



STATE OF TENNESSEE
Department of Finance and Administration

REQUEST FOR QUALIFICATIONS

on behalf of

Tennessee Department of Correction

SBC NUMBER: 142/018-01-2008

Best Value Procurement Option One

for
Construction
of

Re-roof of Various Buildings at the South Central Correctional Facility

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October 28, 2009

1 INTRODUCTION

1.1 Request For Qualifications (RFQ)

- 1.1.1 Tennessee statutes (T.C.A. 4-15-101, et. seq.) empower the State Building Commission to award, subject to the approval of the State Building Commission, construction contracts for the improvement to real property for State of Tennessee projects. The Commission shall follow the “competitive sealed best value procedure” as herein described, in order to achieve maximum competition among qualified Contractors and to obtain the highest level of quality at the least price for State projects “utilizing procedures that promote competition to the greatest extent possible”.
- 1.1.2 This contract shall be awarded under a Competitive Best Value Type 1 (BV1) source selection method by the State of Tennessee, herein referred to as the Owner. Under this method the contract will be awarded to the qualified, responsible Contractor whose credentials and qualifications conform to the Request for Qualifications (RFQ) solicitation in accordance with the evaluation factors and selection procedures specified in this RFQ, and who offers the lowest proposed cost (bid), and who is determined to represent the best overall value to the Owner.
- 1.1.3 Through this RFQ the Owner seeks to procure the best services at the most favorable, competitive prices and to give all qualified businesses, including those that are qualified disadvantaged business enterprises, opportunity to do business with the Owner.

1.2 Project Description

- 1.2.1 The project scope is for the re-roofing of all buildings at the South Central Correctional Facility located in the City of Clifton in Wayne County, Tennessee.
- 1.2.2 Roofing of structures shall include but not limited to the Administration, Maximum Custody Housing Unit, 5 Medium Custody Housing Units, Minimum Custody Annex, Gym, Medical Unit, Operations and Visitation, 4 Program Buildings, Warehouse/Maintenance, Gym/Education, Industry, Kitchen/Laundry and other miscellaneous structures.

1.3 Current Project Status

- 1.3.1 A designer for the project was selected by State Building Commission action on August 16, 2008. Construction Documents for the facility were developed by Gobell Hays/Street Dixon Rick – A Joint Venture.
- 1.3.2 Documents are available from the Designer of Record with a refundable plans deposit of Eight Hundred Dollars (\$800.00). Also, plans may be viewed in area plan rooms. Steve Rick, AIA, is the contact person at telephone number (615) 298-2525 or via email at srick@sdrarch.com.

1.4 Expectations and Objectives

- 1.4.1 To be considered for selection, the Contractor is expected to demonstrate specific construction experience in the management, field supervision, and successful execution of working on roofs within a secure correctional environment. The Contractor must be familiar with confirming soundness of substrates, attachment of membrane roofing on various substrates, flashing and caulking, detach and attach security razor coil.
- 1.4.2 The Contractor shall address this experience in responses to the Submittal and Evaluation Guide section of this RFQ.
- 1.4.3 The Contractor and personnel must be able to pass a National Crime Information Center (NCIC) background check and be fully aware of TDOC’s Detention Project Procedures August 2008 Edition.

1.5 Schedule

- 1.5.1 Construction activity for this project has critical time constraints related to accessing the facility, coordinating with the Department of Correction and escort assignments, and maintaining personnel sufficient to perform the work.
- 1.5.2 In order to avoid delay and expedite Notice to Proceed, the successful Contractor shall have a Contract Bond prepared for submission with Standard Form of Agreement Between Owner and Contractor.

1.5.3 Construction services shall start when the Contract is fully executed. The construction period is anticipated to be 365 days from Construction Notice to Proceed (NTP).

1.6 Project Construction Budget

Bid Target	\$ 6,800,000
Owner Contingency.	<u>\$ 680,000</u>
MACC.....	\$ 7,480,000

The "MACC" is the Maximum Allowable Construction Cost approved by the Tennessee State Building Commission.

1.7 RFQ Communications

1.7.1 The Owner has assigned the following identification number for referencing in all communications regarding the RFQ:

SBC No. 142/018-01-2008

1.7.2 Unauthorized contact regarding this procurement process with employees or officials of the State of Tennessee other than the RFQ Coordinator may result in disqualification.

1.7.3 Interested Parties must direct all communications regarding this procurement to the following RFQ Coordinator, who is the Owner's only official point of contact for this RFQ.

Howard Symons, RFQ Coordinator
Department of Finance and Administration
William R. Snodgrass Tennessee Tower, Suite 2200
312 Rosa L. Parks Avenue
Nashville, Tennessee 37243
Telephone: 615-
FAX: 615-741-6146
Howard.Symons@tn.gov

1.8 Licensure

1.8.1 Contractors shall be familiar with the Contractors Licensing Act of 1994, as currently amended (codified in Tennessee Code Annotated Sections 62-6-101, et seq.). A contract will not be awarded to a Contractor whose qualifications are in conflict with State of Tennessee licensing law.

