



**State of Oklahoma  
Office of Management and Enterprise Services  
Division of Capital Assets Management  
Construction and Properties**

**Clarification And Application  
Of Construction and Properties  
Fees**

**1. Requisition for Construction Contract – Fee Codes 1 - 3.**

Fees for these code items are invoiced upon award of the Contract and are based on the Using Agency's Estimated Contract Cost stated on the Requisition or the actual letterhead quote for small projects.

- Publicly Bid Contracts: When the lowest responsible bid amount varies more than 10% from the amount stated on the Requisition, the fee will be adjusted to the actual contract amount. Otherwise, the fee will be based on the original requisition amount. This will avoid unnecessary administrative work that has a small impact on the amount of the fee. When an adjustment is necessary, the Using Agency shall process a Change Order against the Purchase Order for the CAP Fee for the actual fee amount. If the Using Agency has issued a blanket PO for the year's estimated fees, CAP will simply invoice the adjusted amount. Publicly bid projects must be advertised and are subject to advertising costs. (See Fee Codes 17 and 18).
- If the Using Agency cancels the project after the bids are received (declines to award), CAP will invoice the Agency for the Fixed Fee amount for Fee Code #2 (\$250).
- Once the contract is awarded, there will be no additional fees assessed or credits for Change Orders to the Contract or contract termination.

**2. Requisition for Construction Contract - Projects with Complex Requirements – Fee Code 4.**

Projects with complex requirements will require additional management involvement by Construction and Properties. Variables that would push a project into this category would include: complex technical requirements; complex or phased funding; projects involving multiple consultants; projects with extraordinary levels of accountability requirements; projects with extraordinary challenges and, projects with new processes or delivery systems. At the time of initial project evaluation, the State Construction Administrator will make the determination regarding this classification. Projects designated for "Construction Management" or "Design Build" delivery automatically fall into this category due to the additional requirements for design management, multiple bidding episodes and multiple contract amendments.

The designated fee will be invoiced at contract award and will be applied to each individual procurement action associated with the project. The designated fee will apply to consultant contracts, value added services (such as land surveying or geotechnical testing) and multiple awards under a construction management contract. In the case of value added services, the fee will actually be less than the normal published fee.

**3. Construction Document Quality Review – Fee Code 5.**

Unless the Using Agency is exempt, CAP has a statutory responsibility to review construction documents prior to bidding. When determined by the CAP Project Manager, larger or more complex projects will be scheduled for review by an independent Quality Review Consultant. The need for this step will generally be identified early in the project development process. Procurement is achieved by a direct Requisition to CAP, based on published guidelines and the fee proposal from the Consultant. Generally, all projects over \$5,000,000 are automatic candidates for the independent review process.

Experience has shown that this service is highly cost effective, resulting in lower bids and far fewer change orders and disputes during construction.

**4. Solicitation and Award of Consultant Contract – Fee Codes 6 & 7.**

For selection of project consultants pursuant to Title 61, Section 62, fee codes 6 & 7 will apply. Normally, the Public Buildings Construction and Planning Act requires CAP to award all consultant contracts and Fee Code 6 will apply. This fee covers the entire solicitation and award process outlined in CAP Form M100. Upon request by the Using Agency to initiate a consultant selection process, the Agency shall submit a Requisition Checklist (M701 or M709), Requisition and a Purchase Order for the CAP fee. CAP will invoice the agency upon contract award. If the Agency declines to award a contract following the solicitation process or cancels the process midstream, CAP will invoice the agency for the amount of fee code 7 (\$150).

Selection of consultants for multiple projects under one solicitation will be charged for Fee Code 6 plus \$200.00 for each additional consultant. Fee Code 22 will apply for Work Orders added to a contract.

For State entities that only request the approved consultant list from CAP but award on their own, Fee Code 7 applies.

Refer to CAP Form M100 for Consultant Selection Process.

Special Note: For "Projects with Complex Requirements" (Fee Code 4), the published fees for Codes 6 & 7 are suspended. Instead both Consultant and Construction Management contracts will be invoiced at the rate stated by Fee Code 4.

**5. Value Added Programs and Services – Fee Codes 8 – 15.**

The listed programs and services offered by CAP are for the convenience of the using agency and represent a cost effective procurement solution. All of these services are obtained through a simple Requisition Process except the On-Call Consultant Program, which is a direct Purchase Order to CAP (due to statutory requirements). Vendors providing services under the Statewide Roofing Program and the various IDIQ (Indefinite Delivery/Indefinite Quantity) Programs have all been preselected by CAP, either by competitive bidding to CAP or selection pursuant to Title 61, Section 62.

Refer to CAP Forms M300, On-Call Consultant Process, M600, Request for IDIQ Consultant, and M400, OK Roof Asset Management Program, for specific procurement instructions.

**6. Miscellaneous Cost and Fees – Fee Codes 16 – 19.**

Code 16: Annual Renewal for Multi-Year Service Contract. Initial contract awards are made pursuant to Codes 1, 2 or 3. When the Using Agency wishes to renew a contract for a permissible additional contract year Code 16 is applied.

Code 17: Bid Document Reproduction. CAP has entered into a contract for a web-based electronic bid document system that includes pricing for large-scale printing. Using Agencies may request a login to the system from CAP and use a P/Card to order documents for currently bidding projects at CAP's tax-exempt state pricing. Other options include:

- Using Agencies who do not have access to a P/Card for purchases from CAP's online bid room may request a special login from CAP. Transactions from these logins will be paid by CAP who will then invoice the Using Agency for reimbursement of cost plus a 15% fee.
- Printing or copying of large format drawings from electronic file or paper may be requested by an agency at any time by calling CAP. The agency will be charged for the cost of printing plus 15%.

Code 18: Newspaper Bid Advertising. CAP will arrange and pay for the required newspaper advertisements, then invoice the Agency for the cost plus 15%.

Code 19: Miscellaneous Fees. For use in the event there is no existing fee code that specifically applies. Consult with CAP.

**7. Bid, Award and Releases From Agency Statewide Contracts - Fee Codes 20 & 21.**

After public bid and award of a Statewide Contract, CAP will invoice the Agency for the fixed fee amount for Fee Code #20 (\$250.00). Once the contract has been awarded, the Agency will be invoiced by CAP for releases from the Statewide Contract for Fee Code #21 (0.5% for the total amount released).

**8. Releases From Agency IDIQ Contracts - Fee Code 22.**

Code 22: Work Order release on an Agency IDIQ Contract. Initial contract awards are made pursuant to Code 6. When the Using Agency requests a Work Order release on an Agency IDIQ Contract, Fee Code 22 is applied. (\$50.00)

**9. Emergencies**

Emergencies: CAP Fees will be waived for most contract awards made pursuant to an emergency declaration. IDIQ Consultant work orders for site assessment and repair instructions and award of small, short-duration contracts will not be assessed fees. Expanded emergency response, such as complex design work with long duration and major construction projects will be subject to the normal fee schedule. Examples of the latter would include emergencies resulting in construction contracts such as major facility renovation utilizing the normal involvement of a CAP Project Manager.