REQUEST FOR PROPOSALS
Integrated Project Delivery utilizing

Design/Build Guaranteed Maximum Price
State of Colorado
[**Insert Agency/Institution]**

Notice Number: XXXX

Project Number:

Project Title:

Estimated Project Cost:

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# I. NOTICES

1. For all projects with a total dollar value above $150,000 Notice of Final Settlement is required by C.R.S. §38-26-107(1). Final Settlement, if required, will be advertised in the same location as the original solicitation.
2. For State Public Works C.R.S. §8-17-101 - Colorado labor shall be employed to perform at least 80% of the work. Colorado labor means any person who is a resident of the state of Colorado at the time of the Public Works project.
3. All respondents accept the conditions of this AFB, including but not limited to, the following:
	1. All submittals shall become the property of the State of Colorado and will not be returned.
	2. Late submittals shall not be evaluated.
	3. The State reserves the right to reject any or all proposals on the basis of being unresponsive to this AFB or for failure to disclose requested information.
	4. The State shall not be liable for any costs incurred by respondents in the preparation of submittals and proposals nor in costs related to any element of the selection and contract negotiation process.
	5. Any restriction as to the use of submitted materials must be clearly indicated as proprietary. The requested limitation or prohibition of use or release shall be identified in writing on a cover sheet. Blanket claims of proprietary submittals will not be honored. Fee proposals will be considered proprietary.
	6. The respondent has reviewed Appendix B and by responding has agreed that the terms and conditions of the sample Construction Management/General Contracting Agreement are expressly workable without reservation.
4. The respondent has reviewed Appendix B: Sample Design/Build Guaranteed Maximum Price (GMP) Agreement (Form SC-9.0) and General Conditions (SC-9.1) and by responding has agreed that the terms and conditions of the sample are expressly workable without reservation. Any exceptions to the contract must be communicated formally in writing before the bid closes.
5. Per C.R.S. §24-92-115 unless prohibited by applicable federal law, contract for any public project in the amount of one million dollars or more, that does not receive federal money, in the amount of one million dollars or more shall require the general contractor to which the contract is awarded to submit, at the time the mechanical, electrical, or plumbing subcontractor is put under contract, documentation that Identifies the contractors or subcontractors that will be used for all mechanical, sheet metal, fire suppression, sprinkler fitting, electrical, and plumbing work required on the project and certifies that all firms identified participate in apprenticeship programs registered with the United States department of labor’s employment and training administration or state apprenticeship councils recognized by the United States department of labor and have a proven record of graduating a minimum of 15% of its apprentices for at least three of the past five years.
6. Per C.R.S. §24-92-117, a public construction project in the amount of five hundred thousand dollars or more shall be subject to the Buy Clean Colorado (BCCO) Act program requirements. The BCCO Act requires the Office of the State Architect to establish a maximum acceptable global warming potential (GWP) limit for each category of eligible materials, which include asphalt and asphalt mixtures, cement and concrete mixtures, glass, post-tension steel, reinforcing steel, structural steel, and wood structural elements. For any solicitation for a contract for the design of an eligible project, a State Agency or institution shall require the designer who is awarded the contract to include in project specifications when final construction documents are released, a current Environmental Product Declaration (EPD) that meets the maximum acceptable GWP limits for each eligible material specified for the project. A contractor that is awarded a contract for an eligible project shall not install any eligible materials on the project until the contractor submits an EPD for each eligible material procured for the project.
7. Per C.R.S. §24-92-Part 2, a public construction project in the amount of five hundred thousand dollars or more shall be subject to the State prevailing wage rate, of the regular, holiday, and overtime wages paid and the general prevailing payments on behalf of employees to lawful welfare, pension, vacation, apprentice training, and educational funds in the State, for each employee needed to execute the contract. Payments to the funds must constitute an ordinary business expense deduction for federal income tax purposes by contractors and subcontractors. Contractors are required to pay their employees at weekly intervals and shall comply with the enforcement provisions of C.R.S. §24-92-209. Contractors awarded a project of this size will be required to utilize the LCPTracker cloud-based labor compliance and certified payroll application.
8. Preference shall be given to Colorado resident bidders and for Colorado labor, as provided by law.
9. Per C.R.S. §24-105-201 If the construction value is $50,000 or greater a Bid Bond and Power of Attorney or Proposal Guaranty is required in an amount not less than 5% of the total Bid.