1.9 Letter of Intent to Submit Credentials Qualifications

1.9.1 Interested Parties shall submit a Letter of Intent to the RFQ Coordinator by the deadline shown in the RFQ Schedule of Events. The letter should include:

- a) Company name
- b) Name and title of a contact person
- c) Address, telephone number, facsimile phone number, and Email of the contact person

1.9.2 A Letter of Intent creates no obligation and is not a prerequisite for responding to the RFQ. However, in order to ensure accurate and consistent information, the Owner will alert Contractors who submit a Letter of Intent of official notifications concerning the RFQ.

1.10 Deadlines for Submittal OF Qualifications (SOQ)

1.10.1 Date and time deadlines are listed in the RFQ Schedule of Events. Contractor submittals shall respond to the RFQ instructions, requirements, and any RFQ exhibits, attachments, and amendments.

1.10.2 Late submittals will not be accepted, and failure to submit an SOQ before specified deadlines shall cause the submittal to be disqualified.

1.11 Pre-Submittal Conference

1.11.1 A Pre-Submittal Conference for all interested Contractors, scheduled as shown in the RFQ Schedule of Events, will be held at:

Davidson Room
William R. Snodgrass Tennessee Tower, 3rd Floor
312 Rosa L. Parks Avenue (formerly 8th Ave. North)
Nashville, Tennessee

The purpose of the conference is to discuss the types of work expected and to allow prospective Contractors to ask questions concerning the RFQ and the project scope. The Architect will be in attendance to address project scope issues, and a sample set of plans will be available for viewing.

1.11.2 Verbal responses given at the Pre-Submittal Conference are considered tentative and non-binding on the Owner.

1.11.3 Only written responses from the Owner will be official.

2 RFQ SCHEDULE OF EVENTS

- 2.1 The following Schedule of Events represents the Owner's best estimate of the schedule that will be followed. Unless otherwise specified, the time of day for the following events will be between 8:00 a.m. and 4:30 p.m., Central Time.
- 2.2 The Owner reserves the right, at its sole discretion, to adjust this schedule as it deems necessary. The Owner will communicate any adjustment to the Schedule of Events to companies from whom the Owner has received a Letter of Intent.

RFQ SCHEDULE OF EVENTS		
EVENT	TIME	DATE (all dates are State business days)
1. Owner Issues RFQ		Wednesday 28-Oct-2009
2. Deadline Disability Accommodation Request		Friday 30-Oct-2009
3. Pre-Submittal Conference	8:30 a.m.	Wednesday 4-Nov-2009
4. Deadline for Letter of Intent		Tuesday 10-Nov-2009
5. Deadline for Written Questions & Clarifications		Monday 16-Nov-2009
6. Owner Responds to Written Requests		Monday 23-Nov-2009
7. Submittal Of Qualifications Deadline	2:00 p.m.	Tuesday 1-Dec-2009
8. Tentative Dates for Interviews(per Owner determination)		Wednesday 2 Dec 2009
9. Tentative Date Owner Notifies Eligible Bidders		Thursday 10-Dec-2009
10. Anticipated Bid Date		Wednesday 8-Jan-2010
11. Tentative Date Owner Opens RFQ Files for Public Inspection after the Final Disposition of Bids		Tuesday 9-Feb-2010

3 SUBMITTAL REQUIREMENTS

3.1 Credential Submittal Form and Delivery

- 3.1.1 Each participating Contractor shall submit a Credentials document in response to this RFQ addressing all components as specified in the RFQ and any amendments.
- 3.1.2 A Contractor shall not deliver an SOQ orally or by any means of electronic transmission.
- 3.1.3 Submit a total of nine Credentials documents: one (1) Submittal marked as the "Original" along with eight (8) copies for distribution. Submit Credentials documents to the Owner in a sealed package that is clearly marked:

"Do Not Open"
Credentials Submittal in Response to
RFQ 142/018-01-2008

- 3.1.4 The Owner must receive all submittals in response to this RFQ no later than the Deadline time and date detailed in the Schedule of Events, at the following address:

Howard Symons, RFQ Coordinator
Real Property Administration
William R. Snodgrass Tennessee Tower,
Suite 2200
312 Rosa L. Parks Avenue
Nashville, Tennessee 37243

3.2 Credentials Submittal and Evaluation Guide

- 3.2.1 The Submittal and Evaluation Guide details specific requirements for developing and submitting a Credentials document in response to this RFQ. This guide includes business and general requirements as well as technical queries requiring written responses.
- 3.2.2 No pricing information (except company financial data that is specifically requested) shall be included in the Credentials submittal. This is not a bid. Inclusion of cost amounts in the Credentials submittal will make the Submittal non-responsive and the Owner will reject it.
- 3.2.3 Each Contractor shall use the Credentials and Evaluation Guide to organize, reference, and draft their Credentials documents. Contractors may utilize the Credentials and Evaluation Guide as a table of contents.
- 3.2.4 Contractors shall use the provided form "Related Project History Form" to submit example projects for qualifications and experience information.
- 3.2.5 Credentials documents should be economically prepared, with emphasis on completeness and clarity of content. Submitted Credentials, as well as any reference material presented, must be written in English and must be written on standard 8 1/2" x 11"

paper (although charts, spreadsheets, and oversize foldout exhibits are permissible).

