

**BV1 RFQ Sections**

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**CM/GC RFP Sections**

<b>RFP MAJOR SECTIONS</b>	<b>RFP SUBSECTIONS</b>
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## **BV1 RFQ Highlighted Excerpts**

### **1.1 INTRODUCTION**

#### A. Purpose

As identified on the cover page, the Owner has issued this Request for Qualifications (RFQ) for the designated Project. The RFQ defines service requirements; solicits proposals; details proposal requirements; and outlines the process for evaluating proposals and selecting and contracting with a contractor (Contractor) using the State of Tennessee's Best Value Option One (BV1) procurement delivery method. The BV1 method utilizes the process described in this RFQ to qualify proposers to identify a short list of contractors who are invited to bid. The Owner intends to contract with the responsive and responsible bidder offering the lowest cost for the work.

#### B. Scope of Services

1. The Contractor's services shall consist of providing construction services for the Project described in RFQ Section 2.3, Project Narrative and Documentation.
2. The Contract Documents will include, but are not limited to, the Owner's Designers' Manual Standard Documents Divisions 00 and 01. For the General Conditions of the Contract for Construction refer to the Owner's Designer Manual Section 00 72 13.

### **1.5 BID AND CONTRACT REQUIREMENTS**

#### A. Bidding Documents

1. The Designer will issue bidding documents to proposers that meet proposal format and content requirements, meet the requirements of Section 2.2, Technical Proposal, Section A, Mandatory Requirements, and, after evaluation, meet or exceed the Minimum Qualifying Technical Proposal Score provided in Section 2.2, Technical Proposal. Bidding documents will include the following documents which are provided pro forma in the Owner's Designers' Manual: 00 21 13 Instructions to Bidders, 00 41 13 Bid Form, and 00 47 13 Construction Bid Envelope.
2. Short-listed proposers shall submit a bid in accordance with requirements of the bidding documents issued by the Designer.

#### B. Subcontractors in Bids

If any work, regardless of dollar value, is required for the trades listed below, bidders shall prepare a bid that lists a subcontractor for such trades that are identified in the bidder's Technical Proposal. If bidder will self-perform listed trade work, list the bidder as the subcontractor.

1. Electrical
2. HVAC
3. Masonry
4. Plumbing
5. Roofing

### **1.6 EVALUATION GUIDE**

#### A. Scoring

The evaluation process is designed to establish qualified proposers that score at least the Minimum Qualifying Technical Proposal Score provided in Section 2.2, Technical Proposal.

## B. Process

1. After the proposal deadline provided in RFQ Section 2.1, Schedule of Events, the Owner will open and review each Technical Proposal for a “Pass” or “Fail” evaluation based on compliance with each of the Mandatory Requirements of Section 2.2, Technical Proposal, and the following proposal format and content requirements.
  - a. Received on or before the proposal deadline.
  - b. Number of copies, digital file, and packaging as required.
  - c. Formatted as required and does not exceed size or page number limits.
  - d. Contains no bid amount information.
  - e. Proposer did not submit alternate proposals.
  - f. Proposer did not submit multiple proposals in a different form.
  - g. Does not contain restrictions of the rights of the Owner or other qualification of the proposal.
2. If the Owner determines that a proposal may have failed to meet one or more of the “Pass or Fail” criteria or the proposal format and content requirements, the Evaluation Team, described below, will review that proposal and make its own determination, documented in writing, of whether (1) the proposal meets requirements for further evaluation or (2) the Owner will request clarifications or corrections to enable further evaluation or (3) the Owner will determine the proposal non-responsive to the RFQ and reject it.
3. An Evaluation Team made up of three or more employees of the State of Tennessee will evaluate responsive proposals. The Evaluation Team may utilize technical advisers.
4. The Owner may contact references provided by the proposer and other sources available for reference information.
5. Each Evaluation Team member will independently evaluate proposals and assign points using Section B, Qualifications and Experience, and Section C, Technical Approach, in RFQ Section 2.2, Technical Proposal.
6. The Owner reserves the right, at its sole discretion, to request proposer clarification of a Technical Proposal or to conduct clarification discussions with proposers. Such discussions shall be limited to specific sections of the proposal identified by the Owner. The subject proposer shall put the resulting clarification in writing as may be required by the Owner.
7. The Owner reserves the right to receive an oral presentation from a proposer. Oral presentation topics and the number of firms presenting are at the sole discretion of the Owner.
8. Using the scores from the Evaluation Team, the Owner will develop Technical Proposal Scores. For each proposer the median score of all evaluators’ scores is determined for both Technical Proposal Sections B and C. The two median scores for each proposer are added to determine the proposer’s Technical Proposal Score.
9. After Technical Proposal evaluations are completed the Owner will advise proposers of evaluation results.

## 2.0 PROJECT SPECIFIC DOCUMENTS

### 2.1 SCHEDULE OF EVENTS

The following table provides the Owner's proposed Schedule of Events. The Owner reserves the right, at its sole discretion, to change this schedule. The Owner will communicate a change to the Schedule of Events to entities from whom the Owner has received a Notice of Intent to Propose.