# II. PROJECT OVERVIEW

Introduction

[Insert brief introduction and any background information needed]

The State of Colorado, [Agency/Institution (ACRONYM)] is soliciting proposals from qualified contractors for the [name of project] project.

[DOs

Introduction(s): Include introductions as applicable. You may include an introduction to the agency/IHE in general and/or the program/division and mission.

Background: Include any background information specific to the program/project here. This can be general, i.e., genesis of the program/project, whether it is statutorily mandated, etc... You may also want to include information related to how the program has been expanded and/or changed since inception, or communicate what changes are expected (if any) in this solicitation.

This is also the section where you can discuss the project or program and include specific program/project expectations of the selected vendor, i.e., what they will be required to do if selected for award. For example, you might include experience and qualifications to be maintained by contractor’s staff, outreach expectations such as advertising, training they need to conduct, minimum number of clients to be served monthly/annually, etc.…

Since this section details what is expected of the “selected” contractor you can include mandatory language, i.e., the words “must” and/or “shall” here. Finally, information included in this section can include subsections such as “Program Overview and Requirements,” or something similarly descriptive and applicable.

DON’Ts

DO NOT include specific proposal requirements or criteria in this section. Any Scope of Work requirements, i.e., what you expect the contractor to provide in their proposal cannot be included here and must instead be included in contract documents or Scope of Services section. Neither contractors nor evaluators should be expected to recall and address proposal submission requirements that are sprinkled throughout the document. If there is a requirement in this section (e.g., education/qualification of vendor staff, training, outreach, etc.) that the selected vendor needs to comply with and that all vendors need to address at time of proposal submission, it may be included here but will need to be specifically addressed in either Scope of Services or Minimum Requirements below Section below.]

The [Insert Agency/Institution] anticipates using a Design/Build Entity approach to project delivery where the Design/Build Entity will design, manage and construct the project as described within.

The process to be used in the selection of the Design/Build Entity is comprised of two steps. STEP I is the Submittal of Prequalification as described in Section X. STEP II is the Oral Interview/Fee Proposal as described in detail in Section XI. A Jury Panel of individuals who will be involved in the project and/or understand the required services associated with Construction Management/General Contracting will evaluate responses to this RFP for both steps. Upon completion of the evaluation of the Submittals of Prequalification, a limited number of firms will be invited to the oral interviews. Sealed fee proposals will be required only from those firms who are interviewed and are to be submitted as indicated in this RFP. Both qualifications and fee will be considered in the final ranking of firms with qualifications given 70% of the value of the weighted criteria and fees for the Fee Proposal given 30%.

**Selection and award of this project will be based on a combination of qualifications and costs that represent the best overall value to the State.**

# Scope of Services

[The scope of services should be as specific as needed to capture those items that are generally not captured in the Scope of Work, or the Construction Documents exhibits]

The scope of services assistance to the State during the process of assessment, design, construction, and warranty period. Specific tasks to be performed by the Design/Build Entity include those generally performed by the Design/Build construction community where the Construction Manager is also the Contractor. A sample copy of the State’s Design/Build contract is contained within the RFP. A Guaranteed Maximum Price (GMP) will be required at the completion of Design

Development phase.

Appendix C of this RFP includes the project concept, program and specifications that apply to this project and are incorporated by reference into the contract agreement as required initial design criteria. Deviation from the project concept, program and specifications must be justified in writing and approved by the [insert Agency/Institution] Representative before incorporation into the project.

Appendix D of this RFP includes mandatory construction standards and aesthetic guidelines that are incorporated by reference into the contract agreement. Deviation from the [insert Agency/Institution] standards must be justified in writing and approved the [insert Agency/Institution] Representative before incorporation into the project. The building and site design is required to respond to the aesthetic guidelines. Formal presentation of the proposed design to a review committee for approval may be required.

# III. MINIMUM REQUIREMENTS

Notice is hereby given to all interested parties that all firms will be required to meet all minimum requirements to be considered for this project. Interested bidders should be prepared to show evidence of the following to be considered as qualified, as a minimum:

1. Not previously terminated by the State for non-performance on a State Buildings contract or procurement.
2. The contractor must have been in the same business under the same name for the last two (2) years.
3. Demonstrated specific contracting experience in projects of similar scope and complexity for at least two (2) projects each in excess of $ \_\_\_\_\_\_\_\_\_\_\_ (hard costs), utilizing the expertise present in their Colorado Office; and
4. Demonstrated bonding capability up to $ \_\_\_\_\_\_\_\_\_\_\_ for an individual project coincidentally with current and anticipated workloads; provide letter from surety that affirms this capacity.
5. Respondents must acknowledge all issued addenda in their submittal and proposal.
6. Attended and signed in at the Mandatory Pre-Proposal Conference

[These minimum requirements are suggested. Agencies/institutions may alter as needed].

