Executive Officer: Vice-President (Finance and Administration)

Approval Authority: Board of Governors (on recommendation from the Building Program, Governance and Executive Committees)

Date Document Approved: December 2016

Mandatory Review Date: December 2018

Committee’s Role - Overview

The Building Program Committee is a standing committee of the Board of Governors of Carleton University constituted for the formulation and oversight of policy pertaining to the development of University real property, and the oversight of capital projects meeting the criteria established in these Terms of Reference.

In respect of construction projects, the Building Program Committee is responsible for the technical oversight of such projects, while the responsibility for project funding and financial management falls within the mandate of the Finance Committee¹.

Committee’s Mandate

The Building Program Committee shall:

a. Pursuant to any instructions of the Board about the creation of a Master Plan for the campus, oversee the development of such and when acceptable to the Committee, recommend its acceptance to the Board. Further, it shall consider all proposals for change to the approved Master Plan and make such recommendations to the Board as it deems appropriate about such changes, before such proposed changes are enacted by the Board. A complete and formal review of the Master Plan shall be undertaken by the Building Program Committee every five years.

b. Consider all proposed changes to the use of the lands of the University and the selection of all sites for construction of facilities, making such recommendations as it deems appropriate, before any determination is made by the Board to designate a site for construction or before it authorizes any change to the use of lands of the University.

¹ See Schedule “B”.
c. Within the agreed parameters of Schedule “A”, consider any matter it deems to pertain to the physical infrastructure of the campus of the University and make such recommendations to the Board as it considers appropriate and financially prudent to preserve the integrity of the physical infrastructure.

d. Undertake such tasks as assigned to it by the Board with respect to control of capital projects including the establishment and approval of processes and regulations respecting the same such as, but not limited to, those processes and regulations reflected any Schedules to these Terms of Reference.

e. Receive annual reports about Environmental Health and Safety and make such recommendations to the Board about the matters contained therein as the Committee deems appropriate.

f. Receive annual reports regarding deferred maintenance and make such recommendations to the Board about the matter contained therein as the Committee deems appropriate.

g. Undertake such other related tasks and assignments as may be assigned by the Board, from time to time.

**Membership, Qualifications and Composition**

The Committee shall be comprised of up to twelve (12) members appointed by the Board, including the Chair and Vice-Chair of the Committee.

The following shall be *ex-officio* members of the Committee: the Chancellor, the Board Chair, the Board Vice-Chair and the President and Vice-Chancellor.

In selecting Committee members, the Executive Committee shall ensure that a sufficient number of Committee members shall have expertise in such areas as:

- Project management, architecture and design, and construction.
- Multi-year capital planning and management of existing, and projected construction of new physical plant facilities.
- Commercial and/or residential real estate management and development
- Knowledge about appropriate property return, financial analysis and market conditions and opportunities.

**Quorum**

Quorum for meetings shall consist of one-half the number of members of the committee plus one, present in person, by teleconference or by videoconference, at last one of whom must be the chair or vice-chair of the committee.
Revisions and Approvals:
- 144th Meeting, Oct. 6/15 – approved proposed changes presented by Executive Officer, including addition of Annex A to the document.

SCHEDULE “A” TO THE BUILDING PROGRAM COMMITTEE
TERMS OF REFERENCE

Regulations for the Approval and Control of Capital Projects

The following regulations shall apply for the approval and control of capital projects for which the estimated cost of construction is higher than five million dollars ($5,000,000), and to projects which directly impact the exterior image of the campus.

a. Each such project shall be recorded on the authorized Capital Approval and Control document.

b. The President or his/her delegate shall have the authority to approve all such projects whose total cost or estimated total cost is less than five million dollars ($5,000,000).

c. For any overrun in excess of fifteen percent (15%) of the total approved cost or five hundred thousand ($500,000) whichever is less, the Vice-President (Finance and Administration), with the approval of the Building Program and Finance committees, shall present such overrun to the Board for approval before any expenditure of funds is made to pay for such overrun.

d. For each project where total estimated cost exceeds five million dollars ($5,000,000), and for projects which directly impact the exterior image of the campus, the Vice-President (Finance and Administration), following consultation with the President, upon completion of the needs statement and before proceeding to the preliminary design stage, shall present to the Building Program Committee his/her recommendations about:

- the selection of a site; and,
- the method of design and construction.
- shall present to the Finance Committee his/her recommendation about:
  - the budget for the project; and,
  - the funding for the project.

for examination and, if approved by the Building Program Committee and the Finance Committee, recommendation to the Board. The Chair of the Committee may elect to appoint a member of the Building Program Committee to be on the selection committee for the prime consultant.