EVENT	DATE	TIME at LOCATION
1. Owner Issues RFQ	<<Month DD, 20YY>>	
2. Pre-Proposal Conference Location and Instructions below.	<<Month DD, 20YY>>	<<Time>>
3. Notice of Intent to Propose Deadline	<<Month DD, 20YY>>	
4. Comments Deadline	<<Month DD, 20YY>>	
5. Owner Responds to Comments	<<Month DD, 20YY>>	
6. Proposal Deadline Proposals must be submitted to the Owner no later than the date and time shown, at the location below.	<<Month DD, 20YY>>	<<Time>>
7. Owner Advises Proposers of Evaluation Results and Procurement File Opened for Public Inspection	<<Month DD, 20YY>>	
8. Invitations to Bid Issued with Pre-Bid Conference Date	To Be Determined	

#### Pre-Proposal Conference Location and Instructions:

<<Location and instructions or reference attachment with location information. Use second page if needed.>>

#### Proposal Submittal Location:

<<Location information. Use second page if needed.>>

## 2.2 TECHNICAL PROPOSAL

<b>PROPOSER NAME: &lt;&lt;Name&gt;&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION A: MANDATORY REQUIREMENTS</b>	<b>Proposal Page Number (By Proposer)</b>
Owner Evaluation for Each Requirement: <b>Pass or Fail</b>	
<b>A.1</b> Provide a <b>completed Certification Statement</b> , in the format provided herein.	
<b>A.2</b> Provide a <b>letter(s) from an insurance and/or surety agency stating Proposer's capability to provide insurance and bonding</b> for the Project in accordance with the estimated construction cost listed in RFQ Section 2.3, Project Narrative and Documentation, and the General Conditions of the Contract for Construction.	
<b>A.3</b> Describe Proposer's <b>form of business</b> (e.g., corporation, partnership, limited liability company) and the U.S. state in which it is established.	
<b>A.4</b> Provide a <b>statement of whether there have been mergers, acquisitions, or sales of Proposer</b> within the last five years, and if so, an explanation providing relevant details.	
<b>A.5</b> Provide a <b>statement that discloses pending litigation</b> against Proposer. The Owner reserves the right to request an opinion of Proposer's counsel as to whether pending litigation will impair performance in a contract under this RFQ.	
<b>A.6</b> Provide a <b>statement declaring whether</b> , in the last ten years, the <b>Proposer has filed, or had filed against it, bankruptcy</b> or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors, and if so, an explanation providing relevant details.	
<b>A.7</b> Identify <b>Proposer's primary contact person</b> for the Owner including mailing address, telephone number, and email address.	
<b>A.8</b> Provide a <b>statement declaring Proposer does not have a prohibition for proposing</b> as stated in RFQ Section 1.4.D.9 and an explanation of potential conflict.	

<b>PROPOSER NAME: &lt;&lt;Name&gt;&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION B: QUALIFICATIONS AND EXPERIENCE</b>	<b>Proposal Page Number (By Proposer)</b>
<b>B.1</b> Provide a brief statement indicating <b>Proposer's credentials</b> to deliver the services required by this RFQ. Name the office location(s) providing services and number of employees in each. Provide Proposer's insurance experience modification rate for the last three years. <b>5 points</b>	
<b>B.2</b> Provide <b>summary information for each of no more than three projects</b> of similar scope and complexity constructed in the past ten years or is being constructed by Proposer. Format information as shown after this Section B on no more than one page for each project. <b>15 points</b>	
<b>B.3</b> List <b>contracts with the State of Tennessee</b> including current contracts and contracts completed within the past five years. <b>5 points</b>	
<b>B.4</b> Provide <b>resumes of no more than one page each for the project executive, project manager(s), and superintendent(s)</b> . Include job title, education, professional license or registration, general employment history, and relevant project experience and project roles. Provide two references for the project manager(s) and superintendent(s) with names and contact information. <b>15 points</b>	
<b>B.5</b> Provide a <b>table identifying the personnel named in B.4 assigned to projects named in B.2</b> and their job titles for those projects. <b>10 points</b>	
<b>B.6</b> Provide a <b>table identifying the estimated amount of time in hours per week that each of the key personnel identified in B.4 will be committed to this project.</b> <b>10 points</b>	
<b>Section B: 60 points</b>	

<b>PROPOSER NAME: &lt;&lt;Name&gt;&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION C: TECHNICAL APPROACH</b>	<b>Proposal Page Number (By Proposer)</b>
<p><b>C.1</b> Provide a statement indicating <b>how Proposer will deliver the construction services</b> required by this RFQ. Include a project organizational chart designating the lines of authority.</p> <p><b>10 points</b></p>	
<p><b>C.2</b> Describe the <b>methods to be used for the following construction services</b> as applied to this Project.</p> <ol style="list-style-type: none"> <li>1. Tracking and reporting construction progress, schedule, conflict resolution, and accounting information</li> <li>2. Quality control program for construction</li> <li>3. Safety program for construction</li> <li>4. Project close-out procedures</li> </ol> <p><b>10 points</b></p>	
<p><b>C.3</b> Describe Proposer's experience implementing criteria for <b>sustainable design and construction</b> such as State of Tennessee High Performance Building Requirements, LEED, Green Globes or Energy Star.</p> <p><b>5 points</b></p>	
<p><b>C.4</b> If any work, regardless of dollar value, is required for the trades listed below, and if Proposer will not perform the work in that category with Proposer's own forces, <b>identify one to three subcontractors in each category that are prequalified by your firm to serve as a subcontractor for this Project. Describe the qualifications for each</b> that meet or exceed your prequalification requirements.</p> <ol style="list-style-type: none"> <li>1. Electrical</li> <li>2. HVAC</li> <li>3. Masonry</li> <li>4. Plumbing</li> <li>5. Roofing</li> </ol> <p>The Owner reserves the right to request an AIA Document A305-1986 on a proposed subcontractor.</p> <p><b>10 points</b></p>	

Section C continues on the next page.

