



TEXAS TECH UNIVERSITY

Operating Policy and Procedure

OP 61.40: Advertising Methods for Construction Services Contracts

DATE: October 12, 2018

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to set forth the advertising methods that the Texas Tech University System (TTUS) and Texas Tech University (TTU) will follow before awarding construction services contracts, as authorized in Section 08.01, *Regents' Rules*, Construction Program.

REVIEW: This OP will be reviewed in September of each year by the Vice Chancellor for Facilities Planning and Construction, the Chief Procurement Officer, and the Vice President for Administration & Finance and Chief Financial Officer with substantive revisions presented to the Chancellor.

POLICY/PROCEDURE

1. Advertising of Construction Services Contracts

a. Newspaper Posting

TTUS Facilities Planning and Construction (FPC) or TTU Procurement Services (PS) will advertise competitive bids, requests for proposals (RFP), and requests for qualifications (RFQ) [collectively "requests"] for construction services contracts by publishing legal notice in a newspaper of general circulation servicing the county where the university's or system's construction project will be located or alternate statewide announcement resources including but not limited to the Electronic State Business Daily (ESBD) and the TTUS Facilities Planning and Construction website (www.texastech.edu/fpc). TTUS and TTU will publish the notice for at least two days. TTUS and TTU may not award the contract until at least 14 days after the first day of publication unless approved by the Vice Chancellor of Facilities Planning and Construction or the Chief Procurement Officer.

This requirement does not apply to:

- (1) RFQ for professional services, including architectural/engineering services, commissioning services, materials testing, or other services requiring certification by a professional engineer, registered architect, registered landscape architect, registered land surveyor or registered interior designer;
- (2) RFQ for construction manager – agent services; or
- (3) RFP issued to pre-qualified firms (for firms that have submitted Statements of Qualification and then were pre-qualified to respond to an RFP).

- (4) Job order contracts of a cooperative purchasing organization that are in compliance with Texas Education Code, Chapter 51.

b. Electronic State Business Daily website/TechBid Postings

FPC will post all requests, drawings, and specifications involving construction services contracts valued at \$25,000 or more on the Electronic State Business Daily website, in the manner prescribed by Texas Government Code § 2155.083.

In addition to posting solicitations valued at \$25,000 or more on the Electronic State Business Daily website, PS will post all requests on the TechBid website (<https://suppliers.scquest.com/texastech/>).

If the entire bid or proposal solicitation package is posted, a contract may not be awarded until at least 14 days after the posting. If, however, only a brief description of the proposed contract is posted ("notice posting"), a contract may not be awarded until at least 21 days after the posting. In bona fide emergencies, the 14- or 21-day posting requirements may be waived to prevent a hazard to life, health, safety, welfare, or property or to avoid undue additional cost to TTU or TTUS.

2. Issuance of Bid/RFP Documents and Receipt of Responses

- a. Bids, proposals, statements of qualifications, or responses (collectively "responses") relating to construction services contracts issued by FPC must be issued and received by:

Sr. Director for Project Administration
Facilities Planning and Construction
1508 Knoxville Avenue, Suite 103
Box 42014
Lubbock, Texas 79409-2014

Responses relating to responses issued by the PS must be issued and received by:

Section Coordinator Construction Services
TTU Procurement Services
1901 University Avenue
Texas Tech Plaza, Suite 408
Box 41094
Lubbock, Texas 79409-1094

- b. Responses must be received by the date and time and at the location specified in the requests. Late responses will be rejected and returned unopened.

3. Opening and Public Disclosure of Responses

- a. All responses will be opened by the Vice Chancellor for Facilities Planning and Construction or the Chief Procurement Officer or their designated representative at a location specified in the requests.

- b. TTUS or TTU may reject any responses that are not substantially complete when opened, are not submitted by the deadline, and/or do not contain an acceptable HUB Subcontracting Plan or other required submittals.

4. Minimum Legal Requirements

At a minimum, all requests must meet the minimum legal requirements set forth in Texas Education Code, §§ 51.776 - 51.785, or any successor statutes.

5. Questions or Comments

Questions or comments concerning this OP should be directed to FPC 806.742.2116 or PS 806.742.3844 or techbuy.purchasing@ttu.edu.