

3344-65-27 Procurement of professional design services.

(A) Definitions:

- (1) "Professional design firm" means any person legally engaged in rendering professional design services.
- (2) "Professional design services" means services within the scope of practice of an architect or landscape architect registered under Chapter 4703. of the Revised Code or a professional engineer or surveyor registered under Chapter 4733. of the Revised Code.
- (3) "Qualifications" means all of the following:
 - (a) For a professional design firm, competence to perform the required professional design services as indicated by the technical training, education, and experience of the firm's personnel, especially the technical training, education, and experience of the employees within the firm who would be assigned to perform the services;
 - (b) Ability of the firm in terms of its workload and the availability of qualified personnel, equipment, and facilities to perform the required professional design services or design-build services competently and expeditiously;
 - (c) Past performance of the firm as reflected by the evaluations of previous clients with respect to such factors as control of costs, quality of work, and meeting of deadlines;
 - (d) Any other relevant factors as determined by the university.

(B) Procurement process for projects with an estimate professional design fee of less than fifty thousand dollars:

- (1) For projects with an estimated professional design fee of less than fifty thousand dollars, the following procurement process shall be followed:

- (a) the OUA project manager shall select a single design professional or firm from among those that have submitted a current statement of qualifications within the immediately preceding fiscal year based upon OUA's determination that the selected design professional or firm is ranked the most qualified to perform the required professional design services using the definition of "qualifications" set forth above in paragraph (A)(3); and
 - (b) the university and the selected design professional or firm negotiate a contract at a compensation determined in writing to be fair and reasonable to the university; and
 - (c) contract negotiations are directed toward: (i) ensuring that the professional design firm and the university have a mutual understanding of the essential requirements involved in providing the required services; (ii) determining that the professional design firm will make available the necessary personnel, equipment, and facilities to perform the services within the required time; and (iii) agreeing upon compensation that is fair and reasonable, taking into account the estimated value, scope, complexity, and nature of the services.
- (2) The university shall not contract with any one professional design professional or firm for more than fifty thousand dollars of services in any one fiscal year using this policy.
- (C) For projects with an estimated professional design fee of over fifty thousand dollars, procurement shall follow sections 153.66 to 153.70 of the Revised Code.