- 3.2.6 All document pages shall be numbered.
- 3.2.7 The Credentials document should not exceed fifty (50) pages. This count excludes cover sheets, tabbed dividers, résumés in appendices, appendices for exhibits and examples, and pages used as Table of Contents.
- 3.2.8 All information included in a Credentials document submittal shall be relevant to a specific requirement detailed in the Credentials and Evaluation Guide. All information shall be incorporated into narrative responses to each specific requirement.
- 3.2.9 Charts, lists, photos, and illustrations should be utilized only when appropriate or specifically requested. Any information not conforming to these criteria will be deemed extraneous and will in no way contribute to the evaluation process.

4 EVALUATION & CONTRACT AWARD

4.1 Evaluation Categories and Maximum Points

- 4.1.1 The Owner will consider Qualifications and Experience, and Project Approach in the evaluation of Contractor credentials. The maximum points that may be awarded for each of these categories are detailed below.

- 4.1.2 Each category is weighted as follows, and one hundred (100) points is the maximum total number of points which may be awarded:

100 (maximum points possible)

- General Business *(fully responsive Y/N)*
- Qualifications & Experience *(50 points possible)*
- Project Approach *(50 points possible)*

- 4.1.3 The Competitive Best Value Type 1 selection process is separated into two parts: a Credentials submittal (containing Qualifications, Experience, and Project Approach) and a Bid.

- 4.1.4 Part One: Credentials submittal documents must attain a combined minimum score of seventy (70) points for a Contractor to be offered opportunity to Bid.

- 4.1.5 Part Two: Bids will only be considered for those Contractors invited to submit bids.

- 4.1.6 Contractors invited to submit bids will be limited to the five (5) highest scoring Credentials submittals in Part One, who's Credentials have attained the minimum combined score of seventy (70) points.

- 4.1.7 The Contractor with the lowest Bid in accordance with Part Two will be considered the apparent low bidder for contract award pending review by the Owner.

End of Section

BV1 RFQ GENERAL REQUIREMENTS

NONDISCRIMINATION

1.1 No person shall be excluded from participation in, be denied benefits of, be discriminated against in the admission or access to, or be discriminated against in treatment or employment in the State of Tennessee's contracted programs or activities on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by federal or Tennessee State Constitutional or statutory law; nor shall they be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of contracts with the State of Tennessee or in the employment practices of the State's contractors. Accordingly, all vendors entering into contracts with the State of Tennessee shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

1.2 The Owner has designated the following to coordinate compliance with the nondiscrimination requirements of the State of Tennessee, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and applicable federal regulations

Buddy Lea, Acting Title VI Coordinator
Department of Finance and Administration
William R. Snodgrass Tennessee Tower, Suite 1200
312 Eighth Avenue North
Nashville, Tennessee 37243
Telephone: (615) 741-6049

ASSISTANCE FOR PERSONS WITH A DISABILITY

2.1 A Contractor participating in the RFQ, who has a disability, may receive accommodation regarding the means of communicating this RFQ and participating in this RFQ process. The person with a disability should contact the RFQ Coordinator to request reasonable accommodation no later than the Disability Accommodation Request Deadline detailed in the RFQ Schedule of Events.

RFQ COMMUNICATIONS

3.1 Any verbal communications shall be considered unofficial and non-binding with regard to this RFQ.

3.2 Each participating Contractor shall assume the risk of the method of dispatching any communication or Credentials Submittal Documents to the Owner. The Owner assumes no responsibility for delays or delivery failures resulting from the method of dispatch. Actual or electronic "postmarking" of a communication or any document to the Owner by a deadline date shall not substitute for actual receipt of a communication or document by the Owner.

3.3. The RFQ Coordinator must receive all written comments, including questions and requests for clarification, no later than the Written Comments Deadline detailed in the RFQ Schedule of Events.

3.4 The Owner reserves the right to determine, at its sole discretion, the appropriate and adequate responses to written comments, questions, and requests for clarification. The Owner's official responses and other official communications pursuant to this RFQ shall constitute an amendment of this RFQ.

3.5 The Owner will convey all official responses and communications pursuant to this RFQ to the participating Contractors from whom the Owner has received a Letter of Intent.

