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1 SECTION 3. Section 14-7-1-3, COMPENSATION FOR BASIC SERVICES  
2 OF CONSULTING ENGINEERS, ARCHITECTS AND LANDSCAPE ARCHITECTS,  
3 is amended as follows:

4 Compensation for the basic services provided by consulting engineers,  
5 architects and landscape architects [and for design-build services] shall be  
6 negotiated. If an estimated construction cost can be determined from the  
7 project for which the basic services are provided, it may be used as the basis  
8 of negotiations unless use of the estimated construction cost is prohibited by  
9 funding authorities.

10 SECTION 4. Section 14-7-1-4, CHANGE IN SCOPE; AUTHORIZATION  
11 REQUIRED, is amended as follows:

12 (A) In the event there is a change in the scope, complexity, character, or  
13 duration of a project involving the basic services of consulting engineers,  
14 architects or landscape architects [or design-build services], the  
15 compensation for such services shall be renegotiated or negotiated as  
16 appropriate. Whenever applicable, appropriate consideration of estimated  
17 construction cost will be used as the basis of negotiations.

18 (C) The written authorization shall specify the additional or different  
19 services, the estimated total cost of the additional or different services, and  
20 how the additional or different services relate to the scope of services of the  
21 underlying agreement for basic services [or design-build services].

22 SECTION 5. Section 14-7-1-5, MULTI-PHASE PROJECTS, is amended as  
23 follows:

24 Compensation for the basic services of consulting engineers, architects  
25 or landscape architects for projects to be constructed in stages over a period  
26 of years[, including design-build projects,] shall be negotiated. Whenever  
27 applicable, appropriate consideration of estimated construction cost will be  
28 used as the basis of negotiations.

29 SECTION 6. Section 14-7-2-2, SELECTION OF SERVICES, is amended as  
30 follows:

31 The selection of firms or persons to provide professional architectural,  
32 engineering, landscape architectural and other related professional services  
33 which will cost \$25,000 or more shall be accomplished in accordance with the

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1 provisions of §§ 14-7-2-1 et seq. For the purposes of §§ 14-7-2-1 et seq.,  
2 PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE  
3 ARCHITECTURAL AND OTHER RELATED PROFESSIONAL SERVICES means  
4 the performance of any professional service or creative work requiring  
5 architectural, landscape architecture or engineering education, training and  
6 experience, and the application of special knowledge of the mathematical,  
7 physical and engineering sciences, design or architectural principles to such  
8 professional services or creative work as consultation, investigation,  
9 evaluation, planning, design, observation of construction, surveying,  
10 photogrammetry and construction management[-][, and shall also include  
11 design-build services costing at least five million dollars (\$5,000,000). The  
12 design-build project delivery method shall not be used for projects costing  
13 less than five million dollars (\$5,000,000).]

14 SECTION 7. Section 14-7-2-3, SELECTION ADVISORY COMMITTEE, is  
15 amended as follows:

16 [(D) Design-Build Services.

17 (1) The Director of the Department of the City of Albuquerque which  
18 is the user agency of the project or the designated staff alternate of the  
19 Department Director.

20 (2) The City Architect.

21 (3) Department of Municipal Development Deputy Director, or their  
22 designee.

23 (4) The Project Manager.

24 (5) An architect who is registered in the state shall be appointed as a  
25 member by the Mayor from a panel which has been appointed by the Mayor  
26 with the advice and consent of the Council in the manner prescribed herein.  
27 Such member shall serve on the Selection Advisory Committee for a period of  
28 time designated by the Mayor, which period shall not exceed six consecutive  
29 months. The Mayor shall appoint a panel of three architects chosen from a list  
30 of names presented by the Albuquerque Chapter of the American Institute of  
31 Architects. All panel members shall be residents of the city and shall not be  
32 employees or officials of the city and shall not be contracting directly or  
33 indirectly through a subcontract with the city to perform architectural services

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1 for the city. The members of the panel of architects shall be appointed for  
2 three year unstagged terms and shall not be reappointed for one year. Any  
3 vacancy for any unexpired term shall be filled for the unexpired term by the  
4 same procedure used for the original selection and appointment of the  
5 member vacating the position. In the event that a Mayor's representative is not  
6 available, a registered architect who is a public employee and is approved by  
7 the Mayor may serve as the Mayor's representative.

