming guidelines" in response to financial gifts will be tied to the cost of the building (cost per square foot), endowing long-term maintenance and renewal costs, and other related building expenses.