3.6 Only the Owner's official, written responses and communications shall be considered binding with regard to this RFQ.

3.7 The Owner reserves the right to determine, at its sole discretion, the method of conveying official responses and communications pursuant to this RFQ (e.g., written, facsimile, electronic mail, or Internet posting).

3.8 Any data or factual information provided by the Owner, in this RFQ or an official response or communication, shall be deemed for informational purposes only, and if a Contractor relies on such data or factual information, the Contractor shall either: (1) independently verify the information; or, (2) obtain the Owner's written consent to rely thereon.

GENERAL RFQ CONDITIONS AND CONTRACTING INFORMATION

4.1 Waiver of Objections. Each participating Contractor shall carefully review this RFQ and all Attachments, including but not limited to the Owner's *Standard Form of Agreement Between Owner and Contractor*, for comments, questions, defects, objections, or any other matter requiring clarification or correction (collectively called "comments"). Comments concerning RFQ objections must be made in writing and received by the Owner no later than the written comments deadline detailed in the RFQ Schedule of Events. This will allow issuance of any necessary amendments and help prevent the opening of defective Credentials Submittal Documents upon which contract award could not be made. Protests based on any objection shall be considered waived and invalid if these comments/objections have not been brought to the attention of the Owner, in writing, by the written comments deadline.

4.2 RFQ Amendment and Cancellation. The Owner reserves the unilateral right to amend this RFQ in writing at any time. If an RFQ amendment is issued, the Owner will convey such amendment to participating Contractors who submitted a Letter of Intent. Each Credentials submittal must respond to the final written RFQ and any exhibits, attachments, and amendments. The Owner reserves the right, at its sole discretion, to cancel and reissue this RFQ or to cancel this RFQ in its entirety in accordance with applicable laws and regulations.

4.3 Prohibitions and Right of Rejection.

4.3.1 The State of Tennessee reserves the right, at its sole discretion, to reject any and all submitted documents in accordance with applicable laws and regulations.

4.3.2 Each Credentials submittal must comply with all of the terms of this RFQ and all applicable State laws and regulations. The Owner may reject any submitted documents that do not comply with all of the terms, conditions, and performance requirements of this RFQ. The Owner may consider any Credentials submittals that do not meet the requirements of this RFQ to be non-responsive, and the Owner may reject such submittals.

4.3.3 An offer of alternate services (i.e., submittal documents that offer services different from those requested by this RFQ) shall be considered non-responsive and rejected.

4.3.4 A Contractor shall not restrict the rights of the Owner or otherwise qualify Credentials submittal documents. The Owner may determine such a submittal to be a non-responsive counteroffer, and the submittal may be rejected.

4.3.5 A Contractor shall not submit the Contractor's own contract terms and conditions in a response to this RFQ. If submitted documents contains such terms and conditions, the Owner may determine, at its sole discretion, the documents to be a non-responsive counteroffer, and the submitted documents may be rejected.

4.3.6 A Contractor shall not submit multiple separate Credentials Document packages in response to the RFQ. For instance, submitting as an individual, then also again as a company. Submitting more than one Credentials package shall result in the disqualification of the Contractor.

4.3.7 A participating Contractor shall not submit multiple Credentials packages in different forms or formats. This prohibited action shall be defined as a Contractor submitting one Credentials package as a prime contractor and permitting a second Contractor to submit another Credentials package with the first Contractor offered as a subcontractor. This restriction does not prohibit different participating Contractors from offering the same subcontractor as a part of their proposed services, provided that the subcontractor does not also submit a Credentials package as a prime contractor. Submitting multiple Credentials packages in different forms or formats may result in the disqualification of all Contractors knowingly involved.

4.3.8 Regardless of the time of detection, the Owner will consider any of the foregoing prohibited actions to be grounds for rejection of submitted Credentials or contract termination.

4.3.9 The Owner will not contract with or consider a Credential submittal from:

4.3.9.1 an individual who is, or within the past six months has been, an employee or official of the State of Tennessee;

4.3.9.2 a company, corporation, or any other contracting entity in which an ownership of two percent (2%) or more is held by an individual who is, or within the past six months has been, an employee or official of the State of Tennessee (this shall not apply either to financial interests that have been placed into a "blind trust" arrangement pursuant to which the employee does not have knowledge of the retention or disposition of such interests or to the ownership of publicly traded stocks or bonds where such ownership constitutes less than 2% of the total outstanding amount of the stocks or bonds of the issuing entity);

4.3.9.3 a company, corporation, or any other contracting entity which employs an individual who is, or within the past six months has been, an employee or official of the State of Tennessee in a position that would allow the direct or indirect use or disclosure of information, which was obtained through or in connection with his or her employment and not made available to the general public, for the purpose of furthering the private interest or personal profit of any person; or,

4.3.9.4 any individual, company, or other entity involved in assisting the Owner in the development, formulation, or drafting of this RFQ or its scope of services shall be considered to have been given information that would afford an unfair advantage over other participating Contractors, and such individual, company, or other entity may not submit a response to this RFQ.