e. The Vice-President (Finance and Administration), in respect of each project approved pursuant to the requirements set forth above in (d), shall present to the Building Program Committee for examination and approval:
• the prime consultant’s preliminary design;
• the proposed budget for the project; and,
• the proposed schedule for the project.

f. Traditional Design and Construction Method:
• Upon approval to implement the project through the Traditional Design and Construction Method pursuant to the requirements set forth above in (d), and prior to call for tenders for such projects, the Vice-President (Finance and Administration) shall report to the Building Program and Finance committees, the results of the preparation of the final working drawings and specifications including the final cost estimate. If the Building Program and Finance committees are satisfied with the report, it shall be accepted that the Vice-President (Finance and Administration) has authority to call the tenders.
• In respect of each project approved pursuant to the requirements set forth above in (d), and upon the completion of the call for tender and prior to the letting of any contract, the Vice-President (Finance and Administration), following consultation with the President, shall report the results of the call and recommend the awarding of a contract for examination by the Building Program and Finance committees and, if appropriate, recommendation of this action to the Board.

g. Construction Management Method:
• Upon approval to implement the project through the Construction Management Method and after the appointment of the prime consultants, the Vice-President (Finance and Administration) will recommend to the Building Program Committee the appointment of a Construction Manager, for examination and, if approved by the Building Program Committee, recommendation to the Board.
• In respect of each project approved pursuant to the requirements set forth above in (d), and prior to the call for any tenders for such projects, the Vice-President (Finance and Administration) shall report to the Building Program and Finance committees the state of the design and the cost estimate. If the committees are satisfied with the report, it shall be accepted that the Vice-President (Finance and Administration) has authority to call tenders.
• In respect of each approved project and on completion of the call for tender, the Vice-President (Finance and Administration) shall report the results of the calls for tender and the final construction costs and make any necessary recommendations for adjustment to the project budget to the Building Program and Finance committees. If the Finance Committee deems and recommends appropriate, it shall so recommend to the Board.

h. Design/Build Method:
• Upon approval by the Board to implement the project through Design/Build Method, a committee for the selection of the company, partnership, or consortium shall be established by the President and shall include:
  o The Vice-President (Finance and Administration) or designate;
  o The Assistant Vice-President (Facilities Management and Planning) or designate;
o The Assistant Vice-President (Finance) or designate;
o A person appointed by the Dean of the Faculty of Engineering and Design;
o A person appointed by the head of the unit for which the project is being implemented; and,
o Such other persons as the President may appoint.
o A member of the Building Program Committee with construction industry experience.

- The selection committee shall advertise the call for proposals in such newspaper, trade publications, etc. as it deems necessary to canvas qualified companies. Upon receipt of the proposals, the committee shall select three companies.
- Each of the three companies shall present designs and details of its proposal to the Building Program and Finance committees. After completion of the presentations, the Vice-President (Finance and Administration) may recommend to the Building Program and Finance committees, upon consideration of the presentations and any recommendation, the award of contract for the design/build of the approved project.
- At appropriate times during the design and construction of the project, the Vice-President (Finance and Administration) shall report on the progress of the project to the Building Program and Finance committees.

i. It shall be understood that the Executive Committee, within the powers it holds to act for the Board pursuant to the General Bylaws, upon application of the Vice-President (Finance and Administration) in a situation, particularly in the summer when it may not be possible to hold meetings of the Building Program or Finance committees, and where delay would be harmful to the University, may act in place of the Building Program and/or Finance committees and the Board in any one of the steps outlined above.

j. Upon completion of each project, an analysis of all transactions associated with the project shall be carried out using the Capital Approval and Control document as a base. Such analysis shall be reported to the Finance Committee.
Project Approval Steps

a. Approval to initiate a new facility project:
   
   i. Building Program Committee reviews the program, site design, and construction method and recommends approval to the Board.
   
   ii. Finance Committee reviews the budget and funding strategy and recommends approvals to the Board.

b. Appointment of the Design Team:

   i. The Administration will utilize the approved Consultant Selection process and will select and appoint the most suitable Design Team.

c. Preliminary Design:

   i. The Building Program Committee and Finance Committee will review and approve the Preliminary Design.

d. Final Design and Authorization to go to Tender:

   i. The Building Program Committee and Finance Committee will review the Final Design and recommend approval to the Board.

e. Changes to the Project Budget:

   i. The Finance Committee will review all changes in excess of fifteen percent (15%) or five hundred thousand ($500,000) whichever is less, to the Project Budget and recommend approval to the Board.
ANNEX A

