

STATE ARCHITECT DESIGNER SELECTION PROCESS

The State of Tennessee Office of the State Architect has established the following Designer Selection Process, which is to be implemented by the State Procurement Agencies (SPAs), under the authority of Section 3.06 of the Policy and Procedures of the State Building Commission of Tennessee. The SPAs include the University of Tennessee, Tennessee Board of Regents and State of Tennessee Real Estate Asset Management.

The State Building Commission (SBC) is the final authority in Designer selection, and while it uses the normal criteria in determining final selections, including maintaining the geographical balance, assessing current work capacity, and evaluating quality and quantity of workload over the past several years, it is still primarily a process driven by the individual SPAs.

The SBC reserves the authority to modify, waive or add additional requirements or procedures to this Designer Selection Process in the event that in the opinion of the SBC it would be in the best interest of the State to take such action in the selection of a Designer.

A. Registration:

1. Registration through the website of the Office of the State Architect is required for all projects and must be completed before expressing interest through submitting responses to Letters of Interest (LOI) or responses to Requests for Qualifications (RFQ) for a project.
2. In order to receive information from the Office of the State Architect, including information about the proposed capital projects contained in the Governor's Annual Budget Request to the State Legislature, Designers shall via the same website annually submit, between December 1 and January 15, all information required therein by the Office of the State Architect.

B. Public Announcement:

1. The Office of the State Architect shall, no later than thirty days following the presentation of the Governor's Annual Budget Request to the State Legislature, post the Governor's proposed capital projects list on its website.
2. The Office of the State Architect shall provide information such as the website addresses of the SPAs where solicitation of design services for particular projects under their purview will be posted. All projects requiring or otherwise utilizing Designers will be posted on the SPA's website for a minimum of two weeks.

3. On the website, the SPA should clearly define:
 - a) Project title;
 - b) Overview of the project, including any specialized or general design requirements;
 - c) The deadline for submission of interest;
 - d) General submission requirements;
 - e) The appropriate e-mail contact(s) for electronic submission for each project.
4. The public announcement of an RFQ shall be made available on the SPA's website.

C. Standards of Practice

1. Tennessee firms are given primary consideration unless the State determines it is in the State's best interest to consider non-Tennessee firms.
2. Evaluators will primarily consider Designers within the region of a project.
3. Submission of proposals shall not create any rights, interests, or claims of entitlement for any proposer, including the best evaluated proposer.
4. The State reserves the right, at its sole discretion, to reject any and all submittals for projects and to waive immaterial irregularities in accordance with applicable laws, regulations, policies and case law.
5. Any form of business arrangement with consultants or joint venture partners may be proposed for State projects. However, the State prefers that a single firm contract with the State and serve as the primary contact, project leader, administrative manager and single source of responsibility, with any necessary business partners and consultants serving under that single firm's management. The State also prefers that this single firm have its principal place of business located in the State of Tennessee.

D. Standards for Evaluation Team Members

1. The evaluation team required on all Major and Standard Projects should be composed of no less than three State employees.
2. Member selection is the responsibility of the SPA.
3. Members should be knowledgeable of the goals, scope and technical criteria of the project. A majority of the members should be knowledgeable of, through previous involvement in or previous work with others involved in, the design process.

4. Members shall perform evaluations objectively and avoid any appearance of impropriety.
5. Where appropriate, non-scoring technical advisors, who shall also perform their evaluations objectively and avoid any appearance of impropriety, may be utilized by the SPA to provide input to the evaluation team.
6. Prior to the evaluation of Designers, each evaluator shall acknowledge, in writing, that he/she knows of no conflict of interest in evaluating the proposing Designers.

E. Projects:

1. Projects will be listed in three categories:
 - a) Major Projects, which are projects with a Maximum Allowable Construction Cost greater than \$20,000,000;
 - b) Standard Projects, which are projects with a Maximum Allowable Construction Cost of \$20,000,000 or less, but above \$3,000,000; and
 - c) Minor projects, which are projects with a Maximum Allowable Construction Cost of \$3,000,000 or less.