4.3.9.5 For the purposes of applying the requirements of RFQ subsection 4.3.9, et. seq., an individual shall be deemed an employee or official of the State of Tennessee until such time as all compensation for salary, termination pay, and annual leave has been paid.

4.4 Waiver of Variances. The Owner reserves the right, at its sole discretion, to waive variances from full compliance with this RFQ. If the Owner waives minor variances, such waiver shall not modify the RFQ requirements or excuse the Contractor from full compliance with such. Notwithstanding any minor variance, the Owner may hold any participating Contractor to strict compliance with this RFQ.

4.5 Incorrect Information. If the Owner determines that a Contractor has provided, for consideration in this RFQ process or subsequent contract negotiations, incorrect information that the Contractor knew or should have known was materially incorrect, that submittal shall be determined non-responsive and shall be rejected.

4.6 Proposal of Additional Services. If a Contractor offers services in addition to those required by and described in this RFQ, these additional services may be added to the contract before contract signing at the sole discretion of the Owner. Notwithstanding the foregoing, a Contractor shall not receive any additional cost amount(s) or rate(s) for additional services.

4.7 Assignment and Subcontracting.

4.7.1 The Contractor awarded a contract pursuant to this RFQ shall not subcontract, transfer, or assign any portion of the contract without the Owner's prior, written approval.

4.7.2 A subcontractor may only be substituted for a proposed subcontractor at the discretion of the Owner and with the Owner's prior, written approval.

4.7.3 At its sole discretion, the Owner reserves the right to refuse approval of any subcontract, transfer, or assignment.

4.7.4 Notwithstanding Owner approval of each subcontractor, the Contractor submitting documents, if awarded a contract pursuant to this RFQ, shall be the prime contractor and shall be responsible for all work performed.

4.8 Joint Ventures. If the Owner allows consideration of joint venture on this project, and if participating Contractors intend to submit Credentials documents as a joint venture, then the following requirements shall apply:

4.8.1 For the purposes of this RFQ, the Owner recognizes a joint venture as separate organizations or business entities that intend to combine professional or technical expertise and business experience, and to share contractual and project responsibilities in performance of a contract pursuant to this RFQ.

4.8.2 Each joint venture participant shall meet the licensure requirements stated in the RFQ.

4.8.3 Each joint venture participant shall meet the insurance requirements stated in the RFQ.

4.8.4 Each joint venture participant shall individually provide all documentation required for review of financial responsibility and stability. The Owner will not recognize nor accept as a singular qualification, any combination of financial assets and resources from separate organizations or business entities submitting Credentials Documents in response to this RFQ.

4.8.5 A sub-contractor to a Submitting Company is not a joint venture participant.

4.9 Right to Refuse Personnel. At its sole discretion, the Owner reserves the right to refuse any personnel, of the prime contractor or a subcontractor, for use in the performance of a contract pursuant to this RFQ.

4.10 Performance of Contractual Services. Management, performance, completion and delivery of the services pursuant to this RFQ are to be as specified in the Owner's *Standard Form of Agreement Between Owner and Contractor*.

4.11 Withdrawal of Submitted Credentials. Submitted Credentials can be withdrawn at any time up to the Deadline time and date detailed in the RFQ Schedule of Events. To do so, a Submitting Company shall submit a written request, signed by an authorized representative to withdraw submitted credentials. After withdrawing previously submitted credentials, a Submitting Company is eligible to re-submit credentials documents at any time up to the Deadline.

4.12 Submitted Document Errors and Amendments. Each Contractor is liable for all errors or omissions within submitted documents. A Contractor shall not be allowed to alter or amend submitted Credentials documents after the deadline time and date detailed in the RFQ Schedule of Events unless such is formally requested, in writing, by the Owner.

4.13 Submittal Document Preparation Costs. The Owner will not pay any costs associated with the preparation, submittal, or presentation of any documents.

4.14 Disclosure of Credentials Documents Contents.

4.14.1 Credentials documents and all materials submitted to the Owner in response to this RFQ shall become the property of the Owner. Selection or rejection of a participating Contractor does not affect this right.

4.14.2 All Credentials information, including detailed monetary information, shall be held in confidence during the evaluation process. Notwithstanding, a list of actual Contractors submitting timely Credentials documents may be available to the public, upon request, after the credential submissions are opened by the Owner.

4.14.3 Upon the completion of the evaluation of Credentials, indicated by public release of an Evaluation Notice, the Credentials documents and associated materials shall be open for review by the public in accordance with Tennessee Code Annotated, Section 10-7-504(a)(7).

4.14.4 By submitting Credentials documents, the Contractor acknowledges and accepts that the full contents of all associated documents shall become open to public inspection.

