



CAPITAL CONSTRUCTION & RENOVATIONS DEPARTMENT

**BRANDON AVENUE UPPER CLASS STUDENT HOUSING
PHASE 2**

Request for Proposal # 19-103
Design-Build Services & Construction

Project Code # 207-B1280-000
Work Order # 3037764
Project # P05230

April 6, 2020

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SECTION A – PURPOSE AND OVERVIEW

A.1. PURPOSE OF RFP

The Rector and Visitors of the University of Virginia (the "University"), seek to retain the services of a Design/Build Contractor team (referred to as D/B), for completion of design and construction of the Brandon Avenue Upper Class Housing Phase 2. The purpose of this Request for Proposal (RFP) is to solicit a Proposal and to establish a contract for the purchase of these services. This RFP sets forth the instructions for submitting a Proposal, the procedure and criteria by which the University will procure a D/B, and the contractual terms by which the University proposes to govern the relationship between itself and the D/B.

The exact extent of the D/B's services, as defined by the University's Higher Education Capital Outlay Manual (HECOM), are to be negotiated by the University with the successful firm. This RFP, with any formal amendments, describes the full scope and nature of the services the D/B shall provide. These services fall under the general category of Design/Build Services and Construction.

Per section F.7 below, the electronically available Bridging Documents and additional information pertinent to this RFP can be found at the provided box link for the duration of the RFP and selection process. These documents are the property of the University and shall only be used for the preparation of an RFP response.

A.2. GOALS AND OBJECTIVES

The provisions of this section set out the goals and objectives of the University and do not impose obligations, duties or responsibilities upon the D/B in addition to, or independent of, those set out in the other provisions of this RFP and D/B Contract. The D/B will exercise its best professional judgment and perform the D/B Contract in a manner that will conform to the accomplishment of these goals and objectives:

- 1) Ensuring the specific scheduling needs of the University and this Project are met.
- 2) Ensuring the safety of students, faculty and staff, and visitors to the University, and their access to essential areas including access paths to and from JPA, South Lawn and other University Grounds. This entails planning for continuous use of walkways, handicapped access, and barring entrance to construction areas as well as proper lighting at night. Also included is minimizing noise, maintaining proper air quality, water quality, and cleanliness within the site and surrounding facilities.
- 3) Ensuring that the fire lane down to Bice House and service access to Bice House and South Lawn Gibson Hall are fully accessible throughout the duration of construction.
- 4) Ensuring the quality of the Project reflects the University's full intent. The Project must demonstrate to students, parents, faculty and staff that the hard work undertaken has resulted in a well-planned and constructed facility.
- 5) Compliance with the Bridging Documents is a mandatory requirement of the Base Proposal. Option Proposals will be considered only after a compliant Base Proposal has been presented.
- 6) Ensuring that University Facilities Management is kept apprised of work in progress, unusual disruptions, changes in schedules, etc. Continual open communication will be essential to providing the information that will allow the University to plan and adjust to Project impacts incrementally.
- 7) Ensuring that construction complies with the design intent of the Bridging Documents.
- 8) Ensuring the Project remains within budget.

A.3. SMALL, WOMEN-OWNED AND MINORITY-OWNED (SWaM) FIRMS

It is the policy of the State and the University to contribute to the establishment, preservation, and strengthening of SWaM firms and to encourage their participation in State procurement activities. See **Section F.5.1, SWaM Firm Utilization**.

A.4. PARTNERING

The University intends to encourage the foundation of a cohesive partnership with the University, the A/E, the D/B, and the D/B's Suppliers and Subcontractors. This partnership will be structured to draw on the strengths of each organization to identify and achieve reciprocal goals. The objectives are effective and efficient contract performance intended to achieve completion within budget, on schedule, and satisfactory to all partners.

This partnership will be multiparty in makeup and agreements developed will be non-binding. Any costs to each partner associated with the Partnering process will be the responsibility of each partner. An integral part of the non-binding special procedures will be the resolution of disputes in a timely, professional, and non-adversarial manner.

A.5. LEED/ SUSTAINABILITY GOALS AND IMPLEMENTATION

The D/B shall implement practices and procedures to meet the University's sustainability performance goals, that include achieving LEED Certification. Specific Project goals that may impact the D/B include:

- Coordination of Subcontractors (waste haulers) related to Construction and Demolition Waste Management.
- Coordination of Subcontractors related to compliance with a Construction Indoor Air Quality Management Plan.
- Special Substitution Requests for LEED Initiatives.
- Compliance with Specified Material and Documentation Requirements Related to the Use of Recycled-Content Materials; Use of Locally/ Regionally-Manufactured Materials; Use of Low-Emitting Materials; and Use of Certified Wood Products.

Note: An independent third party commissioning agent will perform commissioning in accordance with LEED requirements.

The D/B shall help ensure that the requirements related to these goals, as defined in the Bridging Documents Project Manual, are implemented to the fullest extent. The University shall not allow substitutions or other changes to the work that substantially compromise the specified LEED Performance Criteria, including Energy Modeling Requirements. The University will require the D/B to engage a Consultant to evaluate energy modeling implications of significant changes to the Project, including changes associated with Value Management Options. The University's expectations as to LEED credits are reflected in the Bridging Documents Project Manual. The University is also interested in a Technical Proposal that offers higher certification levels.

See the Architectural Basis of Design, Appendix A of the Bridging Documents Project Manual, for a more in depth level of detail on the sustainability requirements and LEED goals including the required Energy Use Intensity (EUI).

A.6. PROCUREMENT PROCESS

The University is issuing this RFP for competitive negotiation pursuant to authority granted in Attachment 1 "Rules Governing Procurement of Goods, Services, Insurance, and Construction" (the "Rules") of the "Policy Governing the Procurement of Goods, Services, Insurance, and Construction and the Disposition of Surplus

Materials” (the “Policy”) adopted by the Board of Visitors of the University of Virginia, included in Exhibit F of Chapter 3 of the Management Agreement dated November 15, 2005, by and between the Commonwealth of Virginia and The Rector and Visitors of the University of Virginia (as enacted by Chapters 933 and 943 of the 2006 Acts of Assembly, as amended by Chapters 675 and 685 of the 2009 Acts of Assembly and Chapters 116 and 161 of the 2011 Acts of Assembly) (the “Management Agreement”).

The Higher Education Capital Outlay Manual (HECOM) sets forth the detailed policies and procedures that the University and D/B will follow in fulfilling procurement responsibilities.

The University intends to negotiate a D/B Contract requiring the D/B to provide a lump sum price proposal as specified in the Price Proposal Form, **Attachment F.3**. This Contract will bind the D/B to be completely responsible for the Consultants/ Subcontractors and to provide the actual labor and materials for the Project, utilizing the CO-7DB/HECO-7DB General Conditions of the Construction Contract, and HECO-9DB Contract Between University and Design-Build Contractor form of agreement. By submitting a proposal, D/B's certify that all information provided in response to this RFP is true and accurate. Failure to provide information required by this RFP may ultimately result in rejection of the proposal.

SECTION B – PROJECT DESCRIPTION AND SCOPE

B.1. PROJECT DESCRIPTION

Project Name:	University of Virginia Brandon Avenue Upper Class Student Housing – Phase 2 Charlottesville, Virginia Project Code: 207-B1280-000
Owner (University):	The Commonwealth of Virginia and The Rector and Visitors of the University of Virginia
Bridging Documents Architect:	Elkus Manfredi Architects Ltd Boston, MA
Landscape Architect:	Michael Vergason Landscape Architects, Ltd Alexandra, VA
MEP Engineer:	R.G. Vanderweil Engineers, LLP Boston, MA
Structural Engineer:	Hope Furrer Associates Towson, MD
Civil Engineer:	Dewberry Engineers Inc. Glen Allen, VA
Location of Project:	Westside of new Brandon Avenue loop: South of JPA Avenue, West of Student Health, North of Bice House, and East of South Lawn Gibson Hall

Note: The University will NOT consider the Bridging Document A/E team as a member(s) of the D/B contract team.

B.2. BACKGROUND

On-Grounds upper class housing last experienced growth with the 1992 construction of the Hereford College buildings. The conversion of Gooch/ Dillard to first-year student housing removed approximately 600 beds from the upper class inventory. Current housing application numbers and enrollment growth indicate the need for

increasing the current upper class undergraduate housing options. Further, the University's new strategic plan aims to house all second years in campus housing. To meet these goals, several new housing projects are needed to increase the total number of beds dedicated to upper class students.

To ensure that this important redevelopment zone and the planned projects provide maximum long-term value to the University, the Brandon Avenue Strategic Master Plan was developed, and approved by the Board of Visitors in September 2016. This development, known as the Green Street, proposes a vibrant student-oriented, mixed-use (academic, student housing, and student services) community connected by green space. The proposed buildings will frame the Green Street – a reconfigured Brandon Avenue that provides green space, a working landscape addressing storm water, a new streetscape that prioritizes pedestrian activity, and an improved intersection at Brandon Avenue and Jefferson Park Avenue.

Given the need for on-Grounds undergraduate housing, Bond House was recently completed at the south end of Brandon Ave and includes 307 student beds and 6 resident staff spaces. This Project seeks to construct the second phase of the proposed upper class housing on Brandon Avenue. The Phase 2 buildings will occupy the west side of Brandon Avenue on sites B and C. It will provide approximately 350 additional beds and 100 parking spaces in an apartment-style facility with single rooms. Site C will further include a dining facility for the Brandon Avenue district.

B.3. PROJECT SCOPE

The proposed Project is more fully defined in the Bridging Documents that include both drawings and specification requirements. A brief summary of the Project scope is as follows:

General Scope of Project:

The University proposes to construct two new residence halls on Brandon Avenue sites B and C, located on the west side of Brandon Avenue in the City of Charlottesville. The Project will include approximately 350 student beds in apartment-style arrangements, plus associated social spaces, resident staff accommodations, and support spaces. A 300-seat dining facility will be located on the ground floor of the Site C building. Two levels of podium parking will be included beneath the Site C building.

The student apartments will be based upon a 16-bed apartment, connected over two floors via an internal, interconnecting stair. In order to foster multiple levels of community, the 16-bed apartment will be comprised of two groups of 8 single bedrooms, paired across a common living and dining area, stacked one above the other. Each 8-bed group will be comprised of two 4-bed sub-groups, each with a kitchen plus one full bath and one half bath. The exception to these is the apartments for the resident advisors and senior resident, that will be one-bedroom apartments.