<b>PROPOSER NAME: &lt;&lt;Name&gt;&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION C: TECHNICAL APPROACH</b>	<b>Proposal Page Number (By Proposer)</b>
<p><b>C.5</b> Provide the following:</p> <p>(a) A description of the Proposer’s existing <b>programs and procedures</b> designed <b>to encourage and foster commerce with business enterprises</b> owned by minorities, women, persons with a disability and small business enterprises;</p> <p>(b) A listing of the Proposer’s <b>current contracts with business enterprises</b> owned by minorities, women, persons with a disability and small business enterprises;</p> <p>(c) An estimate of the <b>level of participation by business enterprises</b> owned by minorities, women, persons with a disability and small business enterprises in a contract awarded to the Proposer pursuant to this RFQ; and</p> <p>(d) The <b>percent of the Proposer’s current employees</b> listed by gender, noting ethnicity and disability.</p> <p><b>5 points</b></p>	
<b>Section C: 40 points</b>	

**Maximum Technical Proposal Score: 100 points.**

**Minimum required for qualification for an Invitation to Bid: 75 points.**

**2.3 PROJECT NARRATIVE AND DOCUMENTATION**

*This will include information on the following.*

1. *Design team*
2. *Project description*
3. *Basic scope of work for major components and/or subcontractor trades*
4. *Anticipated Project schedule*
5. *Estimated construction cost*
6. *Site plan and/or other drawings showing design intent*

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**OTHER DOCUMENTS Available for SPA Use for BV1 RFQs**

1. *BV1 RFQ Instructions (guides RFQ Coordinator through the RFQ process)*
2. *BV1 RFQ Document Use Guide (instructions on revisions required prior to posting)*
3. *BV1 Pre-Proposal Agenda (includes topics to cover in pre-proposal conference)*
4. *BV1 Pre-Proposal Attendance (blank roster)*
5. *BV1 Evaluation (spreadsheet to calculate proposer scores)*



## CM/GC RFQ Highlighted Excerpts

### 1.1 INTRODUCTION

#### A. Purpose

As identified on the Cover Page the Owner has issued this Request for Proposals (RFP) for the designated Project. The RFP defines service requirements; solicits proposals; details proposal requirements; and outlines the process for evaluating proposals and selecting and contracting with a Construction Manager/General Contractor (CM/GC).

#### B. Scope of Services

3. RFP Section 1.6, Pro Forma Master Contract (MC) Between Owner and CM/GC, and RFP Section 1.7, Scope of Services, together detail the Owner's requirements for the CM/GC's scope of services. The MC substantially represents the contract document that the Proposer selected by the Owner must agree to and sign.
4. For Project information refer to RFP Section 2.4, Project Narrative and Documentation.

### 1.4 PROPOSAL REQUIREMENTS

#### B. Proposal Contents

1. A proposal must respond to the description of CM/GC scope of services, contract requirements, and proposal requirements described in this written RFP and RFP attachments, exhibits, or addenda.
2. Each Proposer must submit a proposal in response to this RFP with the most favorable terms that the Proposer can offer in recognition that there will be no best and final offer procedure.
3. No portion of a proposal may be delivered orally or by means of electronic transmission.
4. A proposal in response to this RFP shall consist of the following two documents as described herein in regard to content and required number of copies.
  1. Technical Proposal (Reference section C below and RFP Section 2.2)
  2. Cost Proposal (Reference section D below and RFP Section 2.3)
5. Each Proposer must submit eight copies of the Technical Proposal and a single digital file copy in a searchable PDF format on a flash drive, not password protected. The digital file should not exceed 20 MB and should be named using the following format: "<<Proposer Name>> CMGC <<SBC Number>>". Proposals should be clearly marked as follows.

#### Technical Proposal

CM/GC Services

<<Project Name>>

SBC No. <<Number>>

**For RFP Coordinator Opening Only**

6. Each Proposer must submit **one original Cost Proposal** in a separately sealed package that is clearly marked as follows.

**Cost Proposal**

CM/GC Services

<<Project Name>>

SBC No. <<Number>>

**For RFP Coordinator Opening Only**

7. The Proposer must **enclose all documents and flash drive in a larger sealed package**. The Proposer shall clearly mark the outermost package as follows.