4.15 Service Provider Registration. All companies with State of Tennessee contracts must be registered through the Department of Finance and Administration's Service Provider Registry prior to contract approval. However, registration with the State is not required to submit responses to an RFQ (any unregistered service provider must simply register as required prior to the final contract approval). Refer to the following Internet URL for more information about the Service Provider Registry and to register "on-line."

<http://tennessee.gov/finance/rds/ocr/register.html>

4.16 Severability. If any provision of this RFQ is declared by a court to be illegal or in conflict with any law, said decision shall not affect the validity of the remaining RFQ terms and provisions, and the rights and obligations of the Owner and Contractors shall be construed and enforced as if the RFQ did not contain the particular provision held to be invalid.

EVALUATION

5.1 Evaluation Process.

5.1.1 The evaluation process is designed to determine those Credentials Submittal Documents having the highest total scores.

5.1.2 The RFQ Coordinator will use the Credentials and Evaluation Guide to manage the evaluation and maintain evaluation records.

5.1.3 The RFQ Coordinator will review each Credentials submission to determine compliance with RFQ requirements (refer to Credentials and Evaluation Guide). If the RFQ Coordinator determines that submitted documents may have

failed to meet one or more of the RFQ requirements, the Evaluation Team will review the submitted documents and record its determination of whether: (1) the Credentials submission meets requirements for further evaluation; (2) the Owner will request clarifications or corrections; or, (3) the Owner will determine the Credentials submission as non-responsive to the RFQ and reject it.

5.1.4 An Evaluation Team, made up of three or more State employees, will evaluate each Credential Submittal Document that appears responsive to the RFQ.

5.1.5 Each Evaluation Team member will evaluate each submission against the evaluation criteria in this RFQ, and will score each in accordance with the Credentials and Evaluation Guide.

5.1.6 The Owner reserves the right, at its sole discretion, to request clarification of Credentials Submittal Documents or to conduct clarification discussions with any or all Contractors responding to the RFQ. Any such clarification or discussion may be limited to specific sections of the submitted documents identified by the Owner. The subject Contractor shall submit any resulting clarification in writing as may be required by the Owner.

5.2 Presentations – Interviews. The Owner reserves the right to receive an oral presentation from, or conduct interviews with Contractors responding to the RFQ. Oral presentations and the number of firms interviewed are at the sole discretion of the Owner. Presentations or interviews will be scheduled by the Owner and included as a component of Credential documents.

5.3 Closure of Evaluation. Evaluation of Credential Submittal Documents concludes with determination of the submitted Credentials having the highest total scores.

5.4 Evaluation Notice. The Owner will issue an Evaluation Notice to identify the apparent high scoring Credentials documents on the date detailed in the RFQ Schedule of Events. The Evaluation Notice shall not create rights, interests, or claims of entitlement in either the RFQ participant with apparent best-evaluated Credentials Documents or any other RFQ participant.

5.5 RFP Files Open. The Owner will make the RFQ files available for public inspection after the final disposition of bids on the date detailed in the RFQ Schedule of Events. The files remain open for public review from that date.

5.6 Protest Process. The Owner will allow seven (7) calendar days after the final disposition of bids for consideration of protests from an RFQ participant. Protests shall be written on company letterhead and signed by a company principal. Written protests shall be submitted to the State Architect who will evaluate the merits of the protest. If the State Architect denies a protest, then the contract process proceeds.

5.7 Appeal. A Contractor participating in the RFQ may appeal its denied protest to the State Building Commission for further review. The appeal shall be submitted to the State Architect within seven (7) calendar days of notification of a denied protest. State Building Commission determination of a protest is final action. If the State Building Commission's review through appeal concurs with the State Architect and denies the protest, then the contract process proceeds. If, after review of the protest through appeal, the State Building Commission decides in favor of the protest then the result may be RFQ cancellation or other resolution.

END OF RFQ GENERAL REQUIREMENTS

TRANSMITTAL AND STATEMENT OF CERTIFICATIONS AND ASSURANCES

The Contractor submitting a response to this RFQ shall complete and sign this Transmittal. It must be signed, in the space below, by an individual empowered to bind the Submitting Contractor to the provisions of this RFQ and any contract awarded pursuant to the RFQ process. If said individual is not the Company's chief executive, this document shall attach evidence showing the individual's authority to bind the Company.

