ENGAGEMENT OF PROFESSIONAL DESIGN SERVICES
(ARCHITECT/ENGINEER/CONSULTANT)
Choosing a design firm is one of the most important decisions for any project

By selecting Design Professionals based on qualifications and negotiated fees, Owners can expect quality services, innovative design concepts, and better construction bids.

- There are several ways to select design firms:
  - The Owner can simply choose the Design Professionals, especially if they have worked together before or recommended by a trusted advisor.
  - A comparative analysis may be used, depending upon the project’s objectives, in which relevant criteria can be evaluated.
  - The Owner can select the Design Professional through a formal design competition.

- The criteria used to consider design firms should identify those most qualified and best suited to perform the work, with the fee being determined later when the contract is negotiated. This process is called Qualifications Based Selection (QBS). The Qualifications Based Selection process has been found to be mutually beneficial and a preferred method. (The Brooks Act requires the federal government to select professional design services this way, and many state and local governments have similar procedures.)

- The selection method used can depend on the experience level of the Owner, the complexity of the project, project delivery approach, and legal restrictions (e.g., certain public projects).

- Except when the Design Professional is simply chosen, the Owner should gather information about potential firms. The number of firms is then reduced by analysis to a short list for detailed consideration.

- Additional criteria for selecting professional design services may include:
  - Experience with the Owner
  - Experience with the project type
  - Ability to complete the project in a timely manner
  - Ability to manage construction administration and work effectively with contractors
  - Approach to the project
  - Rapport with Owner
  - Creativity
  - Minority or woman owned firm participation
  - Location of firm
  - Specific personnel assigned to the project
Criteria for selecting professional design services will vary by project, but not using all of the criteria may eliminate some well-qualified firms. For example, selecting a firm using their approach to the project as the only factor may result in overlooking an experienced firm that has good rapport with the Owner and high creativity.

Selected firms are invited to review a complete description of the proposed project and to respond with a letter of interest and their qualifications. At the Owner’s discretion, they may request a formal interview with information about key staff, approach to the project, relevant experience, and other facts about the firm's ability to provide services for the specific assignment.

The Owner ranks the firms based on their qualifications for the particular project. Based upon a detailed statement of services to be performed, an equitable fee arrangement is negotiated with the top firm. In the event that fees cannot be agreed upon with the top firm, negotiations are terminated and the second ranking firm is invited to negotiate a fee.

Compensation methods for professional design services include several alternatives, such as hourly rates, hourly rates with a guaranteed maximum, stipulated sum, and percentage of construction cost. Reimbursable expenses may be included in the fees or as an addition to the fees. Owners not familiar with construction can gather information about compensation methods and fee expectations from others who have built similar projects.

If the Owner elects to utilize a design competition to select its design professional it should realize that it is receiving significant value and should compensate the participants accordingly.

All of the Design Professionals may be selected at the same time or sequentially. With the latter, the Owner can work with the lead Design Professional to select sub consultants.

Good, thorough professional design services minimize the uncertainties in bidding and reduce construction change orders.

Contractors can expect well-coordinated drawings, few changes in construction contract documents, and adequate contract administration services from firms selected on the basis of qualifications. This will enable Contractors to prepare more accurate construction bids and follow through the work in a timely and coordinated manner.

When the Owner and Design Professional base their relationship on qualifications and a reasonable negotiated fee rather than low bid alone, a more successful project with better planning and design.

REFERENCES:

- Federal Public Law 92-582 (Brooks Act 1972)
- The American Bar Association's Model Procurement Ordinance for Local Governments
- "Selecting the Design Team", Architect's Handbook of Professional Practice, Volume 2, American Institute of Architects
- "You and Your Architect", American Institute of Architects
• "Your Building and Your Architect", American Institute of Architects
• "A Guide to Proper Selections Procedures," American Council of Engineering Companies of Missouri

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