**Technical Proposal and Cost Proposal**

For CM/GC Services

<<Project Name>>

SBC No. <<Number>>

Submitted By:

<<CM/GC Name>>

<<Contractor License No., Classification, Expiration Date, License Limit>>

<<Contact Person Name, Address, Telephone Number, Email>>

**C. Technical Proposal Requirements**

1. **No pricing information shall be included in the Technical Proposal**. Inclusion in the Technical Proposal of a direct or implied revelation of requested Cost Proposal information shall make the proposal non-responsive and the Owner will reject it.
2. Each Proposer must use RFP Section 2.2 to guide organization of the Technical Proposal. Each Proposer shall duplicate RFP Section 2.2 for use as the Table of Contents for the Technical Proposal by adding proposal page numbers and the Proposer's name as indicated. The Proposer must address all items for all sections and provide, in sequence, the required information and documentation with the associated item references.
3. The Technical Proposal must be economically prepared, with emphasis on completeness and clarity of content, legibly written, brief, and to the point in a direct response to the information requested for each item. All material must be on **standard 8 1/2" x 11" paper with exceptions permitted for foldouts containing non-text information such as charts and spreadsheets**. The proposal must be in a spiral bound format that lays flat on a desktop.
4. All pages must be numbered excluding covers.
5. The Technical Proposal **shall not exceed 40 pages excluding covers**. Pages or sheets with print on both sides will be counted as two pages.
6. All information included in a Technical Proposal shall be relevant to a specific requirement detailed in RFP Section 2.2. All information must be incorporated into a response to a specific requirement and clearly referenced. Information not meeting these criteria will be deemed extraneous and will in no way contribute to the evaluation process.

## 1.5 CONTRACT REQUIREMENTS

### D. Contract Award

1. The RFP Coordinator will forward the evaluation results to the responsible Owner official, who will consider the results and all pertinent information available to make a recommendation of contract award to the SBC. The Owner reserves the right to make an award recommendation without further discussion of a proposal.
2. Prior to approval of the SBC, the Owner will issue an Intent to Award Notice to identify the apparent highest evaluated proposal on the date detailed in the RFP Section 2.1, Schedule of Events. The Intent to Award Notice shall not create rights, interests, or claims of entitlement in either the Proposer with apparent highest evaluated proposal or another Proposer.

## 1.6 PRO FORMA MASTER CONTRACT (MC) BETWEEN OWNER AND CM/GC

### A. SCOPE OF SERVICES

- A.1 The CM/GC shall provide the services as detailed in the attached RFP Section 1.7, Scope Services, which provides the primary input for development of a Construction Services Agreement in the form of the attached RFP Section 1.8, Pro Forma Construction Services Agreement (CSA) Between Owner and CM/GC. Construction services shall be provided contingent upon the execution of a mutually acceptable CSA between the Owner and the CM/GC.
- A.2 The intent of the scope is to establish a partnership between the CM/GC, the Owner, and Designer, governed by specific contracts, that is responsible for expeditious and economic progress of the Project consistent with the interests of the Owner.

### B. CONTRACT TERM

- B.1 This MC shall be effective for the period commencing on execution of this agreement and ending at the end of the one-year correction period.
- B.2 The Owner shall have no obligation for services rendered by the CM/GC which are not performed within the specified period.

### C. PAYMENT TERMS AND CONDITIONS

- C.1 Compensation by the Owner to the CM/GC under this MC for pre-construction phase services shall be a lump sum fee of the following amount.

<<Dollar amount of lump sum fee written in words>>

(\$<<Dollar amount of lump sum fee written in numbers>>)

## 1.7 SCOPE OF SERVICES

The Construction Manager/General Contractor (CM/GC) shall provide Pre-Construction Phase Services (PCPS) and Construction Phase Services (CPS) for the Project described in RFP Section 2.4, Project Narrative and Documentation, including, but not limited to, development of a Guaranteed Maximum Price (GMP). Services shall be provided by the personnel designated in the CM/GC's Technical Proposal or by substitute personnel approved in writing by the Owner. Requests for substitute personnel shall include justification for the substitution and qualifications of the substitute personnel in similar form and content as required for the Technical Proposal.

## 1.7.1 PRE-CONSTRUCTION PHASE SERVICES

- A. Project Information and Procedures
- B. Meetings and Key CM/GC Personnel
- C. Consultation
- D. Schedule

Two types of schedules are required of the CM/GC in the pre-construction phase as described in the following sections, (1) the pre-construction phase schedule and (2) the preliminary construction schedule.

- E. Constructability
- F. Construction Cost Estimate
- G. Value Analysis
- H. Construction Documents
- I. Subcontractor Qualification Requirements and Subcontractor List
- J. Subcontract Bidding

1. Prepare subcontractor bid packages required for completing construction and to encourage competitive bidding among subcontractors. Conduct bidding in accordance with the preliminary construction schedule.

### K. GMP for Construction

1. The GMP shall be established not later than the date documented in the preliminary construction schedule. The CM/GC may bid subcontracts prior to establishment of the GMP at its own risk subject to sections P and Q below; however, the CM/GC shall not enter into binding contracts with subcontractors until CM/GC receipt of a fully signed Construction Services Agreement (CSA). The CM/GC shall develop and provide to the Owner a GMP which shall include all construction costs and Project related cost required under the GMP, the CM/GC Contingency, the construction services Fixed Fee, and the construction services General Conditions costs. The GMP shall be submitted in the format of RFP Section 1.10, GMP Request Form.
2. The CM/GC's GMP will be reviewed by the Designer and the Owner for reasonableness and compatibility with the GMP Target. The Owner, Designer and the CM/GC will work together to resolve questions and differences that may occur between the GMP Target and the CM/GC's corresponding GMP.
3. The GMP shall not exceed the GMP Target as established by the Owner.