**CONTRACTOR
LEGAL ENTITY NAME:**

FEDERAL EMPLOYER IDENTIFICATION NUMBER:
(or Social Security Number)

The Contractor submitting credentials in response to this RFQ does hereby affirm and expressly declare confirmation, certification, and assurance of the following:

- 1) This Credentials Submittal Document constitutes a commitment to provide all services as defined in the RFQ and subsequent Standard Form of Agreement Between Owner and Contractor for the total contract period and confirmation that the Contractor shall comply with all of the provisions in this RFQ and shall accept all terms and conditions set out in the RFQ and Contract.
- 2) The information detailed in the Credentials Submittal Document herewith in response to the subject RFQ is accurate.
- 3) The Credentials Submittal Document submitted herewith in response to the subject RFQ shall remain valid as stipulated in accordance with any contract pursuant to the RFQ. The submittal herewith shall remain valid for 180 days.
- 4) The Submitting Contractor shall comply with:
 - a) the laws of the State of Tennessee;
 - b) Title VI of the federal Civil Rights Act of 1964;
 - c) Title IX of the federal Education Amendments Act of 1972;
 - d) the Equal Employment Opportunity Act and the regulations issued there under by the federal government;
 - e) the Americans with Disabilities Act of 1990 and the regulations issued there under by the federal government;
 - f) the condition that the submitted documentation was independently arrived at, without collusion, under penalty of perjury; and,
 - g) the condition that no amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Submitting Contractor in connection with the Procurement under this RFQ.

Wet Signature Required.

**SIGNATURE &
DATE:**

02 00 04

Credentials & Evaluation Guide Forms
General Contractor Services - Best Value Type 1
Sections A through C
CREDENTIALS & EVALUATION GUIDE — SECTION A

CONTRACTOR COMPANY NAME:		
SECTION A — GENERAL BUSINESS REQUIREMENTS		
<p>The Contractor shall address all General Business Requirements section items and provide, in sequence, the information and documentation as required (referenced with the associated item references). The RFQ Coordinator will review all general business requirements, including but not limited to the following:</p> <ul style="list-style-type: none"> ▪ Credentials Submittal Document received on or before the deadline. ▪ Credentials contain no cost data. ▪ Contractor did not submit alternate offer of services. ▪ Credentials document does not contain any restrictions of the rights of the Owner or other qualification of the Credentials document. <p>The RFQ Coordinator will review the submitted document to determine if the General Business Requirement Items (below) are met and mark each with Y/N. For each requirement that is not met, the Evaluation Team may review the Credentials and provide a written determination.</p> <p>NOTICE: In addition to these requirements, the Owner will also evaluate compliance with all RFQ requirements.</p>		
Page # for this information	Credentials Submittal Document Submission and General Business Items	Owner Use ONLY
		Fully responsive Y/N
	A.1 Credentials Submittal Document received at correct location and on time.	
	A.2 One Original and eight (8) copies of Credentials Submittal Document received.	
	A.3 Responsive to document layout details. Section and subsections partitioned with tabbed separation sheets. Tabs are labeled accordingly.	
	A.4 Credentials Submittal Document includes a transmittal letter on company letterhead with original wet signature, signed by a company officer empowered to bind the company to the provisions of RFQ and any contract awarded pursuant to it.	
	A.5 Provide the Transmittal and Statement of Certifications and Assurances completed and signed, in the space provided, by an individual empowered to bind the Company to the provisions of this RFQ and any resulting contract.	
	A.6 Describe the Contractor's form of business (i.e., individual, sole proprietor, corporation, non-profit corporation, partnership, Limited Liability Company) and detail the name, mailing address, telephone number, and e-mail address of the person the Owner should contact regarding submitted Credentials document.	
	A.7 Provide a statement of whether there have been any mergers, acquisitions, or sales of the Company within the last five (5) years, and if so, an explanation providing relevant details.	
	A.8 Provide a statement listing pending litigation against the Contractor; if such litigation exists, and attached opinion of counsel as to whether the pending litigation will impair the Contractor's performance in a contract pursuant to this RFQ.	
	A.9 Provide a statement of whether, in the last ten (10) years, the Contractor has filed (or had filed against it) any bankruptcy 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.	

End of Section A

General Contractor Services - Best Value Type 1

CREDENTIALS & EVALUATION GUIDE — SECTION B

CONTRACTOR COMPANY NAME:		
SECTION B — QUALIFICATIONS & EXPERIENCE		
Address all Qualifications and Experience section items and provide, in sequence, the information and documentation as required.		
Page # for this response	Qualifications and Experience Items	Owner Use ONLY
	<p>B.1 Provide a brief statement indicating the Contractor's credentials to deliver the services sought under this RFQ.</p>	
	<p>B.2 Provide a summary description of a minimum of three projects within the last seven (7) years, which have similar scope and/or complexity, and that are currently under construction or have been completed or substantially completed by the Contractor as GC.</p> <ul style="list-style-type: none"> a. include specific details on the extent of services the Contractor provided. b. Include specific construction experience in the project management, field supervision, and successful execution of this project type. c. include examples that demonstrate experience in completing projects constrained to a tight construction schedule. d. if applicable to this project, include examples of work/projects carried out in different facilities simultaneously. <p>A Related Project History format is provided for use in compiling and presenting this information.</p>	
	<p>B.3 Provide the following lists:</p> <ul style="list-style-type: none"> a. A list of current projects to which the Contractor is presently committed, including both the dollar volume and time frame for each, and what services are being provided. b. A list of all current contracts with the State of Tennessee, if any, and all State of Tennessee contracts completed within the previous five (5) year period. 	
	<p>B.4 Provide the following résumés:</p> <ul style="list-style-type: none"> a. Key personnel who shall be assigned to perform duties or services under the Contract. Key personnel shall include at a minimum the Project Manager and the Superintendent. Résumés shall detail each individual's title, education, current position with the Company, and employment history for the last ten years. b. Highlight construction experience with projects of similar scope and/or complexity that are under construction or have been substantially completed. 	
	<p>B.5 Show the company's organizational chart that would be utilized for this Contract illustrating lines of authority and where personnel are positioned.</p> <ul style="list-style-type: none"> a. Such personnel should include, but not be limited to, the Senior Project Executive or Administrator, Project Manager, Field Superintendent(s), and other key personnel who may be required. b. Show the Company President or Principal-in-Charge (by whatever name called), but who may not be exclusively assigned to this Project. 	