Procedures for the Selection of Prime Consultants and Contractors

July 1989 (Amended September, 2015)

I. Procedures for the Selection of Prime Consultants
II. Procedures for the Selection of Contractors
III. Procedures for Tendering and Contract Award
IV. Regulations for the Approval and Control of Capital Projects

Introduction
1. The procedures for the selection of Prime Consultants apply to projects for which the estimated cost of construction is higher than $5,000,000.
2. The procedures for the selection of Contractors and the procedures for tendering and contract award apply to all new construction, retrofit, alteration and renovation projects.
3. The contract award requires Board approval when the estimated cost of construction is higher than $5,000,000.
4. The procedures may be modified from time to time at the discretion of the President, to meet the requirements of a particular project.
5. The President retains the right to forego the use of these procedures at any time, or to use other methods, such as ‘Proposal Calls’, as deemed appropriate.

I. Procedures for the Selection of Prime Consultants
The procedures for the selection of Prime Consultants apply to projects for which the estimated cost of construction is higher than $5,000,000.

These procedures are based upon the Royal Architectural Institute of Canada Quality Based Selection (QBS) Process for Architects. QBS is a fair and rational procedure that facilitates the selection of a design professional for projects based on qualifications and competence in relation to the scope and needs of a particular project. The QBS evolves from multiple variables that must be tailored to fit each project.

1. The University develops a file of prospective Consultants by posting a notice on the Merx Electronic Tendering System inviting Consultants to submit an ‘Expression of Interest’ in University projects.
2. A Selection Committee, consisting of the Vice-President (Finance and Administration), Assistant Vice-President (Facilities Management and Planning), Chair of the Building Program Committee, and Project Construction Manager, examines all submissions and divides them into three groups according to their preferability. The criteria for this examination are:
   • Size of the firm
   • Size of projects completed in the previous four years
   • Quality of work
• Related projects, similar to those being considered at the University, designed by the firm
• Capability of the firm to perform in the National Capital Region
• Proposed Human Resources
• Proficiency of the firm with a C.A.D. System

1. A point evaluation system is used to rank the firms.
2. The top five firms remaining are sent the following information:
   • Size of project
   • Description of project
   • Construction Cost Budget
   • Proposed Schedule
   • General site information

These firms are invited to submit proposals, to update their resumes, to name their team and the fee structure of their Sub-Consultants, and to submit their proposed fees.

Second interviews are held, when deemed appropriate by the University, to discuss fees and others terms.

1. The Selection Committee assesses the results of the interviews, the reports from references, the fees and other considerations. The Project Team configuration, references and quality of work are considered the most important factors in the evaluation process. A final selection is made of the top three firms and submitted to the Vice-President (Finance and Administration), who shall, following consultation with the President, commission a competition among the three finalists.
2. The three finalists will receive an appropriate fee to develop a concept based on the terms of reference for the proposed project, and to make a presentation to the Building Program Committee.
3. The Building Program Committee will determine the successful candidate for recommendation to the Board of Governors.
4. The successful candidate is then notified and contract documents are drawn up for signature by the President’s delegate.

II. Procedures for the Selection of Contractors

The procedures for the selection of Contractors apply to all new construction, retrofit, alteration and renovation projects.

For new construction an advertisement will be posted on the Merx Electronic Tendering System for all projects over $5,000,000.

For projects under $5,000,000:
1. The University shall maintain a list of Contractors for the purpose of selecting qualified bidders to bid on University construction projects. The list of Contractors may be compiled from the following sources:
   a. An advertisement will be placed by the University every three years, or when required, inviting Contractors to submit their company profiles and an ‘Expression of Interest’.
   b. Contractors who submit an expression of interest and a company profile.
   c. Contractors who have been put on the list by the University, or as the result of a recommendation made by one of the University’s Prime Consultants.

All Contractors shall be required to submit a completed Canadian Standard Form of Contractors Qualification Statement (CCA number 11) as part of their submission.

2. A limited number of Contractors shall be invited to bid on a given project on the basis of an evaluation made by the Assistant Vice-President (Facilities Management and Planning), using the following criteria:
   a. The capability of the Contractor to meet all bonding and insurance requirements of the project;
   b. The preference indicated by the Contractor for a certain size or type of project;
   c. The qualification of the Contractor based on the University’s assessment of the company’s profile, references, and previous relations with Carleton University;
   d. The recommendation submitted by the Prime Consultant;
   e. The type of project;
   f. The business location of the Contractor. The University may favour local contractors for certain types and sizes of projects.