8 **(6) Selection Advisory Committee Administrator.]**

9 **(~~D~~)(~~E~~)** The Selection Advisory Committee Administrator shall be a city  
10 employee designated by the Mayor as responsible for all administrative  
11 functions associated with the Selection Advisory Committee as delineated in  
12 Rules and Regulations promulgated by the Mayor. The Selection Advisory  
13 Committee Administrator shall serve as the Chairperson of the Selection  
14 Advisory Committee.

15 **(~~E~~)(~~F~~)** The Selection Advisory Committee Administrator shall not call a  
16 meeting with less than two weeks notice to members unless the Administrator  
17 first polls all members and finds no objection to the meeting date proposed  
18 and a quorum of the members shall be present.

19 **SECTION 8. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,  
20 clause, word or phrase of this ordinance is for any reason held to be invalid or  
21 unenforceable by any court of competent jurisdiction, such decision shall not  
22 affect the validity of the remaining provisions of this ordinance. The Council  
23 hereby declares that it would have passed this ordinance and each section,  
24 paragraph, sentence, clause, word or phrase thereof irrespective of any  
25 provision being declared unconstitutional or otherwise invalid.

26 **SECTION 9. COMPILATION.** This ordinance shall be incorporated in and  
27 compiled as part of the Revised Ordinances of Albuquerque, New Mexico,  
28 1994.

29 **SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect five days  
30 after publication by title and general summary.

31  
32



# City of Albuquerque


Office of the Mayor

Mayor Timothy M. Keller

## INTER-OFFICE MEMORANDUM

November 11, 2020

**To:** Pat Davis, President, City Council

**From:** Timothy M. Keller, Mayor 

**Subject:** Amendments to Selection Advisory Committee Ordinance to Incorporate Design-Build Services


This ordinance is amending the following: SECTIONS 14-7-1-1, 14-7-1-2, 14-7-1-3, 14-7-1-4, 14-7-1-5, 14-7-2-2, AND 14-7-2-3 OF THE SELECTION ADVISORY COMMITTEE ORDINANCE TO INCORPORATE DESIGN-BUILD SERVICES INTO THE SELECTION ADVISORY COMMITTEE PROCESS.

The Ordinance amends the existing Selection Advisory Committee Ordinance process for the selection of firms or persons to provide professional architectural, engineering, landscape architectural and other related professional services to also include an option for the selection of firms or persons to provide design-build services.

This is forwarded for your consideration and favorable action. Staff will be available to address any questions you may have.

### Amendments to Selection Advisory Committee Ordinance to Incorporate Design-Build Services

Approved:

 11/16/20  
Sarita Nair                      Date  
Chief Administrative Officer

DS  
JT

Approved as to Legal Form:

DocuSigned by:  
Esteban A. Aguilar, Jr. 11/14/2020 | 6:53 PM MST  
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Esteban A. Aguilar, Jr.                      Date  
City Attorney

DS  
a

11/14/2020 | 1:48 PM MST

Recommended:

DocuSigned by:  
Patrick Montoya 11/14/2020 | 2:54 PM PST  
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Patrick Montoya, Municipal Development                      Date  
Director

## **Cover Analysis**

### **1. What is it?**

This Ordinance is amending the existing Selection Advisory Committee Ordinance process for the selection of firms or persons to provide professional architectural, engineering, landscape architectural and other related professional services to also include an option for the selection of firms or persons to provide design-build services.

### **2. What will this piece of legislation do?**

Revise the existing Selection Advisory Committee Ordinance process to incorporate design-build services.

### **3. Why is it needed?**

The existing Selection Advisory Committee Ordinance only provides for the selection of firms to provide architectural, engineering, landscape and other related professional services, and does not cover design-build services. The design-build project delivery method can reduce the time and costs of public works projects. The Ordinance will clarify that design-build firms are selected through the Selection Advisory Committee process.

### **4. How much will it cost and what is the funding source?**

N/A

### **5. Is there a revenue source? If yes, what level of income is projected?**

N/A