Firms meeting the minimum requirements may obtain the solicitation documents on the website accompanying this advertisement.

[Note that agencies/institutions must provide the website(s) or location where the solicitation documents are posted].

# IV. MANDATORY PRE-PROPOSAL CONFERENCE AND SITE TOUR

To ensure sufficient information is available to firms preparing submittals, a mandatory pre-submittal conference has been scheduled. The intent of this conference is to tour the site and to have *[Insert Agency/Institution*] staff able to discuss the project. Firms preparing submittals must attend and sign-in to have their submittals accepted.

A mandatory Pre-Proposal Meeting will be held at:

Building Address: Room: Date/Time

# V. SCHEDULE

The following is a tentative schedule of events for the Proposal Submittal process and an outline of the schedule for the balance of the project. All dates are subject to change and changes in the schedule will be issued via addendum.

 Solicitation Posted Mandatory Pre-Submittal Conference and Tour Request for Clarifications Due

Final Addendum Issued (anticipated)

 Submittals Due (Prequalification: Step I)

Interview Short List Announced

Sealed Proposal Due

 Oral Interviews

 Selection Announced

Negotiation of Contract

Anticipated Design Start

Anticipated Design/Build Entity Start

Anticipated Construction Start/Finish

The above schedule is tentative. Responding firms shall be notified of revisions in a timely manner by email or posted on [ColoradoVSS / Bidnet/Rocky Mountain E-Purchasing System (RMEPS)] website. Respondents may elect to verify times and dates by email, but no earlier than 36 hours before the scheduled date and time.

# VI. QUESTIONS, CLARIFICATIONS AND ADDENDA

Owner initiated changes to this RFP will be issued under numerically sequenced addenda.

Owner initiated changes to this RFP will be posted in the form of addenda on [ColoradoVSS / Bidnet/Rocky Mountain E-Purchasing System (RMEPS)].

Questions and requests for clarifications regarding this project shall be submitted before the deadline listed in the above Schedule.

Communication regarding the project during the procurement, outside of this submission process or scheduled procurement milestones is not permitted.

# VII. POINT OF CONTACT/CLARIFICATION

Name: Agency:

Email Address: Phone:

# VIII. SUBMITTALS OF QUALIFICATIONS

1. This RFP document, it’s appendices, and any written addenda issued prior to the closing of the solicitation, and written clarifications shall serve as the only basis for the proposal.
2. All submittals must comply with the following items, a through h. The State retains the right to waive any minor irregularity, or requirement should it be judged to be in the best interest of the State.
	1. Qualifications shall be formatted and tabbed in the exact form and numeric sequence of the Evaluation Form (1 through 7) in Appendix A. A two-sided single-page cover letter addressed to the (Insert Agency/Institution contact person)outlining the firm(s) qualifications is required at the front of the submittal. (Not counting the cover letter and required Acknowledgement and Attestation form, the entire submittal is to be no more than \_\_\_\_ doubled sided 8 ½’ x 11” sized pages in portrait format, at least 10 font and stapled, spiral or plastic bound. No loose-leaf notebooks or hard bound submittals. (Optional)).
	2. Qualifications shall be evaluated in accordance with criteria as indicated in PREQUALIFICATION SUBMITTAL CRITERIA and ranked on the corresponding Evaluation Form in Appendix A.
	3. Response to all items shall be complete.
	4. All references shall be current and relevant.
	5. Complete and execute the appropriate Acknowledgment and Attestation Form as provided in Section VI and submit at the back of the Prequalification Submittal.
	6. An electronic copy of the qualification package are due [Insert date] and shall be received no later than \_\_\_\_\_\_\_ AM/PM (MD/ST), and shall be submitted/accepted as described in the Information for Bidders (SBP-6.12)

\_\_\_\_\_ (\_\_) hard copies of the qualifications package are due [Insert date] and shall be received no later than \_\_\_\_\_\_\_ AM/PM (MD/ST), and shall be submitted/accepted as described in the Information for Bidders (SBP-6.12)

1. Late submittals will be rejected without consideration. The State of Colorado assumes no responsibility for costs related to the preparation of submittals.
2. Submit sealed fee proposal separately. Do not include fee proposal data in the qualifications submittal or with the oral interview presentation and handout. Also, do not enclose qualifications in sealed fee proposal.