Site B will be six stories in height, with Level 1 consisting of community space including a lobby, common lounge space, and a laundry space. Levels 2-6 consist of residential housing, with approximately four 16-bedroom apartments, two 14-bedroom apartments, two 8-bedroom apartments, one 7-bedroom apartment, and five studio apartments. A total of 120 beds are planned in 67,036 GSF of building area.

In order to begin construction on Site B, a sanitary line that feeds the Baptist Student Union will need to be relocated. The new sanitary path will run under the new South Lawn Connector park which is just north of Site B and provides barrier free access from the South Lawn down to Brandon Ave. The construction documents for this work are included and will be constructed as designed by the selected D/B team.

Site C will consist of two levels of enclosed parking (Levels P1 & P2), one level of community space including a lobby, dining, common lounge space, laundry, and four levels of residential housing. Approximately thirteen 16-bedroom apartments, one 15-bedroom apartment, one 1-bedroom apartment, and seven studio apartments. A

total of 231 beds are planned in 119,578 GSF of building area. Approximately 95 parking spaces are planned in 55,476 GSF of garage area.

The building will employ a palette of brick veneer over metal framing and exterior sheathing with punched aluminum windows, and curtain walls. The roof will be EPDM roofing membrane with primary and secondary drains. The Project site will be available in September 2020. The D/B will communicate their preferred schedule to meet the Substantial Completion date of June 2023.

Proposed Site:

The buildings are to be located on Site B and Site C of the new Brandon Avenue Master Plan. These sites are located to the west side of the new Brandon Avenue loop, south of JPA Avenue, west of the new Student Health building, north of Bice House, and east of South Lawn Gibson Hall.

The Project site is tight, and the selected D/B team will need to create an efficient site logistics plan. The fire access road down to Bice House that splits Site B and Site C will need to stay open through the duration of the Project. The south of Site C will be constrained by the Bice House fire access turn around. The University and the selected D/B team can review options for occupying portions of Brandon Avenue and the western sidewalk during construction. Access to the University Grounds for students living in Bice House and Bond House will need to be available throughout construction.

All adjacent, existing occupied buildings will remain operational during the entire construction time period. The D/B team will participate with the University in determining the scheduling of construction to minimize disruption to the activities of the surrounding buildings.

Archeologically Significant Area:

A portion of the Site B building site and the South Lawn Connector Park are being built in an archeologically significant area that is on the Virginia Department of Historic Resources (DHR) National Landmarks Register. The nearly three-quarter-acre Catherine “Kitty” Foster site, discovered during a preliminary excavation for the South Lawn project in 1993, contains archaeological features and artifacts associated with the family of Foster, a free African-American seamstress, who purchased the residential property in 1833. As part of a free African-American community called “Canada,” the Foster family occupied the site until the land sold in 1906. The Foster site contributes to the history of the service-based commercial relationship between the free African-American community and the University community during the pre-and post-Civil War eras. In April 2011, the University installed a memorial park dedicated to commemorating the site and informing the public as part of the South Lawn project. The park preserves the outline of Foster’s home with a structure that casts its shadow, the location of the cemetery, and some of the original cobblestones.

The area surrounding the Kitty Foster site is now part of the national register site, archeologically significant, and governed by the Virginia Department of Historic Resources (DHR). The area is shown on the drawing sets. The University will work with the DHR to get a permit for the work being performed in this area, and the archeological investigation is planned to occur in advance of activating the building construction site. Once that investigation is complete, University archeologists may need to monitor during construction. Further, per the South Lawn Connector Construction Document set, a fence should be put up along the path shown around the graveyard and no construction activities, personnel, or vehicles will be permitted in the area. Extra care and attention will be needed while working around this protected site and any excavation should be trench boxed to limit the amount of soil disturbance.

Massing, Style, and Design Concept:

The Project will be constructed as two separate buildings to relate to the scale of existing, planned, and future buildings within the University’s Brandon Avenue Master Plan district. The heights of the buildings will descend

from north to south with the Site B building at 6 stories and the Site C building at 5 stories. This massing composition allows the buildings to relate directly to the scales of South Lawn to the northwest and the future Student Health & Wellness building across Brandon Avenue to the east, while also mediating between the scale of those University structures and both the scale and topography of the Valley Road residential neighborhood immediately west of the Project site.

Along the west side of Brandon Avenue, the two buildings will align primarily with the geometry of the new Brandon Avenue Green Street, connecting them to the campus fabric of South Lawn and The Academical Village. The northwest corner of the Site B building will be an open terrace, relating spatially to the open courtyard of South Lawn.

At the southern end of the Site C building, the building geometry shifts to that of the buildings along the east side of Brandon Avenue, and its Brandon Avenue frontage will step back several feet from the primary street wall. This massing gesture is intended to respond to the landscape elements of the bosque at the southern end of the Green Street and the pocket park to be located south of Student Health & Wellness. By locating the Site C building along the Brandon Avenue street wall, a significant dimension is available on the western portion of the site to be developed as landscape planting and a southwest-facing terrace at the northern end of that open space.

Materials and architectural details respond to the overall fabric of the University and create visual connections to the existing and planned context of South Lawn, Bond House, and Student Health & Wellness. Primary exterior materials include brick and limestone masonry cladding, in concert with glass, painted metal trim, and zinc canopies and copings. Exterior materials, colors, and textures all take cues from buildings on Grounds, as do window proportions and architectural elements. Rhythm, proportion, and scale all serve to convey the residential nature of the buildings, while responding to the scale and character of the still-developing Brandon Avenue context.

The overall height and massing have been reviewed to be compatible with South Lawn and the nearby neighborhoods. The design expressed in the Bridging Documents has been approved by the University's Board of Visitors and the Commonwealth's Art and Architectural Review Board. It is to be followed as the design for the Base Proposal.

Construction Materials:

The proposed building will employ a palette of brick veneer, punched windows, window wall, and pre-finished metal panels. The flat roofs will be EPDM. The buildings' structural system will be designed by the D/B team based off of the provided narrative. The buildings will be fully sprinklered. The MEP systems will be designed by the D/B team based off of the provided narrative and is expected to meet the required sustainability goals. The buildings will be tied into the central plant utilities on grounds.

Construction Type:

The buildings have been designated as construction classification I-B. Building occupancy classifications for the buildings are A-2, A-3, S-2, and R-1/ R-2. At 5/6 stories with automatic sprinkler protection, stairway and shaft enclosures have a 2-hour fire resistance rating.

B.4. CONTEXT, ARCHITECTURAL CHARACTER, AND GENERAL DESIGN ISSUES

The University has developed an overall long term plan for this residential district that includes consideration of the land resources; existing and future infrastructure; functional relationships with neighboring uses; pedestrian, bicycle and vehicular traffic; housing's programmatic needs; sustainability and environmental impact; lighting standards; landscaping standards; and aesthetic character.

The University and its A/E explored multiple site options, community configurations, and aesthetic considerations within the established Project program and budget. The attached Bridging Documents represent the outcome of that exploration. The aesthetic design is premised on blending with the architectural context of Bice House, Bond House, and the Student Health building that helps define the new Brandon Ave district. Included in the Bridging Documents for the buildings are Schematic documents for sitework, civil, architectural, life safety, with Schematic plans and narratives for the structural and MEP systems. Full Construction Documents are included separately for the relocation of the sanitary line and the South Lawn Connector park.

Additionally, the University’s Board of Visitors (BOV) has approved specific Design Guidelines for this Project (see **Attachment F.7**) as well as the Schematic Design as shown in the Bridging Documents. The State of Virginia, Art and Architectural Review Board (AARB) has also approved the Schematic Design.

B.5. DINING CONSULTANT

The University has collaborated with Tipton Associates for the preliminary design of the dining components located at Site C. They have designed multiple dining components on grounds and understand the requirements of the University and the University’s food vendor Aramark. The selected D/B team will need to include Tipton Associates in their team to complete this design. Tipton has provided a fee proposal for their remaining work that should be used by the D/B teams. The proposal can be located by following the link listed in **Attachment F.7**.

B.6. PROPOSED PROJECT SCHEDULE

▪ Select D/B Team	June 2020
▪ Site Available	After End of August 2020
▪ Anticipated Construction Start	Winter 2020/ Spring 2021
▪ Substantial Completion	May 2023
▪ Complete Commissioning	June 2023
▪ Building Occupied	July 2023

The selected D/B team will work with the University to review site logistics and construction schedule especially when students are living in the district. Quiet times during fall exams (early December) and spring exams (early May) will need to be followed or the D/B team will need to request permission for an exemption.

B.7. D/B ARCHITECTURAL SERVICES

As part of this RFP, Bridging Documents are being provided for the work being performed at Site B and Site C of Brandon Avenue. These documents are considered to be Schematic Design level documents. The selected D/B team will be required to provide Preliminary Design Documents and Construction Documents to the Office of the University Building Official (OUBO) in accordance with the HECOM requirements for each of these submittals. Multiple packages are possible to allow for early sitework. No work will be allowed to start on-site until a Building Permit has been issued by OUBO.

B.8. BIM – ELECTRONIC DOCUMENTS

As part of this RFP, Electronic Documents are available upon request. An Electronic Documents Release Form will need to be signed and executed by the D/B team in order to have access to these files. The release form is found in the available BOX documents link. Please send a signed and executed release request to Brian Williams (gbw5r@virginia.edu) to obtain the files.

As stated above, these documents are seen to be at a Schematic Design level and the Structural, Civil, Landscaping, and MEP systems are showing just one possible way of achieving the design. They are being

provided to help jump start the investigation into potential design solutions as well as providing an understanding of the building layout and massing. These electronic files are being provided as a courtesy and neither the University nor the Bridging Document Design Team certify their accuracy. They are Schematic level in detail and the D/B team should utilize them at their own risk.

During the remaining design and construction phases, if BIM is utilized by the selected D/B team, the University may request current D/B BIM files. Further, the University may request to have a representative during the BIM coordination phase.

SECTION C -- PROPOSAL PREPARATION AND SUBMISSION REQUIREMENTS

C.1. RFP RESPONSE

D/B's must submit a signed **Technical Proposal** and **Price Proposal** to the University to consider for selection. Proposals in one (1) original for the Technical Proposal (including **one (1) electronic copy** of the entire **technical submission** as one file on a thumb/ flash drive) and one (1) original of the Price Proposal shall be prepared as two separate packages, placed in separate sealed envelopes/ packages identified and appropriately marked as "Technical Proposal" and "Price Proposal", and then both placed in one sealed submission envelope/ package. CM's must return the proposals by the date and time noted below and identified as **RFP # 19-102** and marked in the lower left hand corner with the name and Virginia Contractor's Registration Number of the organization which will provide the Payment and Performance Bonds required for the contract.