3. The size of the project shall determine the limits of the short list of Contractors as follows:
   o Contracts estimated at more than $5,000,000: up to 9 Contractors, but not fewer than 6.
   o Contracts estimated at less than $5,000,000 and more than $1,500,000: up to 9 Contractors, but not fewer than 5.
   o Contracts estimated at less than $1,500,000: up to 9 Contractors, but not fewer than 3.

III. Procedures for Tendering and Contract Award
The procedures for tendering and contract award apply to all new construction, retrofit, alteration and renovation projects.

   a. Drawings and tender documents shall be obtained from the Prime Consultants office in the case of projects to be done by an external Prime Consultant, and from Facilities Management and Planning in those instances where it is an in-house project.
   b. A deposit shall be required from each bidder for each set of Tender Documents obtained. Upon the return of the documents in good condition, a refund of the deposit shall be made.
   c. The bidder shall submit the names of their proposed Sub-Contractors for the approval of Facilities Management and Planning prior to the submission of their formal bids. The University reserves the right to reject any or all of the proposed Sub-Contractors.
d. Sealed bids for each project shall be received in Facilities Management and Planning and upon receipt, each bid shall be initialed and dated.

e. The bids shall be opened by the Assistant Vice-President (Facilities Management and Planning) in the presence of bidders, and the Assistant Director (Administrative Services). At this opening, each bidder’s name, the value of each bid, the available bonding for each bid, and any other information qualifying a bid shall be announced to the persons present.

f. All information so read shall be recorded by the Assistant Director (Administrative Services) and signed by the University officers present.

g. The bids so received shall be reviewed and analyzed by the project’s architect/engineer/project manager who shall then send a written report to the Assistant Vice-President (Facilities Management and Planning), recommending the award of the contract to one of the bidders.

h. The Assistant Vice-President (Facilities Management and Planning) shall review the recommendation, submitting for consideration those projects the cost of construction of which is estimated at over $5,000,000, which provide new building space to the University, to the Vice-President (Finance and Administration), who shall, following consultation with the President, make a recommendation to the Building Program Committee on the award of the contract to construct the project.

i. The University retains the right not to accept the lowest, or any bid.

IV. Regulations for the Approval and Control of Capital Projects

The following regulations shall apply for the approval and control of capital projects for which the estimated cost of construction is higher than $5,000,000:

a. Each such project shall be recorded on the authorized Capital Approval and Control document.

b. The President or his/her delegate shall have the authority to approve all such projects whose total cost or estimated total cost is less than the minima set out above.

c. For any overrun in excess of 15% of the total approved cost of any project or $500,000, whichever is less, the Vice-President (Finance and Administration) shall present such overrun to the Board for approval before any expenditure of funds is made to pay for such overrun.

d. For each project whose total estimated cost exceeds $5,000,000, the Vice-President (Finance and Administration), following consultation with the President, upon completion of the needs statement and before proceeding to the preliminary design stage, shall present to the Building Program Committee his/her recommendations about: the selection of architects, the selection of a site, the budget for the project, and, the financing of the project, for examination and, if approved by the Building Program Committee, recommendation to the Board.

e. The Vice-President (Finance and Administration), in respect of each project approved pursuant to the requirements set forth above in (d), shall present to the Building Program Committee:
o the architect’s preliminary design,
o the proposed budget for the project, and
o the proposed schedule for the project,

For examination and, if approved by the Building Program Committee, recommendation to the Board.

f. In respect of each project approved pursuant to the requirements set forth above in (d) and prior to the call for tenders for such projects, the Vice-President (Finance and Administration) shall report to the Committee the results of the preparation of the final working drawings and specifications, including the final cost estimate, and if the Committee is satisfied with the report it shall be accepted that the Vice-President (Finance and Administration) has authority to call the tenders.

g. In respect of each project approved pursuant to the requirements set forth above in (d) and upon the completion of the call for tenders and prior to the letting of any contract, the Vice-President (Finance and Administration), following consultation with the President, shall report the results of the call and recommend the awarding of a contract for examination by the Committee and, if appropriate, the recommendation of this action to the Board.

h. It shall be understood that the Executive Committee, within the powers it holds to act for the Board, upon application of the Vice-President (Finance and Administration) in a situation, particularly in the summer time when it may not be possible to hold meetings of the Building Program Committee, and where delay would be harmful to the University, may act in place of the Building Program Committee and the Board in any one of the steps outlined above.

i. Upon completion of each project an analysis of all transactions associated with the project shall be carried out using the Capital Approval and Control document as a base. Such analysis shall be reported to the Building Program Committee.