# IX. METHOD OF SELECTION AND AWARD

## Short List

* 1. From the submittals received, a short list of qualified respondents shall be identified using the scoring indicated on the enclosed Evaluation Form, Appendix A.
	2. Firms failing to meet the minimum required qualifications will not receive further consideration.

## Oral Interview

* 1. Mandatory oral interviews shall be conducted for the short-listed firm(s) only. Interview times and location will be arranged by the [Insert agency/Institution] and all short-listed firms will be notified in advance. At the option of the State, a visit to the short-listed firm(s) managing home office and/or representative field office may be required.
1. Fee Proposals
	1. Only those firms shortlisted for interview are required to submit their sealed proposals. (Only one copy is required on the scheduled submission date.) Fee Proposals will remain sealed until after the qualitative scoring and will then be opened. The Fee Proposal will then be considered (equivalent to 30 percent of the weighted criteria) in conjunction with the qualitative score from the response and interview (equivalent to 70 percent of the weighted criteria).
	2. Fee Proposals shall be submitted on the form provided in Section XII, without modification. A Fee Proposal shall be accompanied with sufficient detail to clearly identify the fee for service and include a detailed schedule of estimated (not-to-exceed) reimbursable and non-reimbursable costs. The percentage of the cost of work is not acceptable value. The Fee Proposal should be prepared independently in accordance with the following:
		1. Fees are outlined in Exhibit A of the Sample Agreement attached to this solicitation as Appendix B.
		2. Any specific services requested in the RFP and its appendices that are not included should be clearly identified. Exclusion of any required service may result in the proposal being found non-responsive.
		3. Provide a Design/Build Entity staff schedule with staff by name, position and man-hours (assume 8-hour days) per month estimated on the project.
		4. Provide a detailed estimate of reimbursable costs including breakdown of direct salaries and payroll fringes (DPE) for on-site Design/Build Entity personnel associated with the services. Not-to-exceed reimbursable expenses shall be provided at direct cost.
		5. Provide a detailed estimate of non-reimbursable expenses (included in fee).
		6. The State reserves the right to reject any Fee Proposal not prepared in the above manner. Proposals that exceed the available funds may be rejected outright but the State reserves the right to negotiate a reasonable fee for service within the available funds. The DESIGN/BUILD ENTITY contract will be a bonded lump sum contract including not-to-exceed reimbursables with a Guaranteed Maximum Price to encompass all construction work; some not-to-exceed allowances may be included as directed by the State.
	3. This Fee Proposal is a binding offer to perform the services associated with the Scope of Services described in this RFP and the Designated Services and Method of Payment Matrix in Appendix B. The State reserves the right to negotiate a cost adjustment based on scope clarification after selection and prior to contract execution.
2. Method of Selection and Award
	1. The Jury Panel shall complete a combined evaluation of qualifications and fee in accordance with the criteria as indicated in SECTION X, EVALUATION OF QUALIFICATIONS and Section XI ORAL INTERVIEWS EVALUATION CRITERIA. Numerical ranking and selection of the most qualified firm (including fee) will then occur on the corresponding evaluation forms in Appendix A.
	2. The final fee amount and scope of services may be negotiated at the State’s discretion. The award and contract will be contingent on the availability of key proposed Project Management Team staff.
3. After selection and award all bids, qualifications and ranking documents will be made available to the public on the agency or institutions solicitation platform.

# X. EVALUATION OF QUALIFICATIONS

## A. PREQUALIFICATION SUBMITTAL CRITERIA

### 1. QUALIFICATIONS OF THE FIRM(s)

#### Provide a description of the composition and management structure of your firm. Identify the firm’s roles and responsibilities and relevant experience with projects of similar scope and complexity and similar fast track project delivery methods. Describe how the firm’s experience will relate to the success of this project.

#### Provide a description and separate graphic organizational chart complete with working titles identifying the lines of authority, responsibility and coordination.

#### Provide a detailed description of the process of how your firm selects qualified sub-contractors and manages them effectively on complex multi-phased projects. How does your organization attempt to utilize disadvantaged and small businesses

#### Provide a detailed description of how your firm will maximize the Colorado construction workforce on this project.

#### Provide your firm’s safety record over the last ten years and describe your firm’s efforts to retain and support employees.

### 2. QUALIFICATIONS OF THE MANAGEMENT TEAM MEMBERS

#### Describe the qualifications and relevant experience of the lead design architect/engineer including demonstrated experience working on projects of similar scope and complexity and time commitment for this project.