Technical and Price Proposals Deadline: **Wednesday June 10, 2020 by close of business, nominally 5:00 P.M.**

From: Insert Name of CM

To: George Cullen
Office of Contract Administration Services
P.O. Box 400892
Charlottesville, VA 22904-4892 (U.S. Mail)
One Morton Drive, Suite 301
Charlottesville, VA 22903 (Overnight Delivery)

Proposals may be hand delivered to the above address by the date and time noted. The D/B should not place any other correspondence or other proposals in the envelope or package. The D/B shall make no other distribution of the proposal. The University **will not** accept telephonic, emailed, or faxed proposals.

C.2. PROPOSAL PREPARATION

C.2.1. D/B Representative

An authorized representative of the D/B shall sign the Proposals and have his/her signature notarized. Both the Technical and Price Proposals submitted by partnerships must include the full name of all partners and must be signed in the partnership name by one of the members of the partnership or an authorized representative, followed by the signature and designation of the person signing. Proposals submitted by corporations must be sealed with the corporate seal, signed with the legal name of the corporation followed by the State in which they are incorporated and by the signature and designation of the president, secretary or other person authorized to bind it in the matter. The name of each person signing shall also be typed or printed below the signature. Proposals submitted by a person who affixes to his signature the word "President", "Secretary", "Agent" or other designation without disclosing their principal, may be held to be the Price Proposal of the individual

signing. When requested by the University, satisfactory evidence of the authority of the person signing in behalf of the corporation or other business entity shall be furnished.

C.2.2. Completeness and Clarity

The D/B's shall prepare Proposals simply, providing a straightforward, concise description of capabilities to satisfy the requirements of this RFP. The D/B's shall place emphasis on completeness and clarity of content so that the University may properly evaluate the D/B's ability to provide the required services. The D/B's shall answer in full, without exception, all items of information and questions. If copies of other documents will answer the question completely, the D/B may attach and clearly label the documents as to which question or item they apply. Failure to submit all information requested will result in the University requiring prompt submission of missing information and/or giving a lowered evaluation of the Proposal. The University will reject Proposals that are substantially incomplete or lack key information.

C.2.3. Mandatory Requirements of this RFP

Mandatory requirements are those required by law or regulation, or are such that the University cannot waive them, and they are not subject to negotiation. These requirements are located in **Attachment F.5 – Mandatory Contractual Provisions**. Mandatory requirements are also indicated in this RFP by use of "will", "shall", "must", or similar words.

C.2.4. Proposal Organization -- Reference this RFP

The D/B should number all pages of the Technical and Price Proposal separately. The Proposal should reference the corresponding section letter and paragraph number of this RFP where applicable. It is also helpful to repeat the text of the requirement as it appears in this RFP. If a response covers more than one page of this RFP, the D/B should repeat at the top of the next page the section letter and paragraph number. The Proposal should contain a table of contents that cross-references these RFP requirements. Other information that may assist the University in evaluating the D/B's Proposal, that does not fall within any of the requirements of this RFP, should be inserted at an appropriate place or be attached at the end of the Proposal and designated as additional material. Proposals that the D/B does not organize in this manner risk elimination from consideration or lowered evaluations, if the evaluators are unable to determine where the Proposal specifically addresses the requirements.

C.2.5. Single Volumes

Where possible all materials submitted should be fully recyclable. The D/B should collate the Technical Proposal on standard letter-sized paper and preferably clipped together without binding into a single volume. These single volumes should contain all documentation that the firm submits with the proposal. To conserve paper, double-sided printing is strongly encouraged. There should be only one copy of the Price Proposal and the D/B should put it in a separate sealed envelope. Any drawings provided shall be to scale, have a title block and be bound in a set if not included within the written volume. The largest sheet size submitted shall be 11"x17".

C.2.6. Trade Secrets or Proprietary Information

Ownership of all data, materials and documentation originated and prepared for the University pursuant to this RFP shall belong exclusively to the University and be subject to public inspection according to the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by the D/B shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the D/B must invoke the protections of University Procurement Rules, Attachment 1, Section 34.F, in writing, either before or at the time, the D/B submits the data. The written notice must specifically identify the data or materials for the University to protect and state the reasons why protection is necessary. The D/B must identify the proprietary or trade

secret material submitted by writing in RED font or highlighting in RED only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. **Failure to follow these directions and classification by the D/B of an entire proposal document, line item prices and/or total proposal prices as proprietary or trade secrets is not acceptable and will result in the entire proposal being subject to the Virginia Freedom of Information Act.**

C.2.7 Ownership of Proposal

All Proposals (Base and Options) will become the property of the University upon submission. Submissions of unsuccessful Firms will be destroyed by the University after a contract for the work has been executed.

C.3. TECHNICAL PROPOSAL

The Evaluation and Selection Committee will be looking for the Proposal that presents the best plan to achieve a successful Project. The information requested in the **Technical Proposal Form** represents the services, experience, and capabilities considered to be most important to design, manage, and construct the Brandon Avenue Upper Class Student Housing – Phase 2. The University provides this format for the D/B to accurately respond to the technical evaluation factors listed in **Section D - Evaluation and Award Criteria**.

C.3.1. The Technical Proposal shall consist of:

- 1) A completed and signed **Design/Build Team Form** listing all the licensed design professionals, **Attachment F.1**. The Design Professional(s) on the D/B team providing his/her seal shall submit with the Technical Proposal two (2) valid copies of the following:
 - a. Professional Registration with the Commonwealth of Virginia.
 - b. Professional Liability Insurance Policy. Insurance requirements are shown in Section 11(e) of the General Conditions, CO-7DB as modified by the HECO-7DB.
- 2) A completed, signed, and notarized **Technical Proposal Form, Attachment F.1**.
- 3) A completed, signed, and notarized **Reference Contact Authorization Form, Attachment F.2**.
- 4) A completed Office of the Architect for the University **Statement of Qualifications Form, Attachment F.4**, referenced document.

C.3.2 General Notes:

The following requirements and formats are a mandatory requirement of the RFP. All questions are to be answered in full, without exception. Do not leave any blanks where information is requested. If the answer is “none” or “not applicable” please indicate accordingly. The format provided is to be used. When attaching other documents add a reference number on the front page to indicate clearly the specific item it is in reference to.

- 1) The University shall be entitled to contact every reference listed and each entity referenced in any response to any question in this proposal. The D/B, by submitting this proposal, including the **"Reference Contact Authorization Form"**, expressly agrees that said entities and references, or any other entity having any information concerning the D/B in their possession, will make it available to the University if requested. **The University may use other sources to verify past performance.**
- 2) The D/B shall provide only current, accurate and complete information. The D/B hereby warrants that responses contained herein are true, accurate, and complete. The D/B acknowledges that the University is relying on the truth and accuracy of the responses. If it is later discovered that any material information

given in this Proposal was false, it shall constitute grounds for immediate termination or rescission by the University of any subsequent Contract between the University and the D/B.

- 3) This Proposal, its completion by the D/B, and its use by the University shall not give rise to any liability on the part of the University to the D/B or any third party or person.

NOTE: If for this work, the CM proposes to operate as a Joint Venture, employ Subcontractors, or Consultants, then each entity must also supply all of the requested information accordingly in this proposal. Distinguish specifically the division of work, business relationships, and responsibilities each entity proposes to provide or perform. Identify the organization employing personnel.

C.4. PRICE PROPOSAL

C.4.1. The Price Proposal shall consist of:

- 1) Completed, signed, and notarized **Price Proposal Form, Attachment F.3.**
- 2) Bid Bond

C.4.2. Contract Security

A Bid Bond in the amount of 5% of the sealed Price Proposal amount including any Additive Price Items is required. Payment and Performance Bonds will be required as detailed in Section 8 of the General Conditions, CO-7DB, as modified by the HECO-7DB, (See **Attachment F.4**, referenced document.)

Any Proposal (including the Total Base Proposal plus all Additive Price Items) that exceeds one million dollars (\$1,000,000) shall be accompanied by a Bid Bond payable to the University as obligee in an amount equal to five percent (5%) of the amount of the Proposal. The Bid Bond must be issued by a surety company which is legally authorized by the Virginia State Corporation Commission to do fidelity and surety business in the Commonwealth of Virginia. The Bid Bond shall guarantee that the D/B will not withdraw its Proposal during the period of sixty (60) days following the receipt of Proposals; that if its Proposal is accepted, it will enter into a formal contract with the University in accordance with the Contract Between University and D/B Contractor, HECO-9DB, included as a part of the RFP Documents; that it will submit a properly executed and authorized Standard Performance Bond and Standard Labor and Material Payment Bond on the forms referenced in the RFP documents; and that in the event of the withdrawal of its Proposal within the given period, or failure to enter into the contract and submit the bonds within ten (10) days after it has received notice of acceptance of its' Proposal, the D/B shall be liable to the University for the difference between the amount specified in its Proposal and such larger amount for which the University may contract with another D/B to perform the work covered by said Proposal, up to the amount of the Proposal guarantee. This amount represents the damage to the University on account of the default of the D/B in any particular hereof (See § 22-4336 of the Code of Virginia, as amended).

C.5. OPTIONAL PRE-PROPOSAL CONFERENCE

The University will hold a pre-proposal conference and site review that will begin at **10:00 AM, on April 16, 2020 via an online conference meeting.** The purpose of this conference is to allow potential D/B's an opportunity to present questions and obtain clarification of any facet of this RFP. Technical and contracting personnel will be available to discuss the scope of services and respond to questions. To facilitate responses and to expedite the conference, the University requests interested firms to submit questions to Brian Williams in writing to arrive no later than 4:00 PM on April 13, 2020. Submission by email (gbw5r@virginia.edu) is preferred. Questions relating to this RFP should specify the section and paragraph number.

While attendance at this conference will not be a prerequisite to submitting a Proposal, the University strongly encourages D/B's who intend to submit a Proposal to attend. The University will issue any changes,

clarifications, and answers to questions resulting from this conference in a written amendment to this RFP and provide them to all short-listed D/B's.

