

1
2 **A/E TERM CONTRACT AMOUNTS UNDER CONSIDERATION--WORKGROUP 1**

3 **SEPTEMBER 17, 2014**

4 § 2.2-4302.3. Competitive negotiation; term contract limitations for architectural and engineering
5 services; exceptions.

6 A. In accordance with the process for competitive negotiation set forth in § 2.2-4302.2, a
7 contract for architectural or professional engineering services relating to multiple construction projects
8 may be negotiated by a public body, provided (i) the projects require similar experience and expertise,
9 (ii) the nature of the projects is clearly identified in the Request for Proposal, and (iii) the contract is
10 limited to a one-year term or when the cumulative total project fees reach the maximum cost authorized
11 in this subsection, whichever occurs first.

12 Such contracts may be renewable for four additional one-year terms at the option of the public
13 body. The fair and reasonable prices as negotiated shall be used in determining the cost of each project
14 performed and the sum of all projects performed in a one-year contract term shall not exceed \$500,000,
15 except that for:

16 1. A state agency, as defined in § 2.2-4347, the sum of all projects performed in a one-year
17 contract term shall not exceed \$1 million as may be determined by the Director of the Department of
18 General Services;

19 2. Any locality or any authority, sanitation district, metropolitan planning organization or
20 planning district commission with a population in excess of 80,000, or any city within Planning District
21 8, the sum of all projects performed in a one-year contract term shall not exceed \$5 million and those
22 awarded for any airport as defined in § 5.1-1 and aviation transportation projects, the sum of all such
23 projects shall not exceed \$1.5 million;

24 3. Architectural and engineering services for rail and public transportation projects by the
25 Director of the Department of Rail and Public Transportation, the sum of all projects in a one-year
26 contract term shall not exceed \$2 million. Such contract may be renewable for two additional one-year
27 terms at the option of the Director; and

28 4. Environmental, location, design, and inspection work regarding highways and bridges by the
29 Commissioner of Highways, the initial contract term shall be limited to two years or when the
30 cumulative total project fees reach \$5 million, whichever occurs first. Such contract may be renewable
31 for two additional one-year terms at the option of the Commissioner, and the sum of all projects in each
32 one-year contract term shall not exceed \$5 million.

33 B. Competitive negotiations for such contracts may result in awards to more than one offeror
34 provided (i) the Request for Proposal so states and (ii) the public body has established procedures for
35 distributing multiple projects among the selected contractors during the contract term.

36 C. Where a contract for architectural or professional engineering services (i) relating to a
37 multiple construction project contract has been awarded, the fee shall not exceed \$100,000, or (ii) for
38 airports as defined in § 5.1-1 and aviation transportation projects, the project fee shall not exceed
39 \$500,000, except that for:

40 1. A state agency as defined in § 2.2-4347, such fee shall not exceed \$200,000, as may be
41 determined by the Director of the Department of General Services; and

42 2. Any locality or any authority or sanitation district with a population in excess of 80,000, or
43 any city within Planning District 8, such fee shall not exceed \$2 million.

44 The limitations imposed upon single project fees pursuant to this subsection shall not apply to
45 environmental, location, design, and inspection work regarding highways and bridges by the
46 Commissioner of Highways or architectural and engineering services for rail and public transportation
47 projects by the Director of the Department of Rail and Public Transportation.

48 D. For the purposes of subsections A and C, any unused amounts from the first contract term
49 shall not be carried forward to the additional term.