### L. CM/GC Contingency

1. The GMP shall include a construction contingency (Contingency) in an amount approved by the Owner, to help reduce the risks assumed by the CM/GC in providing the GMP for the Project. The Owner retains the right to specifically request revisions to the amount of the Contingency prior to the Owner's acceptance and approval of the GMP. The Owner and the CM/GC acknowledge that this Contingency is included to adjust for eventualities which have not been taken into precise account in the establishment of the GMP, including, but not limited to, those resulting from
  - a. The Construction Documents not being complete at the time the GMP is established,

- b. Scope gaps between subcontractors,
  - c. Unforeseen field conditions, circumstances, occurrences, or errors and omissions in the Contract Documents which would not have been reasonably detected or anticipated during the discharge of the CM/GC's preconstruction duties, and
  - d. Net overage in subcontracts awarded after CSA execution.
2. The amount of the Contingency is the maximum sum available to the CM/GC to cover costs incurred as a result of such unanticipated causes. Cost in excess of the amount of the Contingency will be borne by the CM/GC under the GMP, unless the GMP is adjusted pursuant to the terms of the CSA.
  3. The Contingency may be applied to items within the cost of the Work without the necessity of a modification, without constituting a change in the Work, and without resulting in a change in the GMP. The CM/GC shall advise the Designer and the Owner prior to applying a part of the Contingency to an item within the cost of the Work. The CM/GC shall document the change on the record documents.

M. Owner's Construction Contingency:

The Owner's Construction Contingency is not included in the GMP.

N. Subcontract Award and Estimate Amounts in the GMP

O. Reserve Fund

1. If the awarded net value of all subcontracts incorporated as estimates in the GMP is less than the GMP subcontract budget the net value may be allocated to a Reserve Fund.
2. The sum of the Contingency and the Reserve Fund shall be a maximum of ten percent of the value of the GMP or a different percent agreed to in writing by the Owner and the CM/GC. Funds in excess of the ten percent maximum will be deducted from the GMP by modification and added to the Owner's Construction Contingency.
3. The CM/GC may utilize the Reserve Fund for Contingency after the Contingency has been expended upon prior written approval by the Owner or for purposes defined and approved by the Owner in writing.

## 1.7.2 CONSTRUCTION PHASE SERVICES

The CM/GC services shall consist of providing CPS as required herein and by the Contract Documents including, but not limited to, the General Conditions of the Contract for Construction and all additional documents enumerated in Article 1 of the CSA to affect the complete construction of the Project and to maintain the established GMP and Contract Time of the Project.

A. Consultation During Continuing Project Development

B. Modifications to Standard Documents

The CM/GC shall meet the following requirements that modify or expand those provided by the Owner's Standard Documents Division 00 and 01 provided on the Owner's website and specific documents enumerated in Article 1 of the executed CSA.

1. Project Construction Schedule

- a. The CM/GC shall provide a critical path schedule utilizing accepted standard

computer based software.

2. Project Staffing

- a. The CM/GC's shall coordinate the work of the subcontractors and coordinate the work with the activities and responsibilities of the Owner, Designer and CM/GC to complete the Project in accordance with the CSA requirements.

3. Meetings

- a. The CM/GC shall schedule and conduct regular progress meetings with subcontractors as conditions on the Project require.
- b. The CM/GC shall **conduct biweekly progress meetings** to discuss items as identified in the Construction Progress Meeting Agenda provided in the Owner's Designers' Manual.

4. Requests for Information (RFI)

- a. The CM/GC will be responsible for developing and implementing an RFI form for use on the Project.
- b. The CM/GC will be responsible for **logging and reviewing all RFIs** prior to submission to the Designer.

5. Substitution Requests

- a. The CM/GC shall **log all substitution requests**.

C. Financial Management

1. The CM/GC shall maintain cost accounting records on authorized work performed under unit costs, actual costs for labor and material, or other bases requiring accounting records, and afford the Designer and the Owner access to these records and preserve them in accordance with section D.11 of the MC.
2. **Upon completion of the CM/GC's obligations under the CSA, all non-expended funds remaining in the GMP will be credited to the Owner by Change Order.**

D. Self-Performed Work

The CM/GC may self-perform Project work to assist with the coordination of subcontracts and minor Project facilitation. The CM/GC shall not perform trade contract work. The maximum percent of the GMP that the CM/GC can self-perform shall be three percent (or as approved by the Owner).

E. Quality Control

F. Modifications and Change in GMP

G. Submittals

1. The CM/GC shall be responsible for **logging all submittals** prior to submission to the Designer. The CM/GC is to ensure that submittal packages are submitted in accordance with the Contract Documents.

H. Document Control

I. Reports

1. The CM/GC shall submit a **monthly progress report** to the Designer and the Owner to include the status of construction with progress photographs, updated copies of logs, the Construction Schedule.