C.6. ORAL PRESENTATION

The University may require D/B's who submit a Proposal in response to this RFP to give an oral presentation. This provides an opportunity for the D/B to clarify or elaborate on the Proposal. This is primarily a fact-finding and explanation session.

The University has **tentatively scheduled** these presentations on **June 17, 2020, at Zehmer Hall, 104 Midmont Lane, Charlottesville, VA 22904 from 8:00 AM to 5:00 PM**. A full schedule of times and requirements will be sent out at a later date. Each presentation will consist of an 80-minute presentation by the D/B team followed by a 30-minute question and answer session. The D/B team's presentation should include discussion of the selected MEP and Structural systems that is included in their design as well as any potential cost savings options discovered by the D/B team. Oral presentations are an **option** of the University and the University **may or may not conduct them**.

C.7 WITHDRAWAL OF PROPOSAL

Since the provisions of Section 2.2-4330 of the Code of Virginia provide only for the withdrawal of bids during the competitive sealed bid process and since the Code of Virginia makes no provision for withdrawal of Proposals during the competitive negotiation process, the following procedures are established for the withdrawal of a Proposal during the competitive negotiation process on D/B projects due to errors in the Price Proposal:

C.7.1. A Firm may withdraw the entire Proposal from consideration if a mistake was made, in the Firm's good faith, and the mistake was a clerical mistake as opposed to a judgment mistake, and was actually due to an unintentional arithmetic error or an unintentional omission of a quantity of the work, labor or material, made directly in the compilation of the Price Proposal. The mistake must be clearly shown by inspection of the original work papers, documents and materials actually used in the preparation of the Proposal for which withdrawal is being sought. The Firm shall submit to the Construction Contract Administrator, Capital Construction and Renovations, University Facilities Management, the original work papers, documents and materials used in the preparation of the Price Proposal within 24 hours after the date and time fixed for the submission of Proposals. The work papers shall be delivered by the Firm in person or by registered mail.

C.7.2. No Proposal may be withdrawn under this section when the result would be the awarding of the Contract to the same Firm for another Proposal from the same D/B or to any other D/B in which the Firm claiming error is also a participant or in which the Firm claiming error has more than a 5% financial interest.

C.7.3. No Firm or member of the proposing D/B which has been permitted to withdraw a Proposal shall for compensation, supply any material, labor or design services to, or perform any subcontract or other work agreement for the person or firm to whom the Contract is awarded or otherwise benefit, directly or indirectly, from the performance of the Project for which the withdrawn Proposal was submitted.

C.7.4. If the Committee denies the withdrawal of a Proposal under the provisions of this section, it shall notify the Firm, in writing, stating the reasons for the Committee's decision.

C.8 UNIVERSITY'S REJECTION OF THE PROPOSAL

The University can reject the Proposal as "technically unacceptable" without considering price.

Firms agree, by submitting a Proposal, that their Technical Proposal may be rejected by the University during the evaluation process prior to opening Price Proposals and that such rejection is recognized as cause to not open the sealed Price Proposal.

The sealed Price Proposals will be held secured and sealed by the Contract Administrator until recommendations are received from the Proposal Evaluation & Selection Committee (Committee).

The University reserves the right to accept or reject any and all Proposals if the University considers it in its interest to do so and to reject the Proposals of any Firm who it considers not to be in a position to perform the Contract.

C.9 DISQUALIFICATION

Disqualification of D/Bs and members of the D/Bs Team prior to the opening of the Price Proposals: The University reserves the right to conduct investigations into the qualifications and experience of any or all persons or organizations submitting a Proposal for the Project. Based upon the findings of such investigations, the University reserves the right to deny any or all persons and organizations the opportunity to submit a Proposal for the Project.

C.10 UNIVERSITY'S POINT OF CONTACT

Resolution of discrepancies and ambiguities: All questions about the meaning or intent of the RFP Bridging Documents shall be submitted to the University's Representative in writing. Address written inquiries to:

Brian Williams (gbw5r@virginia.edu)
University of Virginia
Capital Construction & Renovations
1450 Leake Drive
P.O. Box 400726
Charlottesville, VA 22904-4726

Replies will be issued by Amendment mailed or delivered to all parties recorded by the University as having received the Request for Proposal. Questions received less than fourteen (14) days prior to the date for submission of the Proposals may not be answered. The last Amendment will be issued five (5) days prior to submission date. Only responses contained in a formal written Amendment will be binding.

C.11 NOTICES

The University and D/B shall deem all written notices executed when hand delivered, when deposited with sufficient payment as overnight mail, or when faxed, and addressed to the other party as follows:

If to the University: George Cullen, University of Virginia, CC&R, Office of Contract Administration Services, One Morton Drive, Suite 301, Charlottesville, VA 22903 (overnight delivery) or P.O. Box 400892, Charlottesville, VA 22904-4892 (U.S. Mail).

If to the D/B: The person signing the D/B's Proposal in response to the University's RFP, at the D/B's address indicated in its Proposal, or to the D/B PM at the Project site.

Either party may designate in writing, a change in person or address for receipt of written notices within this State, subject to the other party's approval of the change.

No amendments resulting from this RFP shall be effective unless reduced to writing. Oral and other interpretations of clarifications will be without legal effect.

C.12. COMMUNICATIONS

C.12.1. Informal Communications

Informal communications regarding this procurement shall cease from the date of issuance of this RFP until a binding contractual agreement exists with the selected D/B and the University has so notified all other D/B's or when the University rejects all Proposals. Informal communications shall include but not be limited to:

- Requests from the Firms to any department(s) at the University, with the exception of Facilities Management, for information, comments, etc.

If a Firm continues to attempt to contact other departments, it may be grounds for disqualification of that Firm.

C.12.2. Formal Communications

From the date of issuance of this RFP until a binding contractual agreement exists with the selected D/B and the University has so notified all other Firms, or when the University rejects all Proposals, all communications between the University and the Firms will be formal, or as provided for in this RFP, or as requested by Facilities Management. Formal communications shall include but not be limited to:

- Requests for information or clarifications directed to the University's Project Manager
- Oral presentations
- Site visits
- Notifications under Section D, Evaluation and Award

C.12.3. Any failure by a Firm to adhere to the provisions set forth in C.12.1. and C.12.2. above will result in the rejection of that D/B's Proposal.

SECTION D -- EVALUATION AND AWARD CRITERIA

D.1 EVALUATION OF THE PROPOSAL

D.1.1. General

Upon receipt of the Associate VP and Chief Facilities Officer's (VP & CFO) approval required by the HECOM, Section 11.3, the University will make award to the responsible D/B whose Proposal conforms to this RFP and is most advantageous to the University, based on the technical and price criteria listed below. To determine the successful D/B Proposal, the total of the Technical and Price Proposal Scores will be added to arrive at a total score for each Proposal. The Technical Score will be weighed as 50% of the Total Score, and the Price Proposal Score will also be weighed as 50% of the Total Score. Thus, the Total Score will be calculated as $\text{Total Score} = (\text{Technical Score} * 0.50) + (\text{Price Proposal Score} * 0.50)$. The University will notify applicants of the results of the D/B selection process as it progresses and when the University intends to award the Contract.

D.1.2. Evaluation of Proposals

The University will evaluate Proposals and select a D/B whose Proposal, conforming to the RFP, will be most advantageous to the University, price and other factors considered. All firms will be evaluated equally on the basis of the following evaluation factors:

A. The Technical Proposal evaluation shall consist of the following factors:

- | | | |
|----|---|-----|
| 1. | Design Team Experience and Qualifications | 25% |
| 2. | Construction Team Experience and Qualifications | 25% |
| 3. | Management Plan and Project Schedule | 20% |

- | | | |
|----|---------------------------------------|-----|
| 4. | Value Management Options | 10% |
| 5. | SWaM Participation | 10% |
| 6. | Project Safety Record & Proposed Plan | 10% |

The highest technical Proposal will be assigned a score of 100. Other scores will be arrived at by the following formula:

$$\frac{\text{Score of Proposal being evaluated}}{\text{Highest technical score evaluated}} \times 100 = \text{Technical Score}$$

The University may request the D/B to clarify portions of its Technical Proposal during the evaluation process.

Note: All Firm’s Base Proposals must conform to the Bridging Documents. Base Proposals that do not conform to the Bridging Documents will disqualify the D/B from further consideration. All potential changes to the Bridging Documents must be presented as Value Management Options.

B. Price Proposal Evaluation Criteria:

1. Price Proposals for the Technical Proposals that meet the above criteria will be opened.
2. As Proposals become equal in technical merit, the evaluated price becomes more important.
3. The lowest Total Base Price Proposal will be assigned a score of 100. Other scores will be arrived at by the following formula:

$$\frac{\text{Lowest Total Base Price Proposal amount}}{\text{Total Base Price of Proposal being evaluated}} \times 100 = \text{Price Score}$$

- C.** To determine the successful D/B Proposal, the total of the technical and price scores will be added to arrive at a total score for each Proposal. The technical and price scores will each be weighed as 50% of the total score.

D.2. AWARD OF CONTRACT

D.2.1. Tentative Procurement Schedule

- | | |
|--|------------------|
| ▪ Issue Request for Proposal w/ Bridging Documents | 4/6/2020 |
| ▪ Pre-Proposal Conference Questions Due | 4/13/2020 |
| ▪ Pre-Proposal Conference & Site Review | 4/16/2020 |
| ▪ Last Date for Questions | 5/20/2020 |
| ▪ Proposal Due to University | 6/10/2020 |
| ▪ Oral Presentation and Interview | 6/17/2020 |
| ▪ Negotiation | June 2020 |
| ▪ Notification of Intent to Award | July 2020 |
| ▪ Notice to Proceed | July 2020 |

D.2.2. Negotiations

The University will select one or more D/B's that it deems to be fully qualified and best suited among those submitting Proposals based on the evaluation criteria included in this RFP, including price. The University may then conduct negotiations with the D/B(s) so selected. The University shall consider price, but it will not be the sole determining factor in the selection. After the University conducts negotiations with each D/B so selected, the University shall select the D/B that, in its opinion, has made the best Proposal, and shall issue a Notice of Intent to Award. The University may cancel this RFP or reject Proposals at any time before the award and is not required to furnish a statement of the reason the University did not deem a particular Proposal the most advantageous (University Procurement Rules, Attachment 1, Section 49.D). Should the University determine in writing and in its sole discretion that only one D/B is fully qualified, or that one D/B is clearly more highly qualified than the others under consideration, the University may negotiate a contract or award a contract without further negotiation and, with the consent of the VP & CFO, award it to that D/B.

