

ARCHITECTURAL AND ENGINEERING SERVICES

In order to ensure safe construction and protect the investment of public funds, the Governing Board requires that a licensed and certified architect or structural engineer be employed to design and supervise the construction of district schools and other facilities. Instead of requiring bids for these services, the Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence.

(cf. 3311 - Bids)

The Superintendent or designee shall develop general criteria for the selection of architects and engineers on the basis of demonstrated competence and professional qualifications. For each project, he/she shall recommend specific architectural and engineering firms to the Board.

The Superintendent or designee shall ensure that:

1. Projects entail maximum participation by small business firms as defined pursuant to Government Code 14837 Government Code 4526)
2. Practices which might result in unlawful activity such as rebates, kickbacks, or other unlawful consideration are prohibited (Government Code 4526)
3. District employees are prohibited from participating in the selection process when they have a relationship with a person or business entity seeking a contract which would subject the employee to the prohibition of Government Code 87100 (Government Code 4526)

(cf. 9270 - Conflict of Interest)

4. Current statements of prospective contractors' qualifications and performance data are evaluated in detail
5. Alternative approaches for furnishing the services are discussed with at least three firms
6. At least three firms deemed to be the most highly qualified to provide the required services are selected in accordance with established criteria and recommended in order of preference

(cf. 3312.11 - State Allocation Board Contracts)

Legal Reference: (see next page)

ARCHITECTURAL AND ENGINEERING SERVICES (continued)

Legal Reference:

EDUCATION CODE

39140-39159 Approvals, especially:

39148 Persons qualified to prepare plans, specifications and estimates and supervise construction

39159 Contract provision re school district property

39226 Limitation on liability of governing board

GOVERNMENT CODE

4525-4529.5 Contracts with private architects, engineering, land surveying, and construction project management firms

14837 Definition of small business

87100 Public officials; financial interest

ARCHITECTURAL AND ENGINEERING SERVICES

The Governing Board shall engage the services of a licensed architect(s) holding a valid certificate or engineer(s) holding a valid certificate for the preparation of plans, specifications or estimates for any construction project, through a signed contract. (Education Code 39148)

(cf. 3312 - Contracts)

Contractors for any architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services shall be selected, at fair and reasonable prices, on the basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required. (Government Code 4526)

Contracts shall specify that all plans, specifications and estimates prepared by the contractor shall become the property of the district. (Education Code 39159)