



Policy Type: Board

Category: Procurement

Policy Name: Architect-Engineers-Constructions Project Management and
Other Related Contracts - Board Policy 5.8

[← Previous Policy Manual Section](#)

[Next Policy Manual Section →](#)

5.8

ARCHITECT-ENGINEERS-CONSTRUCTION PROJECT MANAGEMENT AND OTHER RELATED CONTRACTS

5.8.1 Overview

This policy covers the soliciting and contracting requirements for architect-engineers-construction consulting, project management and related services contracts.

5.8.2 Policy

It is the policy of the Board that all solicitation and award of Professional Service Agreements (PSAs) and Professional Service Contracts (PSCs) for architect, engineer, and other related services are awarded and administered in accordance with all applicable laws.

5.8.3 Background

The County contracts with firms and individuals to assist the County with its project development and administration of construction contracts. This includes analysis, planning, surveying, design and construction, and inspection to directly and indirectly support construction of new or remodeled buildings, the design and installation of new or significantly



County of Santa Clara

Policy Name: Architect-Engineers-Constructions Project Management and
Other Related Contracts - Board Policy 5.8

Page 2 of 6

modified systems within existing facilities, the design and installation of build-to-suit improvements on leased facilities, specialized assessments and feasibility studies on facilities and their attendant systems, traffic analyses, or various other undertakings attendant to any public works project that may be requested by the County. Professional firms are also used to develop documents and assist with ensuring compliance with the California Environmental Quality Act.

5.8.4 Purpose

The purpose of Section 5.8 is to establish the policy for selecting and contracting with entities for professional architectural and engineering, and related professional services including construction project managers, landscape architects, environmental scientists, archeologists, biologists, arborists, surveyors, and inspectors.

5.8.5 Application of the Policy

5.8.5.1 Authority

All contracts for services covered in this section that have a cumulative total value of more than \$300,000 per budget unit must be approved and signed by the Board of Supervisors, unless otherwise delegated. If the value is \$300,000 or less per budget unit, the Director of Procurement has the authority to approve selection and execute the contract.

5.8.5.2 Method(s) of Solicitation

Architects, engineers, landscape architects, environmental, land surveying services and related services under this section, must be selected using a Qualification Based Selection (QBS) procedure. Selection shall be done on the basis of "demonstrated competence and on the professional



County of Santa Clara

Policy Name: Architect-Engineers-Constructions Project Management and
Other Related Contracts - Board Policy 5.8

Page 3 of 6

qualifications necessary for the satisfactory performance of the services required." These selection procedures assure that these services are procured on the basis of demonstrated competence and qualifications for the types of services to be performed and "at a fair and reasonable price to the public agencies."

If an Agency/Department determines that the QBS does not apply because, for example, the services needed are not included in the professions described above, then they may use another solicitation method that is appropriate, as described in Section 5.6 of this Policy.

(A) Professional Consultant Selection -- Contracts Valued at Over \$300,000 and On-Call Consultants

A Review Board process shall be used to select professional consultants required during the planning, design and construction phases of major projects.

- (1) The Agency/Department Director or designee will periodically solicit a current list of qualified professional consultant firms and will request the consultants to submit their qualifications. Performance in providing previous services to the County shall be among the criteria considered in compiling the list.
- (2) The Agency/Department Director will appoint a Review Board of qualified professionals, including individuals familiar with the type of project proposed and the nature of the services required. If possible, at least one professional who is not an employee of the County or of the Department requiring the services should be included on the board. The Review Board will review the qualifications submitted, establish a list of finalists, and interview the finalist firms. The list may be maintained for up to two years.



County of Santa Clara

Policy Name: Architect-Engineers-Constructions Project Management and
Other Related Contracts - Board Policy 5.8

Page 4 of 6

- (3) The Agency/Department Director will negotiate an agreement with the top-ranked firm regarding the extent of services, the amount and method of compensation, and other conditions, subject to Board approval. If an agreement cannot be reached, the Agency/Department Director will terminate discussion with the top-ranked firm and open negotiations with the second-ranked firm, and repeat the process with suitably qualified firms until an agreement is negotiated. Upon successful negotiation, the Agency/Department Director or designee shall present the contract for approval to the Board. At its discretion, the Board may accept the Agency/Department Director's recommendations or direct the Agency/Department Director to enter negotiations with a lower-ranked firm.
 - (4) Alternatively to the process outlined above, the Agency/Department Director may utilize the Review Board selection process to establish eligible lists of consultant firms from which Professional Service Agreements (PSAs) would be awarded. These types of contracts should be used for miscellaneous work and not significant capital projects or buildings. The eligible lists may be maintained for one or two years depending on the requirements of the Agency/Department for various professional services and the availability of appropriately qualified firms. Evaluations of a contractor's performance in providing previous service to the County shall be among the criteria that are used to judge the qualifications of the contractor. Award of a PSA to an eligible firm for miscellaneous projects shall be for a term not to exceed five years, and no more than a cumulative total value of \$1,000,000.
- (B) Professional Consultant Selection – Contracts Valued at \$300,000 or less

The Agency/Department Director shall periodically solicit qualified consultants for professional services. The Agency/Department Director or designee shall convene an internal Review Board to evaluate consultants for



County of Santa Clara

Policy Name: Architect-Engineers-Constructions Project Management and
Other Related Contracts - Board Policy 5.8

Page 5 of 6

specific or miscellaneous projects based on capability and qualifications. This Review Board should consist of at least two qualified County staff familiar with the type of project proposed and the nature of the services required. The Agency/Department Director will be responsible for final selection and negotiating the consultant's fee.

Evaluations of a contractor's performance in providing previous service to the County shall be among the criteria that are used to judge the qualifications of the contractor. Award of a Professional Services Contract (PSC) to an eligible firm or consultant for such projects shall be for a term not to exceed five years, and the value shall be no more than \$300,000 per budget unit for each contract. The Board or the Director of Procurement has authority to execute PSCs.

5.8.6 Applicable Legal Authority

The applicable legal authority for this Section includes, but is not limited to the following:

Government Code Section 4525, et seq.

Related Policies

None.

Related Forms and Information

- Memorandum re: Countywide Contracting Updates - [\[url\]/sites/policies/FormsrelatedtoPolicies/Countywide-Contracting-Updates-20216.pdf](#)

History



County of Santa Clara

Policy Name: Architect-Engineers-Constructions Project Management and
Other Related Contracts - Board Policy 5.8

Page 6 of 6

Date	Changes Made
11/17/2015	Policy Amended. View legislative file.
3/19/2014	Policy Uploaded. (Kyle Larson)