The University intends to select a D/B on the basis of Proposals received in response to this Request for Proposal and any other information it obtains from other sources regarding the D/B.

D.2.3. Award of Contract

Contract award is dependent on the Price Proposal being within budget or the University's ability to negotiate a contract within budget. The award will be for a D/B contract that provides a **firm fixed price to complete all the work that can be reasonably inferred by the Bridging Documents for a complete, functional, code compliant facility, incorporating by reference all the requirements, terms, and conditions of this RFP and the D/B's Proposal as negotiated.** The HECO-9DB form of contract will be used. The HECO-9DB form of contract references Form CO-7DB and HECO-7DB General Conditions of the Design-Build Contract.

D.2.4. Notice of Award

Public notice of the Notice of Award or announcement of the decision to award will be posted on the public information board at the University's CC&R Office of Contract Administration Services at One Morton Drive, Suite 301, Charlottesville, VA 22903.

SECTION E – CONTRACT PROVISIONS

E.1. CODES, STANDARDS, REGULATIONS, REVIEWS AND PERMITS

1. Codes, standards and regulations known to apply to this Project are:
 - 1) Virginia Uniform Statewide Building Code, 2015 edition with supplements. In addition, the Project must comply with all other applicable codes and regulations per the General Conditions, Section 3.
 - 2) University, Facilities Management, Facilities Design Guidelines current edition as posted at <https://oubo.virginia.edu/assets/documents/FDG12thEd-201804.pdf> (*This Project falls under the April 2018 Green Building Standards – Appendix G of the FDG. D/B teams can choose to use all or portions of the revised October 2019 version if desired.*)
 - 3) Virginia Soil and Water Conservation Commission, Erosion and Sediment Control Handbook, and Virginia Stormwater Management Regulations and Act, current editions
 - 4) University Higher Education Capital Outlay Manual
 - 5) Virginia Statewide Fire Prevention Code
 - 6) General Conditions of the Design-Build Contract
 - 7) Those codes and standards indicated in the Bridging Documents.
2. Compliance with codes, statutes, regulations, state agency requirements and University requirements shall be the responsibility of the D/B. Regulatory agencies listed below will review and comment, at the University’s request, to assist in verifying compliance with applicable codes, statutes and policies:
 - 1) State Fire Marshal
 - 2) Virginia Soil and Water Conservation Commission
 - 3) Department of Conservation and Recreation
 - 4) Virginia Air Pollution Control Board
 - 5) The University Building Official (UBO) Review Unit
 - 6) State of Virginia Art and Architectural Review Board
3. Permits shall be furnished and paid for by the D/B; except local building permits, if required, will be furnished and paid for by the University.

E.2. CONTRACT DRAWINGS, SPECIFICATIONS, & RECORD DRAWINGS

1. After the D/B Firm has been selected and a contract is signed, the selected D/B will submit, in a timely manner, an electronic set and one original copy of the Schematic Design Drawings and the Basis of Design Narrative, modified to reflect those Value Management Options that were noted as accepted by the University in the Proposal review process.
2. Each design submission shall be subject to review by appropriate reviewing agencies. Any changes required by these reviews shall be incorporated into the drawings and will become part of the contract documents. All documents shall be sealed and signed, in accordance with HECOM, by Virginia licensed design professionals. Each submission will consist of an electronic set and one original copy, and each shall be subject to review by appropriate reviewing agencies.
3. One electronic set of construction documents will be required by the University for administration of the contract. Two signed and sealed sets shall be required for all permits.
4. Record documents will be prepared in accordance with the University Facilities Design Guidelines, Bridging Documents Specifications, General Conditions, Supplemental General Conditions, and any Special Conditions.

E.3. CHANGE ORDER PROCEDURES

Any change orders requested or required by the University shall be estimated by the D/B. Review for code compliance and coordination of the work shall be performed by the A/E members of the D/B team. The D/B shall submit to the University the Change Order forms referenced in **Attachment F.4**.

ATTACHMENT F.1

TECHNICAL PROPOSAL FORMAT

SECTION I

Design/ Build Team Form

University of Virginia, Brandon Avenue Upper Class Student Housing – Phase 2

RFP # 19-103

Project Code: 207-B1280-000

As required by Project scope, listed hereon is at least one currently licensed individual/ entity for each profession noted on this form and thereby comprises the proposed D/B team for the Brandon Avenue Upper Class Student Housing – Phase 2. We hereby certify that we are the responsible individuals, having control of the professional services rendered by the entity named on this application, and that the entities shall comply with Chapter 3 of Title 54, Code of Virginia, and all applicable rules and regulations of the Department of Commerce.

Name of the Firm – D/B Team:

D/B Team Form: Partnership Contractor/ Subcontractor Other

Profession Legal Firm Name/ Address Classification* VA Certificate # & Signature

Contractor

Architect

Civil Engineer

Structural Engineer

Mechanical Engineer

Electrical Engineer

Landscape Architect

Land Surveying

All design work done as part of this Project must be done by design professionals registered in the Commonwealth of Virginia, or, in those cases where design work is done by a manufacturer, prefabricator, or

other party not a member of the D/B team, all such design work must be reviewed and approved in writing by a registered design professional and stamped with their seal. All persons or entities designing any portion of the Work under this Project shall be jointly and severally liable with the Contractor to the University for any such Design Work.

* Classification: Corporation, Partnership, Sole Proprietor, or Other

In addition to this form provide one (1) valid copy of the following:

1. *Professional Registration with the Commonwealth of Virginia*
2. *Professional Liability Insurance Policy (Insurance requirements are shown in Section 11(e) of the General Conditions, Attachment F.4).*

SECTION II – DESIGN/BUILD TEAM ORGANIZATION

Provide an organizational chart showing all direct and indirect personnel including the University, showing lines of authority, responsibility, and communication. Identify any key Subconsultants and Subcontractors your team will employ to carry out its functions as D/B.

SECTION III - DESIGN TEAM EXPERIENCE AND QUALIFICATIONS

A. FIRM CONTACT INFORMATION

For each team member firm/organization provide the following:

1. Role in the D/B Team (i.e. Architect, Structural Engineer, etc.)
2. Firm's legal name
3. Current address, telephone, and fax numbers
4. Principle office address, telephone, and fax numbers if different from above
5. Current President, Chief Executive Officer, or Managing Partner's contact information and length of time in current position
6. Date authorized to transact business in Virginia
7. Name, title, and contact information including email for the authorized point of contact concerning this Proposal
8. Professional VA license number
9. Provide a completed and current copy of A/E Firm Data Form, AE-1 to AE-6 (DGS-30-004).

B. SIMILAR EXPERIENCE

1. Identify projects of similar nature, scope, and duration performed by the proposed personnel during the past ten years. State for each project (please limit this to three projects) the following minimum information:
 - a. Project name and location/ address:
 - b. Final or current contract amount:
 - c. Size of project (square footage, stories, number of beds):
 - d. Contract type (i.e. D/B, bid-build, competitive negotiation):
 - e. Date complete:
 - f. Project description narrative explaining how it is similar to this Project:

- g. State whether the project was completed on time and on budget and if not explain:
 - h. Any unique accomplishments and/or any performance ratings or letters of commendation from the owner:
2. References: List name, title, address, and phone number of the contact person your proposed personnel directly dealt with on the referenced projects for the following:
 - a. Owner:
 - b. Contractor(s):
 - c. Prime Consultant (if applicable):
3. Firm personnel and role that are also proposed on this Project: Describe any major contributions the proposed personnel made concerning the referenced project that would be described as superior performance:

C. KEY PERSONNEL

The quality of the proposed personnel will be a major factor in awarding the Contract. It is critical that the proposed personnel be of the highest caliber and have experience as similar to this type of work as possible. The following information requested is a minimum requirement. The information provided should be such that it conveys the relevant expertise, experience and qualifications concerning overall categories such as: Design experience with similar building types, D/B experience with similar projects, Planning and Project Control, Value Management and Constructability Analysis, and other relevant categories. Evidence that the proposed personnel have previously worked together as a team should be submitted, if applicable. The importance of your proposed staff cannot be over-emphasized and with that in mind please provide the following information on each of the proposed key personnel:

1. Name, title, proposed position:
2. Education -- Institution(s) attended, year of graduation, specialty/degree earned:
3. Licenses -- list current licenses by type and state:
4. State how many years each proposed staff member has been employed by:
 - a. Your organization:
 - b. Your organization in the position proposed:
 - c. Previous organizations in the position proposed:
5. Identify projects of similar nature, scope, and duration performed by the proposed personnel during the past ten years in the **same position as being proposed**. Describe any major contributions the proposed personnel made concerning the referenced project that would be described as superior performance.

SECTION IV - CONSTRUCTION TEAM EXPERIENCE AND QUALIFICATIONS

A. FIRM CONTACT INFORMATION

For each team member firm/ organization provide the following:

1. Firm’s legal name
2. Current address, telephone, and fax numbers
3. Principle office address, telephone, and fax numbers if different from above
4. Current President, Chief Executive Officer, or Managing Partner’s contact information and length of time in current position
5. Date authorized to transact business in Virginia
6. How many years has your organization performed under D/B contracts?
7. Name, title, and contact information including email for the authorized point of contact concerning this Proposal

B. ORGANIZATION EXPERIENCE

1. State the annual value of construction projects performed by your organization during the past five years.

	GC Bid	CM Contracts	D/B Contracts
2019	_____	_____	_____
2018	_____	_____	_____
2017	_____	_____	_____
2016	_____	_____	_____
2015	_____	_____	_____

2. State value of construction currently under contract:
3. State value of construction currently bid and outstanding:
4. Identify projects of similar scope, complexity, and duration performed by the proposed personnel during the past ten years. State for each project (please limit this to three projects) the following minimum information:
 - a. Project Name and location/ address:
 - b. Final or current contract amount:
 - c. Size of project (square footage, stories, number of beds):
 - d. Contract type (i.e. D/B, bid-build, competitive negotiation):
 - e. Date complete:
 - f. Project description narrative explaining how it is similar to this Project:
 - g. Time and costs performance (final vs. original contract). State whether the project was completed on time and on budget and if not explain:
 - h. Any unique accomplishments and/or any performance ratings or letters of commendation from the owner:

