

**FLORIDA BOARD OF GOVERNORS
NOTICE OF APPROVED REGULATION AND AMENDMENTS**

Date: February 1, 2008

REGULATION TITLES AND NUMBERS: 14.005 for Certification and Competitive Selection of Architects/Engineering

SUMMARY: The 14.005 Certification and Competitive Selection of Architects/Engineers regulation is amended to update references to governance. This regulation is amended to increase the threshold amount for projects requiring a selection committee to \$1,000,000. The regulation also amends the requirements for the selection committee and removes the Minority Business Certification status requirement. The regulation is amended to remove volume of work from the selection criteria. Although volume of work should be taken into account, individual universities have no way of verifying the accuracy of each companies reported work load in the system.

FULL TEXT OF THE REGULATION: The full text of the proposed amended regulation is posted on BOG's Website at www.flbog.org. The full text of the existing regulation is posted on BOG's Web site at www.flbog.org/BOG_regs. In addition, the full text of the regulation is available upon request to the Office of the Chancellor, which can be contacted at (850) 245-0466.

AUTHORITY TO ADOPT/ AMEND/ REPEAL REGULATION: Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

**BOARD OF GOVERNORS' OFFICIAL INITIATING ADOPTION/ AMENDMENT/
REPEAL OF REGULATIONS:**

Chris Kinsley, Director, Finance and Facilities

COMMENTS REGARDING ADOPTION/ AMENDMENT/ REPEAL OF REGULATIONS SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation(s) on which you are commenting.

**THE PERSON TO BE CONTACTED REGARDING ADOPTION/ AMENDMENT/
REPEAL OF REGULATION IS:** Vikki R. Shirley, General Counsel, Board of Governors, State University System 325 W. Gaines Street, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), generalcounsel@flbog.org.

6C-14.005 Certification and Competitive Selection of Architects/Engineers.

(1) A Certification and Selection Committee appointed by the president shall serve throughout the selection process for a Campus Service Architect/Engineer, or for any project exceeding an estimated construction amount of \$1,000,000 ~~the threshold amount provided in Section 287.017, Florida Statutes, for Category Five~~, which is being designed neither by the Campus Service Architect/Engineer nor by university staff. The Committee shall consist of at least three members, two of which must have demonstrable experience in the selection of professional architectural or engineering services or education in construction, engineering, architecture or other related discipline ~~and no more than five members~~ and shall be comprised of the following:

(a) At least one ~~Three facilities professional from representatives of the~~ University Facilities Office or physical plant office; the second required facilities professional is not required to be a current University Facilities or Physical Plant employee.

(b) ~~Up to two~~ additional members, based on the special needs of the project, if required.

(2) For all selections, the Certification and Selection Committee shall determine the eligibility under Florida law of each firm to perform the services required for each project. Each firm determined to be eligible to provide the services for the project will be so certified by the Committee and shall be qualified for consideration as provided in this Chapter.

(3) The Certification and Selection Committee shall evaluate professional qualifications statements by all eligible professional firms applying. The Committee shall consider the experience of professional personnel; past performance; ability to meet time and budget requirements; ~~minority business certification status~~; location; and recent, current and projected workloads of the firms. The Committee shall conduct discussions with, and may require public presentation by, no fewer than three firms, where possible, regarding their qualifications, approach to the project, and ability to furnish the required services. For projects having three or fewer applicants, the Committee shall conduct discussions with each applicant firm. ~~The Committee shall also consider the volume of work previously awarded to the firm by the State University System, with the object of effecting an equitable distribution of contracts among qualified firms, provided that such distribution does not violate the principle of selection of the most highly qualified firms.~~ The Committee shall rank the firms in the order of those most highly qualified to perform the required service, and where possible, shall recommend to the president for approval no less than three firms in the Committee's order of ranking. The university shall notify all interviewed firms of the approved selection.

(4) After approval by the president, the president shall negotiate a contract.

Authority : Section 7(d), Article IX, Florida Constitution ~~Formerly Implemented~~
~~F.S. 240.205(6), 240.209(1), (3)(p), (q), 287.055 FS (3)(d).~~ History--Formerly Rule
6C-14.05, New 12-30-79, Amended 7-22-87, 1-24-89, 5-17-95, 1-13-99.