	<p>B.6 Provide documentation of the Proposer's commitment to diversity as represented by its business strategy, business relationships, and workforce— this documentation should detail all of the following:</p> <ul style="list-style-type: none"> a. a description of the Proposer's existing programs and procedures designed to encourage and foster commerce with business enterprises owned by minorities, women, persons with a disability and small business enterprises; b. a listing of the Proposer's current contracts with business enterprises owned by minorities, women, persons with a disability and small business enterprises, including the following information: <ul style="list-style-type: none"> (i) contract description and total value (ii) contractor name and ownership characteristics (<i>i.e.</i>, ethnicity, sex, disability) (iii) contractor contact and telephone number; 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, including the following information: <ul style="list-style-type: none"> (i) participation estimate (expressed as a percent of the total contract value that will be dedicated to business with subcontractors and supply contractors having such ownership characteristics — PERCENTAGES ONLY — DO NOT INCLUDE DOLLAR AMOUNTS) (ii) descriptions of anticipated contracts (iii) names and ownership characteristics (<i>i.e.</i>, ethnicity, sex, disability) of anticipated subcontractors and supply contractors anticipated; and d. the percent of the Proposer's total current employees by ethnicity, sex, and disability. <p>NOTE: Proposers that demonstrate a commitment to diversity will advance State efforts to expand opportunity to do business with the State as contractors and sub-contractors. Proposal evaluations will recognize the positive qualifications and experience of a Proposer that does business with enterprises owned by minorities, women, persons with a disability and small business enterprises and that offers a diverse workforce to meet service needs.</p>	
<i>(Maximum Section B Score = 50)</i>		
SCORE (for all Section B items above, B.1 through B.6):		

End of Section - B

General Contractor Services - Best Value Type 1

CREDENTIALS & EVALUATION GUIDE — SECTION C

CONTRACTOR COMPANY NAME:		
SECTION C — PROJECT APPROACH		
Address all Project Approach section items and provide, in sequence, the information and documentation as required.		
Page # for this information	Project Approach Items	Owner Use ONLY
	C.1 Provide a descriptive statement indicating the Contractor's approach to delivering the services sought under the RFQ.	
	C.2 Describe how the Contractor will staff this project: a. Include the Contractor's project management team. The staffing of the proposed project management team, at a minimum, is comprised of the key personnel from Section B.4, but may include other technical personnel in relation to their role in the project. b. Include information on the Contractor's sources of labor, skill training, TOSHA compliance & procedures, job safety plan, and safety training capabilities.	
	C.3 Describe the Contractor's approach/procedures for the following items: a. Project Tracking/Reporting: procedures for project tracking and reporting, including scheduling, and accounting. Provide an example of a progress report. b. Close Out Phase: Procedures for Close Out Phase activity, inclusive of Electronic As-Builts (Record Drawings) and Warranty Phase.	
	C.4 Quality Control: Describe how your firm implements quality control throughout the construction phases.	
<i>(Maximum Section C Score = 50)</i>		
SCORE (for all Section C items above, C.1 through C.4):		

End of Section - C

RFQ
SCORE SUMMARY MATRIX FORMAT

	Qualification & Experience Maximum 50 Points						Project Approach Maximum 50 Points						Q&E+PA Maximum 100 Points
Evaluator	1	2	3	4	5	Median	1	2	3	4	5	Median	Total Q&E+PA
Submitting Companies													
Contractor A													
Contractor B													
Contractor C													
Contractor D													
Contractor E													
Contractor F													

The Median of the scores of all evaluators for the Q&E+PA will be totaled, and then these raw scores will be normalized to give the highest raw score the maximum points. The formula is:

$$\frac{\text{Median Score Total Q\&E+PA}}{\text{Highest Median Score Total Q\&E+PA}} \times \text{Maximum Points}$$

Calculations shall result in numbers rounded to two decimal places.

RFQ Coordinator

Date

05 00 01