- i. SWaM Participation:
- j. References: List name, title, address, and phone number of the contact person your proposed personnel directly dealt with on the referenced projects for the following:
 - 1) Owner:
 - 2) A/E:
 - 3) Prime Contractors or Major Subcontractors (list at least three):
- k. Firm personnel and role that are also proposed on this Project. Describe any major contributions the proposed personnel made concerning the referenced project that would be described as superior performance:

C. KEY PERSONNEL

The quality of the proposed personnel will be a major factor in awarding the Contract. It is critical that the proposed personnel be of the highest caliber and have experience as similar to this type of work as possible. The following information requested is a minimum requirement. The information provided should be such that it conveys the relevant expertise, experience and qualifications concerning overall categories such as: Professional Construction Management, General Contracting, Planning and Project Control, Value Management, and Constructability Analysis, Procurement, Scheduling and Estimating Methods, Accounting or Cost Analysis, Specialized Experience and Knowledge, and other relevant categories. Evidence that the proposed personnel have previously worked together as a team should be submitted, if applicable. The importance of your proposed staff cannot be over-emphasized and with that in mind please provide the following information on each of the proposed personnel, major Subcontractors, and Consultants:

- 1. Name, title, proposed position:
- 2. Education -- institution(s) attended, year of graduation, specialty/ degree earned:
- 3. Licenses -- list current licenses by type and state:
- 4. State how many years each proposed staff member has been employed by:
 - a. Your organization:
 - b. Your organization in the position proposed:
 - c. Previous organizations in the position proposed:
- 5. Identify projects of similar nature, scope, and duration performed by the proposed personnel during the past ten years in the **same position as being proposed**. Describe any major contributions the proposed personnel made concerning the referenced project that would be described as superior performance:
- 6. Identify the last three projects performed by the on-site Project Manager and the on-site site Supervisor. Please provide Owner contact information for each project as well as overall size, description, and project delivery type.

D. BONDING

The Firm's bonding company must be listed in the Federal Register circular 570 published by the U.S. Department of Treasury and should have at least an "A" rating as established by the A.M. Best Company.

1. Firm's current bonding capacity for this type of work with an eligible surety company:
2. Firm's surety company and the current line of bonding credit that company has extended to the Firm:
3. Name, address, and telephone numbers of the Firm's current surety agent or underwriting contact:
4. Have Performance or Payment Bond claims ever been made to a surety for this Firm on any project by an Owner, Subcontractor, or other claimant? If yes, please describe the claim, provide the name, address, and telephone number of the company and person making the claim, and state the resolution of the claim:
5. Has any company refused to bond the Firm on any project in the last 5 years? If yes, provide the name and address of the surety company and specify the reasons given for the refusal:

E. LEGAL PROCEEDINGS; CLAIMS

If the answer to any of the following questions below is yes, please provide or attach details and reference to which item it is in response.

1. Identify any lawsuits, administrative orders, hearings, or proceedings initiated by the Environmental Protection Agency, National Labor Relations Board, Occupational Safety and Health Administration, or the Internal Revenue Service, or similar state or local government agencies, in the last five years, concerning any labor practices, project environmental, health or safety practices, or tax liability, respectively, of the D/B. Identify the nature of the proceeding and its ultimate resolution.
2. Have any criminal charges or proceedings or investigations been brought against the D/B or any officer, Director, principal, or management personnel in the last five years, excluding minor traffic violations? If yes, please provide a complete and detailed report.

F. REFERENCES

Provide the company name, address, telephone, and fax numbers, contact person, title, and years of relationship for each reference.

1. Major Trade References: provide a minimum of six, preferably from Virginia.
2. Bank References:

G. FINANCIAL

Provide a copy of D/B's annual report.

SECTION V – JOINT TEAM EXPERIENCE

Describe your D/B team’s experience working together on other projects with emphasis on similar D/B projects with the same key personnel.

SECTION VI - MANAGEMENT PLAN AND PROJECT SCHEDULE

This section deals with the overall management strategy, proposed design and schedule for this Project. It shall cover all aspects and periods of the Project. It should include, but not be limited to, overall operational concept, identification of problem areas considered most critical and the Firm's strategy for resolution of each potential problem, organizational plan and how the Firm's plan facilitates the accomplishment of the University's requirements, and the organizational chart showing all individuals with direct or indirect involvement.

The minimum requirements for submittal on this Proposal category will be met when:

- The Firm demonstrates its understanding of the requirements by succinctly expressing the concept of the entire operation clearly showing a grasp of the range and complexity of the work, including, but not limited to, the services to be rendered, key issues and goals, need for scheduling/ tracking/ reporting, and the role of customer service.
- The Firm demonstrates recognition of the major problem areas and has solutions in mind such as: development of scheduling and reporting systems, development of procedures for responding to complaints, and methods of managing the Subcontractor(s).
- The Firm presents an organizational strategy that is capable of carrying out all design-build functions effectively. The elements of the plan should reveal the D/B's understanding of the relative importance of each component.

A. DESIGN

1. Base Proposal: A D/B’s Base Proposal must be in 100% compliance with the Bridging Documents drawings and specifications. D/B must provide a certified statement that its Base Proposal is in 100% compliance with the Bridging Documents. No new drawings or specifications are required to be submitted for the Base Technical Proposal response.
2. The D/B firm must demonstrate an understanding of the intent of the Bridging Documents and the detailing that it will take to develop them into 100% Construction Documents. The Base Price Proposal shall reflect the final design intent including design development.
2. **If the D/B would like to submit any proposed modifications to the Bridging Documents, they shall be submitted as a VM Option under SECTION VII of this Technical Proposal.**

B. SCHEDULE

1. Provide a CPM Schedule (minimum of 75 activities) reflecting (where necessary) key design milestones; design and review activities; University decision/ action; Subcontractor and Supplier commitments for manufacture, testing, installation, and startup; and appropriate contingency for weather/ other delays.
2. Include a description of the method used to develop and maintain the schedule, including the name of scheduling Consultants, if any.

3. Provide submittal schedule for long lead items and describe the job site scheduling system to be used on this job and list the most recent project where used.
3. The schedule must demonstrate how Substantial Completion will be achieved by no later than June 30, 2023. It is the desire of the University to accelerate the project schedule if possible, without incurring any premium pricing. Firms should include a detailed development of their proposed schedule.

C. JOB PLAN

1. Provide a written description of the planned construction with methods, means and processes for accomplishing the major segments of the work. Clearly show that all segments of the work can be completed within the above CPM schedule.
2. Construction Staging Plan: Clearly describe material and equipment staging and access; fence lines; lay down space; security; parking; trailers; porta-potties; location of cranes; dust, mud control, stormwater management and overall site aesthetics; and plans to eliminate conflicts with existing operations. Provide a construction staging plan at no smaller than 1:30 scale. Please include plans for keeping the fire lane access road open down to Bice House as well as student safety measures and walking paths.
3. Sample and/or proposed documents/ forms to be used on this Project as they relate to services identified in RFP and or those services your organization proposes to provide. These documents should help convey the control systems and the level of detail in the documentation you are proposing to provide. Provide a proposed index for Project record keeping system.
4. Identify any major areas of potential problems/challenges and possible solutions or proposed plan of action to mitigate them.
5. Proposed phasing of design and construction to maximize market resources, controlling disruption to existing operations, improving construction quality and reducing costs.
6. Explain methods for controlling costs and maintaining the schedule, avoiding or minimizing material, labor, or equipment shortages, labor problems, and other potential delays.
7. Explain your organization's philosophy, methods, and attitudes regarding anticipating, discovering, communicating, prioritizing, mitigating, and dealing with problems. Give some specific examples, forms, etc.
8. Discuss local construction market conditions including labor and construction material procurement/ scheduling and its impact on this Project.
9. Discuss quality control procedures (D/B's inspection and internal approval process) to be applied to this Project and list most recent project where these procedures were used. Describe the quality control organization reflecting authority and responsibility for key personnel.
10. Provide information/ plan/ schedule for items for procurement directly by the University. Provide information on how your organization may be of any special assistance/ benefit in procurement activities.
11. Address issues that may be of concern such as security, safety, deliveries, cleanliness, and visitors, etc.

12. Confirm the understanding of pertinent environmental regulatory requirements and issues (e.g., air, water, waste) concerning the scope of work and describe the project’s approach towards maintaining compliance with applicable regulations, including all permits, plans, practices, and procedures.
13. Provide information regarding inspections, testing, etc. The University will provide a third party inspector to perform material inspections and Special Inspections. The Engineer of Record of the D/B shall certify that Special Inspections have been completed and that all recorded deficiencies have been corrected.
14. Address the aspects of dispute resolution, D/B claims, interpretation of construction documents, weather delays, change orders/Proposals, requests for information, submittals, and any other factors which your organization deems are important as part of this evaluation process.
15. Address the issues of Value Management and Constructability Reviews for this Project.
16. Provide details for web based management, scheduling, and communications. Submit methods and procedures and address issues of security.

D. KEY PERSONNEL

1. Present a succession plan for replacement of key personnel shown in the organizational chart in Section II.
2. List proposed Consultants and Subcontractors (not shown in the organization chart) your organization will employ to carry out its functions as D/B.

SECTION VII - VALUE MANAGEMENT OPTIONS (VM)

The University is interested in Options that may be employed on this Project that will bring added value to the Project. These Options could potentially add cost to the Project, reduce cost, or have no cost implications. VM Options that enhance or clarify or constitute better construction practices are encouraged. All Options presented by the Firm are to demonstrate value to the University in cost, maintenance, energy conservation, schedule/time, and/or quality.

The Base Proposal must comply with the Bridging Documents Drawings and Project Manual for the Site B and Site C Buildings and comply with the Construction Documents and Specifications for the South Lawn Connector Park. No new drawings or specifications are required to be submitted for the Base Technical Proposal response. However, the D/B will need to explain what structural and MEP systems are being utilized and priced. If the D/B would like to submit a VM Option, it should be accompanied with supporting drawings and specifications to convey the VM Proposal. Any item in the Bridging Documents Project Manual that the D/B wishes to change is to be considered a VM Option item and shall be included in this section.

Each VM item must be included in the Technical Proposal with appropriate documentation (description, justification, estimated cost savings, drawings, cut sheets, etc.). The following are guidelines for submitting VM items. Submit any and all required documentation to convey or explain the VM Option:

- i. Written description of the VM Option including a name and number that is repeated in the Price Proposal.
- ii. A justification of the benefit(s) of the VM Option that will aid in the evaluation of the Proposal. Describe the schedule, quality, durability, maintenance, and life cycle advantages of the Proposal.

