

# **Subpart 436.6 - Architect-Engineer Service**

**Parent topic:** PART 436 - CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

## **436.601 Policy.**

### **436.601-3 Applicable contracting procedures.**

The technical official's listing of areas where recovered materials cannot be used shall be referred to the contracting activity's official designated in accordance with FAR 23.404. A copy of the listing and of any approval or disapproval by that official is to be retained in the solicitation file.

## **436.602 Selection of firms for architect-engineer contracts.**

### **436.602-1 Selection criteria.**

The HCA is authorized to approve the use of design competition under the conditions in FAR 36.602-1(b).

### **436.602-2 Evaluation boards.**

HCA's shall establish written procedures for providing permanent or ad hoc architect-engineer evaluation boards as prescribed in FAR 36.602-2. The procedures may provide for the appointment of private practitioners of architecture, engineering, or related professions when such action is determined by the HCA to be essential to meet the Government's minimum needs.

### **436.602-3 Evaluation board functions.**

The selection report required in FAR 36.602-3(d) shall be prepared for the approval of the HCA. The HCA may authorize an acquisition official above the level of the contracting officer to execute the required approval.

### **436.602-4 Selection authority.**

(a) The HCA shall serve as the selection authority in accordance with FAR 36.602-4. The HCA may authorize an acquisition official above the level of the contracting officer to serve as the selection authority.

(b) A copy of the final selection, inclusive of the supporting documents, shall be provided to the

contracting officer and maintained in the solicitation file.

## **436.602-5 Short selection process for contracts not to exceed the simplified acquisition threshold.**

The HCA may include either or both procedures in FAR 36.602-5 in the procedures for evaluation boards.

## **436.603 Collecting data on and appraising firms' qualifications.**

(a) HCA's which require architect-engineer services shall establish procedures to comply with the requirements of FAR 36.603.

(b) The procedures shall include a list of names, addresses, and phone numbers of offices or boards assigned to maintain architect-engineer qualification data files. The list shall be updated annually.

## **436.604 Performance evaluation.**

*Preparation of performance evaluation reports.* (a) In addition to the requirements of FAR 36.604, performance evaluation reports shall be prepared for indefinite-delivery type contracts when either the contract maximum or the contracting activities reasonable estimate of services to be ordered exceeds \$25,000.00. For these contracts, performance evaluation reports shall be prepared for each order at the time of final acceptance of the work under the order.

(b) The contracting officer may require a performance evaluation report on the work done by the architect-engineer after the completion of or during the construction of the designed project.

## **436.605 Government cost estimate for architect-engineer work.**

The contracting officer may release the Government's total cost estimate in accordance with FAR 36.605(b).

## **436.609 Contract clauses.**

### **436.609-1 Design within funding limitations.**

(a) Should the head of the contracting activity appoint a designee to make the determination in FAR

36.609-1(c)(1), the appointment may be to one no lower than the official authorized to commit program funds for the work being acquired.

(b) The contracting officer, with the advice of appropriate technical representatives, may make the determination in FAR 36.609-1(c)(2) or (3).

(c) A copy of the determinations described in paragraph (b) and (c) of this section shall be maintained in the contract file.

## **436.670 Firms ineligible for award - construction.**

The contracting officer shall insert the clause at 452.236-80, Firms Ineligible For Award - Construction, in the contract for architect-engineering services except as provided in FAR 36.209 and AGAR 436.209.