

## **IC 5-30-4**

### Chapter 4. Technical Review Committee

#### **IC 5-30-4-1**

##### **Membership**

Sec. 1. (a) Before entering into a design-build contract, a public agency must appoint a technical review committee of at least three (3) individuals.

(b) The members of the technical review committee must include the following:

(1) A representative of the public agency.

(2) At least two (2) of the following, but not more than one (1) under each clause:

(A) An architect registered under IC 25-4.

(B) A professional engineer registered under IC 25-31.

(C) A qualified contractor under IC 4-13.6 or an individual employed by the qualified contractor.

(c) A member of the technical review committee who is an architect or a professional engineer may be:

(1) an employee of the public agency; or

(2) an outside consultant retained by the public agency for the specific purpose of evaluating proposals submitted under this article.

(d) The design criteria developer may serve as:

(1) a full member; or

(2) a nonvoting adviser;

of the committee.

*As added by P.L.74-2005, SEC.1. Amended by P.L.166-2011, SEC.4.*

#### **IC 5-30-4-2**

##### **Conflict of interest**

Sec. 2. (a) A member of the technical review committee may not:

(1) submit a proposal for; or

(2) furnish design services or construction services under;

the design-build contract.

(b) The design-builder may not delegate or subcontract professional services or construction services under the design-build contract to a member of the technical review committee.

(c) Each member of the technical review committee must certify for each request for proposals that there is not a conflict of interest between the member and the design-builder responding to the request for proposals. If a conflict of interest exists, the member must be replaced before the review of any proposal.

*As added by P.L.74-2005, SEC.1.*

#### **IC 5-30-4-3**

##### **Duties and responsibilities**

Sec. 3. (a) The technical review committee shall do the following:

(1) Qualify potential design-builders as provided in IC 5-30-5.

(2) Rate and score qualitative proposals as provided in

IC 5-30-6 and IC 5-30-7.

(b) The technical review committee may interview persons submitting proposals and conduct other business necessary to fulfill the purposes of this article. However, a public agency may not require an offeror to attend more than three (3) interviews in person with the technical review committee for a design-build contract.

*As added by P.L. 74-2005, SEC.1. Amended by P.L. 166-2011, SEC.5.*

#### **IC 5-30-4-4**

##### **Open meetings**

Sec. 4. (a) Except as otherwise provided in this section, meetings of a technical review committee must be open to the public and subject to IC 5-14-1.5.

(b) A meeting of a technical review committee convened for the purpose of interviewing persons submitting qualifications or proposals is not open to the public.

(c) If each member of a technical review committee for a public project is an employee of the public agency that is undertaking the public project, the technical review committee's meetings are not open to the public.

*As added by P.L. 74-2005, SEC.1. Amended by P.L. 166-2011, SEC.6.*