- iii. A copy of all applicable Project Manual sections which are impacted or changed by the Proposal. Include supporting documentation and data.
- iv. Details that describe or explain the VM Option in detail.
- v. Estimated cost impact for each VM Option item.

Firms may include language in their formal response to the RFP noting further information updates/clarifications will be provided as appropriate at the interview. This should give firms time to provide the most accurate and complete responses to the VM component of the evaluation.

SECTION VIII - SWaM PARTICIPATION

Describe your Small, Woman-owned, and Minority-owned (SWaM) business participation plan for this Project and submit additional SWaM participation information as required to complete Form DGS-30-360 (see referenced documents). Firms may include language in their formal response to the RFP noting further information updates/clarifications will be provided as appropriate at the interview. This should give firms time to provide the most accurate responses to the SWaM component of the evaluation.

SECTION IX – PROJECT SAFETY RECORD & PROPOSED PLAN

This section deals with the overall project safety record of the Firm and proposed plan for this Project. The Firm should present a current safety record and suggested safety plan that includes, but is not limited to:

1. Safety record including lost time accidents on recent projects (including Subcontractors, not just the firm);
2. Demonstration of understanding of the Project safety requirements;
3. Ability to ensure the safety of students, faculty, staff, construction workers, and visitors to the University and their access to essential areas – identify personnel responsible;
4. Ability/ experience working safely in and around occupied facilities (provide information on risk assessment, critical issues, security, deliveries, etc.); and
5. Description of how your organization will carry out its safety functions as Contractor. This entails planning for walkways and parking lots, barring entrance to construction areas, maintaining cleanliness within the surrounding facilities, and ensuring compliance with the Virginia Occupational Safety and Health (VOSH) standards/ regulations and the safety provisions of the “General Conditions of the Construction Contract”.

Use of [UVA Department of Risk Management Incident Report Form](http://riskmanagement.virginia.edu/sites/riskmanagement.virginia.edu/files/IncidentRptForm.pdf) is required on all projects. See link below: <http://riskmanagement.virginia.edu/sites/riskmanagement.virginia.edu/files/IncidentRptForm.pdf>

SECTION X – PROPOSED SUBCONTRACTORS

Provide a list of proposed Subcontractors.

SECTION XI – SCHEDULE OF VALUES

Provide a draft Schedule of Values.

By submitting and signing this RFP, the undersigned certifies that this firm/ entity is not currently barred from bidding on contracts by any Agency of the Commonwealth of Virginia, that this firm/ entity is not a part of any firm or entity that is currently barred from bidding on contracts by any Agency of the Commonwealth of

Virginia, that the firm name given below is the true and complete name of the firm/ entity, and that the firm/ entity is registered or licensed by the Commonwealth of Virginia, and authorized to transact business in the Commonwealth of Virginia and perform all work included in the scope of this RFP. In addition, the undersigned certifies that the firm/ entity for which he is signing has thoroughly reviewed all aspects of this RFP, and that all information, data, and representations made by the undersigned and the firm/ entity for whom he signs are true, are complete and accurate, and that the entity for which he signs will, upon award of the contract, execute and complete a contract with the University on the terms set forth herein, unless changed and agreed to in writing by the University.

Name of Firm: _____

By: _____
(signature) (typed name)

Title: _____ Telephone Number: _____

For Partnership (Names of Partners):

For Corporation (List State of Incorporation and date authorized to transact business in Virginia):

(Corporate Seal)

FEIN: _____

ACKNOWLEDGMENT

State of _____

City/ County of _____

The foregoing instrument was acknowledged before me this ____ day of _____,

2020 by _____ of _____ a _____
[Name/ Title of signer] [Name of entity acknowledging] [State]

_____ on behalf of _____ .
[Corp/Partnership/ Etc.] [Name of entity]

My commission expires: _____
Notary Public

ATTACHMENT F.2

(to be copied onto your business letterhead)

REFERENCE CONTACT AUTHORIZATION FORM

The undersigned hereby authorizes the University to obtain, and the recipient of this form to release, any information regarding our firm in relation to business and services we conducted with your organization.

Dated at _____ this _____ day of _____ 2020

By: _____

Title: _____

State of _____

County/ City of _____

_____ being duly sworn deposes and says that this signature is authorization for the above statement.

Subscribed and sworn before me this _____ day of _____ 2020

Notary Public: _____

My Commission Expires: _____

ATTACHMENT F.3

PRICE PROPOSAL FORMAT

Provide the following Price Proposal Form in a separate envelope from the Technical Proposal. Provide one copy of the Price Proposal Form. The University reserves the right to inspect any Firm's audited financial statements or other financial information that may be acceptable to the University prior to making an award to that Firm. Also provide a Bid Bond from a surety company, selected by the Firm, which is legally authorized to do business in Virginia, as a guarantee that if the contract is awarded to such D/B, that D/B will enter into the contract for the work mentioned in the Price Proposal. The amount of the Bid Bond shall be equal to five percent (5%) of the total Price Proposal.

Note: The University anticipates negotiating with the D/B prior to finalizing a contract. All proposed prices are subject to further negotiation prior to a contract.

PRICE PROPOSAL FORM

Date: _____

Project: University of Virginia
Brandon Avenue Upper Class Student Housing – Phase 2
RFP # 19-103
Project Code: 207-B1280-000
University Project # P05230

To: Mr. George Cullen
University of Virginia
CC&R Office of Contract Administration Services
One Morton Drive, Suite 301, Charlottesville, VA 22903 (overnight delivery)
P.O. Box 400892, Charlottesville, VA 22904-4892 (U.S. Mail)

From: *(Insert Name of D/B Firm)*

In compliance with and subject to your RFP and the documents therein specified, all of which are incorporated herein by reference, the undersigned proposes to furnish all labor, materials, equipment, and other items, facilities and services necessary and proper for, or incidental to, the complete design and construction for the Project described in the separately submitted Technical Proposal and in accordance with the RFP # 19-103 dated April 6, 2020 and the Amendments noted below for the consideration of the following amounts:

BASE PROPOSAL (including the following parts: Part A, B, C, D, & E):

PART A. –

1) Design Completion/ Construction Administration

_____ dollars (\$_____)

- 2) **Construct Buildings and All Associated Sitework and Utility work shown in the Bridging Documents – Available Document 02 - Site B and Site C Bridging Documents (does not include South Lawn Connector Park and Baptist Student Union Sanitary Line)**

_____ dollars (\$_____)

- 3) **Install Baptist Student Union Sanitary Line (Available Document 03 – South Lawn Connector Park and Sanitary Line Relocation Construction Documents)**

_____ dollars (\$_____)

- 4) **Construct South Lawn Connector Park (Available Document 03 – South Lawn Connector Park and Sanitary Line Relocation Construction Documents)**

_____ dollars (\$_____)

TOTAL PART A. (1+2+3+4)

_____ **dollars (\$_____)**

UNIT PRICES:

Prices for **PARTS B, C, and D** shall be based on the estimated quantities indicated to be provided complete and in accordance with the applicable portions of the Bridging Documents Drawings and Project Manual. Payment amounts for each of these items will be based on the actual quantities authorized, provided and approved times the unit prices indicated by the D/B. The final contract amount shall be adjusted upward or downward based on the actual payment amounts versus the price amounts for **PARTS B, C, and D**.

PART B – EXCAVATION OF ADDITIONAL UNSUITABLE MATERIAL

Excavation and disposal of unsuitable material, where authorized or directed, below the levels required for the Work in **PART A** and providing and backfilling with pipe bedding material per Bridging Documents Project Manual, and including all sheeting, shoring, bracing, and dewatering (total price per cubic yard):

Estimated quantity of 300 cy @ \$ _____ per cy = _____

TOTAL PART B

_____ **dollars (\$_____)**

PART C - EXCAVATION OF ROCK MATERIAL

Excavation of rock material, where authorized or directed, proper disposal off-site of excess material and backfill with compacted fill material per Bridging Documents Project Manual (total price per cubic yard):

Estimated quantity of 100 cy @ \$ _____ per cy = _____

TOTAL PART C

_____ dollars (\$_____)

PART D - REPLACEMENT OF UNSUITABLE SOIL WITH SATISFACTORY SOIL MATERIAL

Replacement of unsuitable material with satisfactory material, where authorized or directed, within the levels required for the Work in **PART A** including proper disposal off-site of unsuitable soil material, and providing and backfilling with compacted satisfactory soil material per Bridging Documents Project Manual, and including only quantities when satisfactory soil materials are not available from excavated soils (total price per cubic yard):

Estimated quantity of 300 cy @ \$ _____ per cy = _____

TOTAL PART D

_____ dollars (\$_____)

TOTAL BASE PRICE (PART A + PART B + PART C + PART D)

_____ dollars (\$_____)

PART E – ADDITIVE/ DEDUCTIVE ALTERNATE ITEMS

Insert prices for the following Additive Items. The prices will have the effect of contract pricing should the University, in its sole discretion, decide to implement any or all of the items. Please note, a savings in cost should be reflected with a negative number.

Additive/ Deductive Item #1 – Brick Cladding – Provide brick cladding in lieu of limestone below the Level 2 floor elevation. Refer to Bridging Documents Project Manual **Section 04 20 00 Unit Masonry** and Bridging Documents Architectural Drawings (**Sheet A-404**, for brick pattern and coursing associated with this item).

_____ dollars (\$_____)

Additive/ Deductive Item #2 – Elimination of P2 Parking Level – Provide one level of parking in lieu of two levels. Refer to **Sheet A-101a** in the Bridging Documents.

_____ dollars (\$_____)

The University may evaluate and select Additive Items in any order and combination. All amounts shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.