F. Selection Process:

1. Major Projects will require Designers to respond to an RFQ.
 - a) RFQs shall be consistent with the standards of the SPA procuring the Designer services, as approved by the Office of the State Architect.
 - b) The Designer shall include responses specific to all qualifications, experiences and technical criteria as outlined in the RFQ.
 - c) Evaluation Criteria
 - 1) The description and weighting of evaluation criteria will be provided in the RFQ. Criteria and their weighting will be derived from the specific needs of the project, but at a minimum, will include the following:
 - (a) General information and qualifications of the proposing Designer;
 - (b) Recent and relevant experience of Designer and consultants on up to five similar projects, including listing the staff and consultants used on the submitted projects;
 - (c) Staff for this project, including their qualifications and role for this project;

- (d) Consultants for this project, including their staff's qualifications and role for this project, and including the Designer's experience with these consultants;
 - (e) Any special design requirements or consultants needed for this project; and
 - (f) Locations of staff, consultants, and special consultants.
- 2) At the sole discretion of the SPAs, additional criteria may be included, such as criteria to evaluate technical approach to the project or project scheduling.
 - 3) The criteria and their weighting shall be included in the RFQ.
- d) Evaluation of the RFQ for Major Projects
 - 1) The SPA will establish an evaluation team that will review and evaluate the RFQ responses submitted by all Designers, and which will be comprised of at least three members, including at least one representative from the SPA and one representative from the user agency (UA).
 - 2) The evaluation team shall assign a score for each submittal, and shall prepare a written ranking and summary of the top three Designer recommendations in order of preference and a list of all Designers that responded to the RFQ. This summary shall be furnished to the Office of the State Architect no later than four business days prior to the meeting of the Executive Sub-Committee of the State Building Commission at which the recommendation is to be considered.
2. Standard Projects will require Designers to submit a Letter of Interest.
- a) The Letter of Interest will be limited to four pages and should include responses to the following:
 - 1) General information and qualifications of the proposing Designer;
 - 2) Recent or relevant experience on up to five similar projects, including listing the staff and consultants used on the submitted projects;
 - 3) Staff for this project, including their qualifications and role for this project;
 - 4) Consultants for this project, including their staff's qualifications and role for this project, and including the Designer's experience with these consultants;
 - 5) Any special design requirements or consultants needed for this project; and
 - 6) Locations of staff, consultants, and special consultants.
 - b) Evaluation of Letters of Interest for Standard Projects:

- 1) The SPA will establish an evaluation team that will review and evaluate the Letters of Interest, and which will be comprised of at least three members, including at least one representative from the SPA and one representative from the UA.
 - 2) The evaluation team shall prepare a written ranking and summary of the top three Designer recommendations in order of preference and a list of all Designers that submitted a Letter of Interest. This summary and a copy of each Letter of Interest shall be furnished to the Office of the State Architect no later than four days prior to the meeting of the Executive Sub-Committee of the State Building Commission at which the recommendation is to be considered.
3. Minor Projects may not require a Letter of Interest or an evaluation team. The SPA and UA will have the discretion to determine how to receive and process information from Designers expressing interest in a project in this category.
- a) The SPA shall provide a notice on its website, or instead may directly solicit a minimum of three Designers who are appropriately licensed and are registered with the Office of the State Architect.
 - b) The SPA and UA shall prepare a written summary of the proposed top three Designer recommendations in order of preference and a list of the other Designers who formally expressed interest or were solicited. This summary shall be furnished to the Office of the State Architect no later than four days prior to the meeting of the Executive Sub-Committee of the State Building Commission at which the recommendation is to be considered.
4. Submitting Designer Recommendations for Projects to the State Building Commission
- a) Upon receipt of the required information from the SPA, the Office of the State Architect shall distribute same to the State Building Commission or its Executive Sub-Committee no later than three days prior to the meeting of the Executive Sub-Committee at which it is to select the Designer for each project, unless the selection decision has been delegated by the SBC to the Office of the State Architect.
 - b) Once the selection of a Designer is approved, the SPA must within one hundred eighty days of the approval obtain the Executive Sub-Committee's additional approval if a decision is made not to proceed with the Designer selected.
 - c) Once the selection of a Designer is approved, the SPA shall within one year of the approval report to the SBC if a decision is made to cancel, to place on hold, or to otherwise not proceed with the project for which the Designer was selected.
 - d) Upon SBC or OSA approval of an awarded contract, the files will be open for public inspection

- e) The evaluations of Letters of Interest, and the ranking of the top three Designers, will be kept on record for public access through the Office of the State Architect in accordance with Tennessee Code Annotated, Section 10-7-504(a)(7).
- 5. SPAs shall not recommend to the SBC any proposing Designer(s) that the SPA does not support, which may in some instances allow fewer than three Designers being recommended. SPAs shall review the recommended Designers, and before they recommend any proposing Designers to the SBC, the SPAs may consider any other relevant factors, including but not limited to their, or any non-voting technical advisors', previous experience and working relationship with the Designer and/or members of the proposed collective design team, as well as the appropriateness of the Designer and/or the proposed design team for that specific project's type and/or scope of work.

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