

APPROVAL OF MAJOR CAPITAL PROJECTS

I. Purpose

In lieu of other policies and procedures of the Board of Trustees with respect to Capital Projects, the procedures set forth herein may at the request of a campus, unit or division (campus), and with approval of the President, be used for Major Capital Projects. As used herein, a Major Capital Project is one in which the total anticipated project cost exceeds \$5,000,000, excluding the cost of land. This policy and the procedures herein are intended to comply with Act 1626 of 2001, as amended.¹

II. Project Proposal

A project proposal for a Major Capital Project, in form and substance prescribed by the President, will be submitted to the UA System Office. The proposal may request authority to begin the process to select design professionals (including an architect and/or engineer) and a general contractor and/or construction manager for the project. The President may either authorize commencement of the selection process or may direct the campus to conduct or commission a planning or feasibility study or provide additional information before submitting its proposal to the Board of Trustees.

III. Project Solicitations and Recommendations

Following approval to begin the selection process for design professionals and a general contractor and/or construction manager, the campus, division, or unit chief executive officer shall appoint a committee or committees to recommend selection of design professionals and of a general contractor and/or construction manager for the project. The committee shall consist of at least three members, one of whom shall be the UA System Chief Financial Officer or his or her designee.

A. Advertisement for Proposals

At a minimum, the appropriate campus official shall publish notice of intention to receive written proposals for three consecutive days in a newspaper of statewide distribution (which may be a newspaper distributed to subscribers only in electronic media) and in such electronic media as the committee deems appropriate, and shall allow a minimum of 10 working days for design professionals, general contractors and/or construction managers to submit proposals or qualifications. The campus shall also provide direct notice to design professionals, contractors and/or construction managers which the selection committee determines, through such means as it deems appropriate, have the demonstrated qualifications to assure the design and completion of the

¹ Ark. Code Ann. § 19-4-1415.

project in an expeditious manner while adhering to high standards of design and construction quality. The selection committee may also require additional means of notification including, but not limited to, posting on campus websites and placement of notice in trade publications directed to licensed design professionals and contractors.

B. Selection of Contractors

Following the date established in the notice for interested design professionals, contractors and/or construction managers to submit proposals and other information with respect to their qualifications and interest in the project, the committee shall review the submissions and shall select a minimum of three and a maximum of five qualified applicants for interviews. A campus may, but is not required to, conduct a second set of interviews. Following the interviews, the committee shall select not more than three qualified applicants for design services and not more than three qualified applicants for general contractor and/or construction management services for recommendation to the Board.

All project architects and engineers shall be properly licensed in accordance with the rules of the Arkansas State Board of Architects and the Arkansas State Board of Engineers. The construction manager or general contractor shall be properly licensed by the Arkansas Contractors Licensing Board. All subcontractors shall be properly licensed by the Arkansas Contractors Licensing Board.

C. Recommendations

In recommending selection of a general contractor, construction manager, architect or engineer, the committee shall consider its established criteria which shall include, but are not limited to, the following:

1. The experience of the professional or professionals in similar projects;
2. The record of the professional or professionals in timely completion of projects with high quality workmanship; and
3. Other similar matters to determine that the professional or professionals will complete the project within the time, budget and to the specifications set.

The committee will present its list of finalists and recommendations for selection of design professionals and general contractor and/or construction manager through the chief executive officer to the President. After the review, the President shall submit the campus committee's recommendation and the

Capital Project Proposal to the Buildings and Grounds Committee of the Board of Trustees.

IV. Board of Trustees Approval

The Buildings and Grounds Committee of the Board of Trustees shall review the campus committee's recommendations and the Capital Project Proposal, shall recommend the design professional or professionals and construction manager and/or general contractor which it determines to be in the best interest of the University, and shall make a recommendation regarding approval of the proposed project. The Board of Trustees, or the Buildings and Grounds Committee if authority has been delegated to it, shall make the final decision to approve the project as proposed and to authorize contracts to be negotiated and awarded to the design professionals and the contractor and/or construction manager selected. There shall be separate contracts for design and construction services.

A campus official designated by the campus, division, or unit chief executive officer shall be authorized to negotiate the terms of the contract or contracts for professional services, which shall be signed by an officer authorized pursuant to Board Policy 300.1.

May 23, 2024 (Revised)
November 20, 2020 (Revised)
April 26, 2001