#### Describe the qualifications and relevant experience of the construction manager/general contractor including demonstrated experience working on projects of similar scope and complexity and time commitment for this project.

#### Describe the qualifications and relevant experience of other key in-house staff and time commitments for this project.

#### Identify all current office locations of the assigned staff and any other resident expertise intended to be provided under this RFP.

### 3. PROJECT MANAGEMENT APPROACH

#### Provide a strategic project approach summary: Include discussion of your firm’s approach in providing successful Construction Management/General Contracting services based on prior experience in cost, schedule and quality effectiveness. Include specific examples (1–2-page excerpts) of actual products (estimates, progress reports, schedules, constructability reviews, value engineering studies, forms, general conditions budgets, organizational structures, etc.).

#### Providing a description of construction work Project Management Team has capability to competitively bid and self-perform, including qualifications to do such. It is the perception of the [Insert agency/Institution] subcontracting DESIGN/BUILD ENTITY construction work is in the State’s best interest in terms of price competition. The [Insert agency/Institution] may, at its discretion, limit the types and amount of work Project Management Team bids and self-performs.

### 4. PRIOR PROJECT EXPERIENCE/SUCCESS

##### Select your three (3) most relevant projects and provide, at a minimum, the following:

###### The project/contract name

###### Description of services provided

###### Overall construction cost of project, as applicable, including initial contract value and change orders including reasons for change orders

###### Organizational structure of service delivery under the contract (include the owner’s organization as it interfaced with the respondent’s contract)

###### Key assigned in-house staff (name and title)

###### Subcontracts (service) used in the performance of the contract

###### Schedule history

###### Reference(s) for Owner and Architect as described in Section VIII, SUBMITTALS OF QUALIFICATIONS

#### Continuing services, if any

##### Timeliness

In general, Design/Build Contracting work is seen as successful if it is on time, on budget, and of high quality of workmanship. Timeliness is generally based on completion by the originally scheduled date and is indicated by a Certificate of Occupancy. Please demonstrate for each of the above projects how timely delivery occurred.

##### Budget Considerations

Similar to timeliness, being on budget historically means the work was completed within the originally identified available budget. Demonstrate for the above projects examples of how you accomplished the following cost control services. For the purposes of this RFP, the State is interested not only in being within budget but also in the respondents’ ability to address these issues:

###### Conceptual estimating

###### Value analysis

###### Alternate solutions

###### Scope reduction that maintains project function

###### Cost/benefit analysis

Demonstrate for the above projects examples of how you accomplished the above cost control services.

##### Quality

Construction quality has the obvious traditional connotations (workmanlike, in compliance with the specifications, normal standard of care, etc.). Demonstrate for the above project examples how a high quality of workmanship was achieved.

##### Services Disruption

Demonstrate how your services on the above project examples dealt with issues of disruption at existing facilities, etc. if applicable.

##### Project Acceptability

Please discuss how your Construction Management/General Contracting services helped achieve owner satisfaction regarding project quality and acceptability with your project examples.

##### Compliance

Provide information on how compliance with industry standards of care, building codes, etc. was achieved.

### 5. EQUITY DIVERSITY AND INCLUSION

##### Describe how your team is incentivized to hire and promote diverse individuals

##### Describe how your team attempts to contract with Service-Disabled Veteran Owned Small Businesses or historically disadvantaged businesses

### 6. MISCELLANEOUS CONSIDERATIONS

##### Claims/Litigation History of Firm

Provide information on any past, current or anticipated claims (i.e., knowledge of pending claims) on respondent contracts; explain the litigation, the issue, and its outcome or anticipated outcome.

##### Apprenticeship Training Program (Optional for Step I)

Where an Apprentice Training Program certified by the Office of Apprenticeship located in the Employment and Training Administration in the United States Department of Labor exists in the State, or a comparable program for the training of apprentices is available in the State:

* + - 1. Each submitter shall demonstrate access to the certified program or a comparable alternative (Note that it is the responsibility of the submitter to demonstrate the comparability of a non-certified program) and,

##### Each submitter’s subcontractor at any tier with a contract value of two hundred fifty thousand dollars or more shall demonstrate access to the certified program or a comparable alternative.

##### Apprenticeship Training Program (Optional for Step I)

##### Other

This category is included in other items provided by the submitter. Inclusions may include standard firm promotional literature, testimonials, awards, corporate memberships in professional organizations or sponsorships, additional project/contract histories, etc., intended to demonstrate why your firm is uniquely qualified for this project.