## 1.8 PRO FORMA CONSTRUCTION SERVICES AGREEMENT (CSA) BETWEEN OWNER AND CM/GC

### ARTICLE 3 – CONTRACT SUM

3.1 The Owner shall pay the CM/GC in current funds for the performance of the Work, subject to by Modifications as provided in the Contract Documents, an amount not to exceed the Guaranteed Maximum Price (GMP), also referred to as the “Contract Sum”, of

<<Contract Sum in words>>

(\$<<Contract Sum in numbers>>)

3.2 The GMP includes the following at the time of the execution of this Agreement:

	DOLLAR AMOUNT
Subcontracts	
Self-Performed Work	
General Conditions, Monthly (total of all months)	
General Conditions, Lump Sum	
Project Related Cost Not Included Above	
CM/GC Contingency	
CM/GC Construction Services Fixed Fee	
<b>Guaranteed Maximum Price</b>	

## 1.9 EVALUATION GUIDE

### C. Scoring

The evaluation process is designed to award the contract not necessarily to the Proposer of least cost but rather to the Proposer with the highest Total Score which is derived by adding the Technical Proposal Score to the Cost Proposal Score of the qualifying proposers.

### D. Technical Proposal Score

1. Technical Proposal Scores are based on Owner evaluations in accordance with RFP Section 2.2, Technical Proposal. For each Proposer the median score of evaluator scores is determined for both Technical Proposal Sections B and C.
2. The two median scores for each Proposer are added to develop the Proposer

Evaluation Amount.

3. Proposers with a Proposer Evaluation Amount less than 70 are disqualified and their cost proposal will be returned and not opened.
4. Proposers with a Proposer Evaluation Amount of 70 or more qualify for development of the Proposer's Technical Proposal Score as shown in the formula below.

QUALIFYING PROPOSER'S TECHNICAL PROPOSAL SCORE =

$$(\text{Proposer's Evaluation Amount}) \div (\text{Highest Evaluation Amount of All Proposers}) \times 70$$

E. Cost Proposal Score

Cost Proposal Scores are based on Proposer Total Cost Amounts in accordance with RFP Section 2.3, Cost Proposal. The Proposer's Cost Proposal Score is developed as shown in the formula below.

COST PROPOSAL SCORE =

$$(\text{Lowest Total Cost Amount of All Proposers}) \div (\text{Proposer's Total Cost Amount}) \times 30$$

F. Total Score

The Proposer's Total Score is developed as shown in the formula below.

TOTAL SCORE =

$$(\text{Technical Proposal Score}) + (\text{Proposer's Cost Proposal Score})$$

G. Process

10. After the Proposal Deadline provided in RFP Section 2.1, Schedule of Events, the Owner will open and review each Technical Proposal for a "Pass" or "Fail" evaluation based on compliance with each of the Mandatory Requirements of Section 2.2, Technical Proposal, and the following Proposal format and content requirements.

- h. Received on or before the Proposal Deadline.
  - i. Number of copies, digital file, and packaging as required.
  - j. Formatted as required and does not exceed size or page number limits.
  - k. Contains no Cost Proposal information.
  - l. Proposer did not submit alternate proposals.
  - m. Proposer did not submit multiple proposals in a different form.
  - n. Does not contain restrictions of the rights of the Owner or other qualification of the proposal.
11. If the Owner determines that a proposal may have failed to meet one or more of the "Pass or Fail" criteria or the Proposal format and content requirements, the Evaluation Team, described below, will review that proposal and make its own determination, documented in writing, of whether (1) the proposal meets requirements for further evaluation or (2) the Owner will request clarifications or corrections to enable further evaluation or (3) the Owner will determine the proposal non-responsive to the RFP and reject it.

12. An Evaluation Team made up of three or more employees of the State of Tennessee will evaluate responsive Proposals. The Evaluation Team may utilize technical advisers.

13. The Owner may contact references provided by the Proposer and other source



available for reference information.

14. Each Evaluation Team member will independently evaluate Proposals and assign points using Section B, Qualifications and Experience, and Section C, Technical Approach, in RFP Section 2.2, Technical Proposal.
15. The Owner reserves the right, at its sole discretion, to request Proposer clarification of a Technical Proposal or to conduct clarification discussions with Proposers. Such discussions shall be limited to specific sections of the proposal identified by the Owner. The subject Proposer shall put the resulting clarification in writing as may be required by the Owner.
16. The Owner reserves the right to receive an oral presentation from a Proposer. Oral presentation topics and the number of firms presenting are at the sole discretion of the Owner.
17. Using the scores from the Evaluation Team, the Owner will develop Technical Proposal Scores as described above.
18. After Technical Proposal evaluations are completed the Owner will open Cost Proposals and develop Cost Proposal Scores as described above.
19. If the Owner determines that a Cost Proposal is non-responsive and the proposal is rejected; the Owner may make appropriate revisions to Technical Proposal Scores.
20. The Owner will develop Cost Proposal Scores as described above.
21. The Owner will develop Total Scores as described above.

