

401 – Design Fee Negotiations / Building Projects

401.1 Contract Types: Design services are procured using one of two methods - Master Agreement or Personal Services Contract (i.e. qualifications-based selection). Fee negotiations are handled differently for each type of procurement.

401.2 Master Agreements: Master Agreements require services to be billed on an hourly basis. As soon as the extent of the required services can reasonably be determined, the Architect-Engineer will be asked to submit a not-to-exceed fee amount for approval by CCPA. For a typical Project, this occurs at the end of Phase A.

401.3 Personal Service Contracts:

- **Phase A Fee:** After the Architect-Engineer is selected, an initial fee is established by CCPA based on the initial Project budget. This fee will cover all design services (except Programming, if required) through Phase A approval.
- **Final Design Fee Negotiation:** After Phase A approval, and upon notification from the Project Manager that the design process will continue. The Architect-Engineer shall contact the Associate Director of CCPA, and negotiate the design fees for Phases B, C, and D. This final design fee is to be a lump sum fee based upon the approved Phase A Cost Estimate. Initial negotiations between the Associate Director of CCPA and the Architect-Engineer may be by telephone, e-mail or orally by appointment. Upon oral agreement of the proposed fee, the Architect-Engineer is to submit a letter of fee proposal to the Associate Director of CCPA for acceptance.
- **Architect-Engineer Contract Modification:** After acceptance, CCPA executes a Contract Modification / Purchase Order to the Architect-Engineer's contract to reflect the negotiated fee.
- **Additional Services:** If additional services are deemed necessary during the execution of the Contract, additional fees will be negotiated initially with the Project Manager. The proposed changes will be forwarded to the Associate Director for review and for final approval and contract modification.

402 – Design Fee Negotiations / Civil or Master Plan Projects

402.1 Contract Types: Design services are procured using one of two methods - Master Agreement or Personal Services Contract (i.e. qualifications-based selection). Fee negotiations are handled differently for each type of procurement.

402.2 Master Agreements: Master Agreements require services to be billed on an hourly basis. As soon as the extent of the required services can reasonably be determined, the Architect-Engineer will be asked to submit a not-to-exceed fee amount for approval by CCPA.

402.3 Personal Service Contracts:

- **Work Plan Fee:** After the Architect-Engineer is selected, an initial work plan fee is established by the Architect-Engineer based on the needs of the Project. This fee is for the purpose of establishing the overall scope of Work to be performed and outlines the tasks and assigns cost to each task.
- **Negotiation of Total Fee:** The total design fee is negotiated as a part of the Work Plan development process. This final design fee is to be a lump sum fee based upon the approved Work Plan. Upon acceptance of the Work Plan by the Using Agency and Project Manager, the Architect-Engineer shall formally submit a total proposed fee to the Associate Director of CCPA.
- **Architect-Engineer Contract Modification:** After acceptance, CCPA executes a Contract Modification / Purchase Order to the Architect-Engineer's contract to reflect the negotiated fee.
- **Additional Services:** If additional services are deemed necessary during the execution of the contract, additional fees will be negotiated initially with the Project Manager. The proposed changes will be forwarded to the Associate Director for review for final approval and contract modification.