# XI. ORAL INTERVIEWS EVALUATION CRITERIA

(Note that the primary focus of the Oral Interview evaluation in addition to the Fee Proposal will be the proposed project management team members’ capabilities).

### 1. QUALIFICATIONS OF THE FIRM

#### Explain the composition and structure of your project management team and how the firm will support their efforts in the field throughout this project.

#### Are the lines of authority, responsibility and coordination clearly identified?

### 2.QUALIFICATIONS OF THE MANAGEMENT TEAM MEMBERS

#### Explain the prior experience with projects of similar scope and complexity and similar fast track project delivery methods of the superintendent and all other project management team members. Explain their roles and responsibilities and authority and why they are the right team members for this project.

#### Explain anticipated project management team staff current and projected workload.

#### Identify all current office locations and the resident expertise intended to be provided under this RFP. Identify the location of the staff for the performance of this contract, their expertise, and generic equipment that will be located in Colorado and act in support of the anticipated contract.

### 3.PROJECT MANAGEMENT APPROACH

#### Explain the strategic project approach for this project in summary: Include discussion of your team’s approach in providing successful Design/Build Entity services based on the needs of this specific project utilizing the team’s prior past experience including cost, schedule, and quality control.

#### Explain the construction work, the project management team has the capability to competitively bid and self-perform including qualifications to do such work.

#### Provide a detailed description of how your project management team will select qualified sub-contractors and manage them effectively on this project.

### 4. PRIOR PROJECT EXPERIENCE/SUCCESS

#### Explain the most relevant projects the superintendent and the team members have completed together and/or separately and what their role was. [Insert agency/Institution] at its discretion contact references and/or conduct independent performance analysis on projects on which the team member has worked).

#### Provide descriptions of other related experiences of superintendent and other project management team members.

### 5. MISCELLANEOUS CONSIDERATIONS

#### Craft Labor Capabilities: Describe the availability of resources that will be utilized to successfully complete the project.

#### Apprenticeship Training Program (Mandatory for Step II): Describe access to federal or state-approved apprenticeship programs, as available.

#### Other: This category is included for other items provided by the presenter. Inclusions may include testimonials, awards, corporate memberships in professional organizations or sponsorships, additional project/contract histories, etc., intended to demonstrate why this management team is uniquely qualified for this project.

# XII. FEE PROPOSALS

1. Only those teams short listed for interview are required to submit their sealed proposals. Shortlisted teams will receive correspondence noting their scheduled time for their interview as well as where to send their Fee Proposal. Fee Proposals are due on the scheduled submission date prior to the start of oral interviews. Only one sealed copy is required. Fee Proposals will remain sealed until after the qualitative scoring and will then be opened. The fee amount will then be considered (30 percent) in conjunction with the qualitative score from the response and interview (70 percent).
2. Carefully review the Design/Build Entity Contract sample (Appendix B) before initiating your response submittal. Any exceptions to the contract must be communicated formally in accordance with Section VI. QUESTION, CLARIFICATIONS AND ADDENDA.
3. Appendix F and G of this RFP includes mandatory State apprenticeship and prevailing wage requirements based on the construction value of the project.
4. Per C.R.S. §38-26-106, if a contract amounts to $150,000 or more, the awarded contractor shall provide payment and performance bonds not less than 50% of the value of the contract. The costs associated with this bond are to be included in the contractor’s proposal.
5. The State reserves the right to make non-material changes to the appended model agreement, including additions and /or modifications that may be necessary to more completely describe the services defined or implied herein.
6. Any approved reimbursable expenses made under the terms of the final agreement shall be a direct pass-on cost with no adjustment to the fee described therein.
7. Any and all products, systems, methods, and procedures developed, as a result of this agreement shall remain the exclusive property of the State.
8. Immediately following the Acknowledgement and Attestation Form is a Fee Proposal Form to be utilized to summarize the fee proposal for the services.
9. This RFP document, it’s appendices, and any written addenda issued prior to the submitting proposals, and written clarifications prior to the interview shall serve as the only basis for proposals.
10. The respondent, by submitting this proposal, does hereby accept that minor changes by the State to the exhibited contract and its exhibits, which do not adversely affect the respondent, shall not be cause for withdrawal or modification of the amounts submitted herein. Exceptions to the RFP documents and/or modification of the proposal may render the proposal non-responsive.
11. Upon due consideration and review of this document along with its appendices, written addenda, and written clarifications prior to the interview, the respondent does hereby submit the following proposal for Construction Management/General Contracting fees, consistent with the schedules provided in the Scope of Services. Respondents are hereby advised that it is the State’s desire to accelerate design and construction schedules where reasonably possible, without adverse cost impact.
12. Respondent should complete the Fee Proposal Form by filling in all blanks on the form that follows.
13. Respondents should include a separate detailed not-to-exceed reimbursable estimate.