Excerpts from the 1.10 GMP Request Form which is an Excel document:

<b>1.10 GMP REQUEST FORM</b>		(Note: Major formulas have been included. Minor formulas to be added by the CM/GC.)	
<b>Submission format required for CM/GC Construction Service Agreements (CSA) and CSA Amendments</b>			
A request for a Guaranteed Maximum Price (GMP) shall be submitted in the following format, having a cover letter and exhibits A through H.			
<b>Cover Letter from CM/GC including:</b>			
1. A reference to the Work Package.			
2. A summary of the Work to be accomplished for the GMP.			
3. The GMP amount requested along with number of days to complete the work.			
4. A statement that the requested GMP is within the budget for the scope of work.			
5. If applicable, a statement that remaining work is within budget and supports achievement of the GMP Target.			
6. State the transmittal of the following Exhibits A through H.			
<b>Exhibit A – CM/GC GMP Calculation with the following information</b>			
The proposed GMP includes the following line items for the development of the CSA:			Amount
A.1	Subcontracts and Trade Package Estimates		\$0.00
A.2	Self-Performed Work		\$0.00
A.3	General Conditions, Monthly (total of all months)		\$0.00
A.4	General Conditions, Lump Sum		\$0.00
A.5	Project Related Cost Not Included Above		\$0.00
A.6	CM/GC Contingency		\$0.00
	<b>Sub Total</b>		\$0.00
	CM/GC Construction Services Fixed Fee*	0.00%	\$0.00
	<b>Guaranteed Maximum Price</b>		\$0.00
*Fixed amount initially established by CM/GC proposed percentage. Amount may change in accordance with RFP Section 1.7.2.F			

The form continues to have tables that relate to the items above.

<b>A.1 - Total Subcontracts and Trade Package Estimates</b>	<b>Total</b>	\$0.00
<b>A.2 - Total Self-Performed Work</b>	<b>Total</b>	\$0.00
<b>A.3 - Total General Conditions, Monthly</b>	<b>Total</b>	\$0.00
<b>A.4 - Total General Conditions Lump Sum Items:</b>	<b>Total</b>	\$0.00
<b>A.5 - Total Project Related Costs</b>	<b>Total</b>	\$0.00
<b>Exhibit B - Provide complete cost breakdown of the GMP as developed in the CM/GC's in-house format.</b>		
<b>Exhibit C – Subcontractor Bid Summary</b>		
Provide all Bid Tabs in a format similar to the Bid Tab form provided in the Designers' Manual located on the Owner's website.		
<b>Exhibit D – Construction Documents</b>		
Provide a listing of the Project Manual, drawings and addendums.		
<b>Exhibit E – Clarifications</b>		
Provide any necessary clarifications regarding this request for a CSA.		
<b>Exhibit F – Alternates, Unit Prices, and Allowances</b>		
Provide a listing of all alternates (accepted and rejected), unit prices, and allowances.		
<b>Exhibit G –Schedule</b>		
Attach current schedule for the project.		
<b>Exhibit H - GMP Cumulative Summary</b>		
If applicable, provide a cumulative summary when adding scope or phases to an existing CSA, and show the history of the current GMP, showing all amendments, and the effect of adding this package to the existing GMP.		

## 2.0 PROJECT SPECIFIC DOCUMENTS

### 2.1 SCHEDULE OF EVENTS

The following table provides the Owner's proposed Schedule of Events. The Owner reserves the right, at its sole discretion, to change this schedule. The Owner will communicate a change to the Schedule of Events to entities from whom the Owner has received a Notice of Intent to Propose.

EVENT	DATE	TIME at LOCATION
1. Owner Issues RFP	<<Month DD, 20YY>>	
2. Pre-Proposal Conference Location and Instructions	<<Month DD, 20YY>>	<<Time>>
3. Notice of Intent to Propose Deadline	<<Month DD, 20YY>>	
4. Comments Deadline	<<Month DD, 20YY>>	
5. Owner Responds to Comments	<<Month DD, 20YY>>	
6. Proposal Deadline Proposals must be submitted to the Owner no later than the date and time shown, at the location below.	<<Month DD, 20YY>>	<<Time>>
7. Owner Issues the Intent to Award Notice and Procurement File is Opened for Public Inspection (No less than ten days prior to State Building Commission approval.)	<<Month DD, 20YY>>	
8. Proposed State Building Commission Approval	<<Month DD, 20YY>>	
9. Proposed Contract Start Date	<<Month DD, 20YY>>	

#### Pre-Proposal Conference Location and Instructions:

<<Location and instructions or reference attachment with location information. Use second page if needed.>>

#### Proposal Submittal Location:

<<Location information. Use second page if needed.>>

## 2.2 TECHNICAL PROPOSAL

<b>PROPOSER NAME: &lt;Name&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION A: MANDATORY REQUIREMENTS</b> Owner Evaluation for Each Requirement: Pass or Fail	<b>Proposal Page Number (By Proposer)</b>
A.1 Provide a <b>completed Certification Statement</b> , in the format provided herein.	
A.2 Provide a <b>Drug-Free Workplace Affidavit</b> in the format provided herein.	
A.3 Provide a <b>letter(s) from an insurance and/or surety agency stating Proposer's capability to provide insurance and bonding</b> for the project in accordance with the GMP Target listed in RFP Section 2.5, Project Narrative and Documentation, and the General Conditions of the Contract for Construction.	
A.4 Describe Proposer's <b>form of business</b> (e.g., corporation, partnership, limited liability company) and the U.S. state in which it is established.	
A.5 Provide a <b>statement of whether there have been mergers, acquisitions, or sales of Proposer within the last five years</b> , and if so, an explanation providing relevant details.	
A.6 Provide a <b>statement that discloses pending litigation</b> against Proposer. The Owner reserves the right to request an opinion of Proposer's counsel as to whether pending litigation will impair performance in a contract under this RFP.	
A.7 Provide a <b>statement declaring whether</b> , in the last ten years, the <b>Proposer has filed, or had filed against it, bankruptcy or insolvency</b> proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors, and if so, an explanation providing relevant details.	
A.8 Identify <b>Proposer's primary contact person</b> for the Owner including mailing address, telephone number, and e-mail address.	
A.9 Provide a <b>statement declaring Proposer does not have a prohibition for proposing</b> as stated in RFP Section 1.4.E.9 and an explanation of potential conflict.	

