

SUBJECT: Contracting for Design and Construction Services	Effective Date: 10-1-23	Policy Number: 4.2.7	
	Supersedes: New	Page 1	Of 5
	Responsible Authority: Vice President, Administrative Affairs		

**APPLICABILITY/ACCOUNTABILITY:**

This policy is applicable to the selection, considerations, and contracting for Design and Construction Services for University facilities. To the extent any existing policies, guidelines, processes, or other matters within the University conflict with any provisions herein or other applicable authorities, those items shall automatically be amended for consistency with this policy and such authorities.

**POLICY STATEMENT:**

The University may employ procedures to contract for professional services and contractors for the planning, design, and construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities (“Design and Construction Services”), that include, but are not limited to competitive bids, design-build, construction management entities, program management entities, and day labor contracts, as more specifically set forth herein. Am

licensed or registered professionals for the specific fields or areas of construction to be performed.

b. The construction management entity shall be selected through a competitive procurement process as prescribed herein and as otherwise prescribed by the Vice President of Administrative Affairs or designee (collectively, the "VPAA"). The criteria for selecting a construction management entity shall not unfairly penalize an entity that has relevant experience in the delivery of construction projects of similar size and complexity by methods of delivery other than construction management.

c. The construction management entity, after having been selected, may be required to offer a guaranteed maximum price and/or a guaranteed completion date; in which case, the construction management entity must secure an appropriate surety bond pursuant to section 255.05, Florida Statutes, and must hold construction subcontracts.

d. With respect to the guaranteed maximum price and/or guaranteed completion date, the University may negotiate, simultaneously or otherwise, with the selected construction management entity, as well as any other construction management entities that were short-listed during the competitive procurement process.

## 2. Program Management Entities

a. When selecting a program management entity that would act as the agent of the University and would be responsible for schedule control, cost control, and coordination in providing or procuring planning, design, and construction services, the program management entity must consist of or contract with licensed or registered professionals for the specific areas of design or construction to be performed. The program management entity may retain necessary design professionals as prescribed by the VPAA.

b. The program management entity shall be selected through a competitive procurement process as prescribed herein and as otherwise prescribed by the VPAA. The criteria for selecting a program management entity shall not unfairly

-0J [(as)8pe(y)-2  
)6 (es)

management entities that were short-listed during the competitive procurement process.

3. Day-Labor Contracts. Day-labor contracts, as defined by the BOG, shall be administered by the VPAA in accordance with BOG requirements.
4. Construction Techniques. Contractors, design-build firms, contract management entities, program management entities, or any other person under contract to construct facilities or major additions to facilities may use any construction techniques allowed by contract and not prohibited by law, including, but not limited to, those techniques known as fast-track construction scheduling, use of components, and systems building process.
5. Registered Architects. Except as otherwise provided in BOG regulation and section 481.229, Florida Statutes, the services of a registered a( c)-2 (on)10hniqu11.04 1082 (G)4

build, the VPAA shall appoint a select

INITIATING AUTHORITY: Vice President, Administrative Affairs

---

POLICY APPROVAL  
(For use by the Office of the President)

Policy Number: 4.2.7

*Initiating Authority*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: \_\_\_\_\_

*Policies and Procedures  
Review Committee Chair*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: \_\_\_\_\_

*President*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: \_\_\_\_\_

*Board of Trustees Chair*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: \_\_\_\_\_

---

Executed signature pages are available in the Office of Compliance