XII. FEE PROPOSAL FORM

DESIGN/BUILD GUARANTEED MAXIMUM PRICE CONTRACTING (DB-GMP) SERVICES

Project Number:

Project Title:

Project Date:

Design Build Entity’s Architect/Engineer Basic Services Fee

.1 D/B Pre-Design Phase (If Applicable) $ \_\_\_\_\_\_\_\_\_\_\_\_

.2 Schematic Design Phase $ \_\_\_\_\_\_\_\_\_\_\_\_

.3 Design Development Phase $ \_\_\_\_\_\_\_\_\_\_\_\_

.4 Construction Document Phase $ \_\_\_\_\_\_\_\_\_\_\_\_

.5 Construction Administration Phase $ \_\_\_\_\_\_\_\_\_\_\_\_

.6 Post Construction Phase (If Applicable) $ \_\_\_\_\_\_\_\_\_\_\_\_

.7 Reimbursable Expenses (Not to Exceed) $ \_\_\_\_\_\_\_\_\_\_\_\_

.8 Total Design Build Entity’s Architect/Engineer’s Fee $ \_\_\_\_\_\_\_\_\_\_\_\_

Construction Management Fee

.9 Pre-Construction Phase Fee $ \_\_\_\_\_\_\_\_\_\_\_\_

.10 Construction Phase Fee $ \_\_\_\_\_\_\_\_\_\_\_\_

.11 General Conditions Direct Personal Expenses $ \_\_\_\_\_\_\_\_\_\_\_\_

.12 Other Reimbursable General Conditions $ \_\_\_\_\_\_\_\_\_\_\_\_

.13 Total Construction Management Fee $ \_\_\_\_\_\_\_\_\_\_\_\_

Total D/B Fee (.8 +.13) $ \_\_\_\_\_\_\_\_\_\_\_\_

Fees are to be calculated per Exhibit A (SC-9.0), D/B Designated Services and Method of Payment.

Please provide a detailed breakdown to adequately describe the D/B staff provided, term of their services, and associated anticipated reimbursable costs so as to demonstrate as complete an understanding as possible of the services provided.

Reimbursable general condition expenses are generally confined to the on-site D/B construction phase staff reimbursed at direct personnel expense, plus those on-site materials, equipment and facilities to support the work of the D/B staff and construction subcontractors.

Acknowledge receipt of Addendum Nos. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Anticipates Services outside the United States or Colorado[[1]](#footnote-1)\* [ ]  Yes [ ]  No

If the respondent anticipates services under the contract or any subcontracts will be performed outside the United States or Colorado, the respondent shall provide in a written statement which must include, but need not be limited to the type of services that will be performed at a location outside the United States or Colorado and the reason why it is necessary or advantageous to go outside the United States or Colorado to perform such services. (Does not apply to any project that receives federal moneys)

Will comply with 80% Colorado Labor [ ]  Yes [ ]  No

For State Public Works Project per C.R.S 8-17-10, Colorado labor shall be employed to perform at least 80% of the work. “Colorado Labor” means any person who is a resident of the state of Colorado at the time of the Public Works project. Respondents indicating that their bid proposal will not comply with the 80% Colorado Labor requirement are required to submit written justification along with the proposal submission. A governmental body that allows a waiver shall post notice and justification for the waiver on its web site. (Does not apply to any project that receives federal moneys)

Bidder is a Service-Disabled Veteran Owned Small Business[[2]](#footnote-2)\* [ ]  Yes [ ]  No

AService-Disabled Veteran Owned Small Business (SDVOSB) per C.R.S. 24-103-905, means a business that is incorporated or organized in Colorado or maintains a place of business or has an office in Colorado and is officially registered and verified by the Center for Veteran Enterprise within the U.S. Department of Veteran Affairs. Attach proof of certification along with the proposal submission.

Applicant or Corporate Officer Signature

Title

# XIII. ACKNOWLEDGEMENT AND ATTESTATION FORM

1. Several versions of the Acknowledgment and Attestation Form follow this section. Proper completion of the appropriate form is a mandatory requirement for a respondent to be considered responsive to this RFP Prequalification Submittal.
2. Qualifications made by a respondent in executing this form may render a submittal non-responsive as determined by the State.