<b>PROPOSER NAME: &lt;Name&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION B: QUALIFICATIONS AND EXPERIENCE</b>	<b>Proposal Page Number (By Proposer)</b>
<b>B.1</b> Provide a brief statement indicating <b>Proposer's credentials</b> to deliver the services required by this RFP. Name the office location(s) providing services and number of employees in each. Provide Proposer's insurance experience modification rate for the last three years.  <b>5 points</b>	
<b>B.2</b> Provide <b>summary information for each of no more than three projects</b> of similar scope and complexity constructed in the past ten years or is being constructed by Proposer. Format information as shown after this Section B on no more than one page for each project.  <b>15 points</b>	
<b>B.3</b> List <b>contracts with the State of Tennessee</b> including current contracts and contracts completed within the past five years.  <b>5 points</b>	
<b>B.4</b> Provide <b>resumes of no more than one page each for key personnel</b> . Include title/position, education, professional license or registration, general employment history, and relevant project experience and project roles. Key personnel shall include, <b>at a minimum, the project executive, project manager(s), superintendent(s), and pre-construction phase cost estimator(s)</b> . The project manager must be assigned to both the pre-construction phase and the construction phase. Provide two references for the project manager(s) and superintendent(s) with names and contact information.  <b>15 points</b>	
<b>B.5</b> Provide a table identifying the personnel named in B.4 assigned to projects named in B.2 and their job titles for those projects.  10 points	
<b>B.6</b> Provide a <b>table identifying the estimated amount of time in hours per week that each of the key personnel identified in B.4 will be committed to this project during the pre-construction and construction phase</b> . Designate in the table the personnel to be included in the Cost Proposal monthly general conditions for Contract Time and Construction Close-Out.  <b>10 points</b>	
<b>Section B: 60 points</b>	

<b>PROPOSER NAME: &lt;Name&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION C (C.1 through C.4): TECHNICAL APPROACH</b>	<b>Proposal Page Number (By Proposer)</b>
<p><b>C.1</b> Provide a statement indicating how Proposer will deliver the pre-construction and construction management services required by this RFP. Include a project organizational chart designating the lines of authority.</p> <p><b>10 points</b></p>	
<p><b>C.2</b> Describe the methods to be used for the following pre-construction phase services as applied to this project:</p> <ul style="list-style-type: none"> <li>a. Schedule development</li> <li>b. Cost model</li> <li>c. Constructability</li> <li>d. Value engineering</li> <li>e. Strategy for using internal and external resources for a, b, c, and d.</li> <li>f. Measures to be taken, in addition to that described in Section I of RFP Section 1.7.1, Pre-Construction Phase Services, for the process for subcontractor qualification and requesting information from potential subcontractors</li> </ul> <p><b>10 points</b></p>	
<p><b>C.3</b> Describe the methods to be used for the following construction phase services as applied to this project.</p> <ul style="list-style-type: none"> <li>a. Tracking and reporting construction progress, schedule, conflict resolution, and accounting information</li> <li>b. Quality control program for construction</li> <li>c. Safety program for construction</li> <li>d. Project close-out procedures</li> </ul> <p><b>10 points</b></p>	
<p><b>C.4</b> Describe Proposer's experience implementing criteria for sustainable design and construction such as State of Tennessee Sustainable Design Guidelines, High Performance Building Requirements, LEED, Green Globes or Energy Star.</p> <p><b>5 points</b></p>	

Section C continues on the next page.

<b>PROPOSER NAME: &lt;Name&gt;</b>	
<b>TECHNICAL PROPOSAL SECTION C (C.5): TECHNICAL APPROACH</b>	<b>Proposal Page Number (By Proposer)</b>
<p><b>C.5</b> Provide the following:</p> <p>(a) A description of the Proposer’s existing <b>programs and procedures</b> designed <b>to encourage and foster commerce with business enterprises</b> owned by minorities, women, persons with a disability and small business enterprises;</p> <p>(b) A listing of the Proposer’s current contracts with business enterprises owned by minorities, women, persons with a disability and small business enterprises;</p> <p>(c) An estimate of the level of participation by business enterprises owned by minorities, women, persons with a disability and small business enterprises in a contract awarded to the Proposer pursuant to this RFP; and</p> <p>(d) The percent of the Proposer’s current employees listed by gender, noting ethnicity and disability.</p> <p><b>5 points</b></p>	
<b>Section C: 40 points</b>	

## 2.4 PROJECT NARRATIVE AND DOCUMENTATION

*Includes documents like those listed for BV1 RFQ.*

### **OTHER DOCUMENTS Available for SPA Use for CM/GC RFPs**

Not as many of these as for BV1 but those can be referenced as they would be similar.

1. *BV1 RFQ Instructions (guides RFQ Coordinator through the RFQ process)*
2. *MC and Scope (“stand alone” which can be used for contracting)*
3. *CSA for GMP (“stand alone” which can be used for contracting)*