XIII. ACKNOWLEDGEMENT AND ATTESTATION FORM

(Partnership Format)

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Page 1 of 1**

By responding to this RFP, the respondent(s) certify that he/she has reviewed the Construction Management/General Contracting sample contract, and its exhibits contained herein, and is familiar with their terms and conditions and finds them expressly workable without change or modification.

We certify and declare that the foregoing is true and correct.

 Subscribed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date City

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 County State

 1)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Partner Signature[[3]](#footnote-3)

 Typed Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 2)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Partner Signature

 Typed Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date

 Commission Expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Offeror Acknowledges Receipt of Addendum No. \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_ (Addenda MUST be acknowledged)**

XIII. ACKNOWLEDGEMENT AND ATTESTATION FORM

(Joint Venture Format)

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Page 1 of 1**

By responding to this RFP, the respondent(s) certify that he/she has reviewed the Construction Manager/General Contractor sample contract, and its exhibits contained herein, and is familiar with their terms and conditions and finds them expressly workable without change or modification.

We certify and declare that the foregoing is true and correct.

 Subscribed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Date City

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 County State

 1)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Venture Partner Binding Signature Date

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Typed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Type of Business Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Witness Date

 Typed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 2)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Venture Partner Binding Signature Date

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Typed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Type of Business Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Witness Date

 Typed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Offeror Acknowledges Receipt of Addendum No. \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_ (Addenda MUST be acknowledged)**

Note:

1. Add additional venture partners as necessary.

2. Witnesses of venture partners shall be corporate secretary for corporations, partners for partnerships, and notaries for sole proprietorships.

3. Attach venture agreement

4. Type of business shall identify the venture partner as a corporation, venture, partnership, sole proprietorship, or other legal entity.

XIII. ACKNOWLEDGEMENT AND ATTESTATION FORM

(Corporate Format)

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Page 1 of 1**

By responding to this RFP, the respondent(s) certify that he/she has reviewed the Construction Management/General Contracting sample contract, and its exhibits contained herein, and is familiar with their terms and conditions and finds them expressly workable without change or modification.

We certify and declare that the foregoing is true and correct.

 Subscribed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Date City

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 County State

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Corporate Officer Signature Date

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Secretary Date

Note: Use full corporate name and attach corporate seal here.

**Offeror Acknowledges Receipt of Addendum No. \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_ (Addenda MUST be acknowledged)**

(SEAL)

XIII. ACKNOWLEDGEMENT AND ATTESTATION FORM

(Sole Proprietorship Format)

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Page 1 of 1**

By responding to this RFP, the respondent(s) certify that he/she has reviewed the Construction Management/General Contracting sample contract, and its exhibits contained herein, and is familiar with their terms and conditions and finds them expressly workable without change or modification.

We certify and declare that the foregoing is true and correct.

 Subscribed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Date City

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 County State

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Respondent Date

 Typed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date

 Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Offeror Acknowledges Receipt of Addendum No. \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_ (Addenda MUST be acknowledged)**

# Appendix A: Evaluation Forms

Appendix A1: Prequalification Submittal/Evaluation Form

Appendix A2: Oral Interview /Evaluation Form

Appendix A3: Submittal and Interview Ranking Matrix

# Appendix B: DESIGN/BUILD GUARANTEED MAXIMUM PRICE (GMP) AGREEMENT and THE GENERAL CONDITIONS OF THE DESIGN/BUILD GUARANTEED MAXIMUM PRICE (GMP) AGREEMENT

(Forms (SC-9.0) and (SC-9.1) (Samples)

# Appendix C: Project Concept, Program Plan and Specifications

# Appendix D: Aesthetic Guidelines And Construction Standards

# Appendix E: Project Budget and Direct Labor Burden Calculation (SBP-6.18)

# Appendix F: Applicable Prevailing Wage Rates & Apprenticeship Contribution Rates

Attached are the prevailing wage rates in place at the time of this solicitation.

# Appendix G: Apprenticeship Utilization Certifications

(SBP-6.17) (if Applicable)

1. Does not apply to projects for Institutions of Higher Education that have opted out of the State Procurement Code. [↑](#footnote-ref-1)
2. Does not apply to projects for Institutions of Higher Education that have opted out of the State Procurement Code. [↑](#footnote-ref-2)
3. Add additional signatures if there are more than two partners. [↑](#footnote-ref-3)