ACKNOWLEDGEMENTS:

- 1) Acknowledgement is made of receipt of the following Amendments (list):

- 2) The Firm, if awarded the contract, understands that time is of the essence and agrees that the date for Substantial Completion of the entire Project shall be no later than June 30, 2023. Full occupancy with a Certificate of Use and Occupancy must be achieved within thirty (30) consecutive calendar days after Substantial Completion.
- 3) Proposal Guarantee: Attached hereto is a Proposal guarantee in the form of a _____ in the amount of five percent (5%) of the Total Base Proposal amount as required.
- 4) Authorization of Proposal: Registered as a Contractor under Title 54, Chapter 7, Code of Virginia, Certificate No. _____ Expiration _____.
- 5) If notice of acceptance of this Proposal is given to the undersigned within sixty (60) days after the date of receipt, or any time thereafter before this Proposal is withdrawn, the undersigned will execute and deliver a contract in the prescribed form with all the required attachments within 10 days after the Contract has been presented to him for signature. The required Bonds and Insurance associated with any signed Construction Contracts shall be delivered to the University at the time of execution.
- 6) Immigration Reform and Control Act Of 1986: The undersigned certifies that it does not and will not during the performance of this Contract violate the provisions of the Federal Immigration Reform and Control Act of 1986, which prohibits employment of illegal aliens.
- 7) Disqualification of D/Bs: By signing this Proposal, the undersigned certifies that this person/ firm/ corporation is not currently barred from bidding on contracts by any Agency of the Commonwealth of Virginia, nor is this person/ firm/ corporation a part of any firm/ corporation that is currently barred from bidding on contracts by any Agency of the Commonwealth of Virginia. We have attached an explanation of any previous disbarment(s) and copies of notice(s) of reinstatement(s).
- 8) The Firm has relied upon the following public historical climatological records:
Virginia State Climatological Office Charlottesville, VA., for Charlottesville, VA.

Either the undersigned or one of the following individuals, if any, is authorized to modify this Proposal prior to the deadline for receipt of Proposals by writing the modification and signing his name on the face of the Proposal, on the envelope in which it is enclosed, on a separate document, or on a document which is faxed to the University:

Contract award will be based on the Total Base Price amount shown above plus any VM Options as negotiated taken in any order and combination the University in its discretion decides to award.

By submitting and signing this RFP, the undersigned certifies that the firm name given below is the true and complete name of the firm/ entity, and that the firm/ entity is registered or licensed by the Commonwealth of Virginia, and authorized to transact business in the Commonwealth of Virginia and perform all work included in the scope of this RFP. In addition, the undersigned certifies that the firm/ entity for which he/she is signing has thoroughly reviewed all aspects of this RFP, and that all information, data, and representations made by the undersigned and the firm/ entity for whom he/she signs are true, are complete and accurate, and that the firm/ entity for which he/she signs will, upon award of the contract, execute and complete a contract with the University on the terms set forth herein, unless changed and agreed to in writing by the University.

The Undersigned Firm is registered as a Contractor under Title 54.1, Code of Virginia 1950, as amended, and furnishes the following data:

Name of D/B Firm: _____

By: _____
(typed name) (signature)

Title: _____ Telephone Number: _____

For Partnership (Names of Partners): _____

For Corporation (List State of Incorporation and date authorized to transact business in Virginia): _____

Contractor # _____ FEIN: _____
(Corporate Seal)

ACKNOWLEDGMENT

State of _____

City/ County of _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2020

by _____ of _____ a _____
[Name/ Title of Signer] Name of Entity Acknowledging] [State]

_____ on behalf of _____ .
[Corp/ Partnership/ Etc.] [Name of Entity]

My commission expires: _____

_____ Notary Public

ATTACHMENT F.4

REFERENCED/ LINKED DOCUMENTS

Statement of Qualifications Form – *for the Office of the Architect for the University*

DGS-30-360 - Proposal Form - SWaM – *for A/E & Contractor Proposals*

1. Definitions
2. Data on Firm Submitting Proposal
3. Listing of Past Utilization of Disadvantaged Businesses by Firm
4. Listing of Disadvantaged Businesses Proposed for this Project

HECO-7DB - General Conditions of the Design-Build Contract

CO-7DB - General Conditions of the Design-Build Contract

Supplemental General Conditions - CM Construction Utilities

HECO-9DB - Contract Between University & Design-Build Contractor

CO-9a (DGS-30-076) - Workers Compensation Certificate of Insurance

HECO-10 - Standard Performance Bond

HECO-10.1 - Standard Labor & Material Payment Bond

CO-10.2 - Standard Bid Bond

HECO-11 - Contract Change Order and HECO-11a - Change Order Justification – *superseded by e-Builder H11 process*

HECO-GC-1 - Change Order Estimate (General Contractors)

HECO-SC-1 - Change Order Estimate (Subcontractors)

HECO-SS-1 - Change Order Estimate (Sub-Subcontractors)

HECO-12 - Schedule of Values & Certificate for Payment – *superseded by e-Builder H12 process*

CO-13 - Affidavit of Payment of Claims - *required for final Contractor payment*

HECO-13.1b (2015) - Final Report of Structural and Special Inspections

HECO-13.2 - Certificate of Completion by Contractor - *required for final Contractor payment - superseded, exact same wording now part of e-Builder process page when submitter checks final invoice.*

HECO-13.2a - Certification of Partial or Substantial Completion by Contractor

Division 1 Guidelines - *edited by D/B*

ATTACHMENT F.5

MANDATORY CONTRACTUAL PROVISIONS

F.5.1. SWaM Firm Utilization. It is the policy of the Commonwealth of Virginia and the University to contribute to the establishment, preservation, and strengthening of SWaM firms as further defined in the General Conditions of the Construction Contract (HECO-7DB), and to encourage their participation through partnerships, joint ventures, subcontracts, and other contractual opportunities.

The Commonwealth of Virginia has a 50% target goal for subcontracting to **small** business for all new capital outlay construction and the University has a SWaM firm overall participation aspirational goal of 39% for procurement opportunities. Where it is practicable for the D/B to subcontract any portion of the awarded contracts to other firms, the University encourages the use of SWaM firms. The D/B may obtain names of SWaM firms currently registered with, and certified by, the Virginia Department of Small Business and Supplier Diversity (SBSD) and desiring to work at the University from the Procurement & Supplier Diversity Services Department at the University.

If the total amount of a contract exceeds \$100,000, the D/B / Subcontractor shall complete and submit quarterly reports, on forms provided by the Procurement & Supplier Diversity Services Department in accordance with the University's SWaM plan, to document Subcontractor and Supplier expenditures to SWaM firms in connection with the Project.

F.5.2. eVA Business-to-Government Vendor Registration. The eVA Internet electronic procurement solution, web site portal www.eVA.virginia.gov, streamlines and automates government-purchasing activities in the Commonwealth. The eVA portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide goods and/or services to the Commonwealth shall participate in the eVA Internet e-procurement solution. All firms must register in eVA; failure to register may result in the University rejecting the bid/ Proposal.

F.5.3. eVA Business-to-Government Contracts and Orders. The University anticipates that the contract will result in multiple purchase orders (i.e., one for each delivery requirement) with the eVA transaction fee specified below assessed for each order.

a. the Vendor Transaction Fee is:

- (i) SBSBD-certified Small Businesses: 1%, Capped at \$500 per order.
- (ii) Businesses that are not SBSBD-certified Small Businesses: 1%, Capped at \$1,500 per order.

The Commonwealth of Virginia, Department of General Services will assess an eVA Transaction Fee approximately 30 days after the University issues each Purchase Order. The State will handle any adjustments (increases/ decreases) through eVA change orders.

F.5.5. Packaging and Marking.

a. Protection and Care. The D/B is responsible for properly delivering and protecting (and replacing if not properly delivered or protected) all sketches, reports, and other submissions transmitted to the University or the A/E from the D/B.

b. Payment of Postage and Fees. The D/B shall pay all costs incurred by the D/B for postage, courier, and other delivery and handling fees required for performance of the Contract.

c. Identification. All information submitted to the Associate VP & Chief Facilities Officer or the University Project Manager shall clearly indicate the University’s project name and RFP number for which the D/B is submitting information.

ATTACHMENT F.6

SPECIAL CONTRACTUAL CONDITIONS

F.6.1. Compliance with Bridging Documents

Approval of the Construction Documents does not relieve the D/B of responsibility for complying with the requirements of the Bridging Documents.

F.6.2. Site Access

1. Access to the site shall be via public roadways.
2. All D/B vehicles and D/B employee vehicles shall be within the construction fence at all times. Any additionally required parking shall be provided by the D/B off-site through appropriate avenues, consistent with University policies. Parking permits for on-grounds permit only lots may be purchased by the D/B from the University Parking and Transportation Office, 1101 Millmont Street, Charlottesville, VA 22903, 434-924-7231. On street or visitor parking may not be used by construction personnel.
3. Do not close or obstruct streets, driveways, or walks that are to remain open for public use. Material or debris shall not be placed or stored on driveways or walks. Conduct operations so as to interfere as little as possible with normal activities.
4. Investigate the conditions of public thoroughfare and roads as to availability, clearances, road limits, restrictions and other limitations affecting transportation to and from site and secure, in advance, such permits as may be necessary.
5. In no case will trespass be allowed into those portions and site where work is not being performed.
6. D/B shall contact Miss Utility for identification for all public utilities and the University Utilities Division for University-owned utilities prior to any excavation.
7. D/B shall obtain a University Excavation Permit. The request for Excavation Permit shall be completed and submitted to Facilities Management, Utilities Distribution Office, as far in advance as possible but at least five (5) working days prior to the planned start of excavation operations. Except for an emergency involving hazard to personal safety, property loss, or interruption of University operations, no excavation will be permitted prior to the issuance of an excavation permit. D/B is responsible for maintaining markings.
8. Ensure that the existing Bond House and Bice House remain accessible and fully operational. These will typically be occupied between August 15 and May 30 of each Academic year. During this time frame, the Contractor shall maintain pedestrian and vehicular access (including emergency and service vehicle access) and shall protect and maintain all utility services and connections (including water, electricity, chilled water, medium temperature hot water, phone, data and fire alarm). Any required outages shall be scheduled in accordance with Project requirements. Contractor shall maintain emergency vehicle access, water, electricity and fire alarm service to Bice House at all times.

F.6.3. Project Personnel

1. The D/B shall submit to the University, prior to the Preconstruction Conference, a resume for any proposed staff member who will work on the Project who was not included in the Technical Proposal.
2. The University reserves the right to reject any staff member.
3. The Superintendent shall not be changed during the course of construction unless he/she ceases to be satisfactory to the D/B and is no longer employed by it. The University reserves the right of approval of any changes made in Superintendent Personnel.

F.6.4. Taxes

The D/B shall be responsible for payment of all applicable taxes related to the work.

F.6.5. Site/ Civil Permits

The Project will need to obtain a Virginia Department of Conservation and Recreation (VDCR) Land Disturbance Permit for disturbances greater than 10,000 sf, a VDCR Virginia Storm Water Management Permit (VSMP) for disturbances greater than one acre. The University will work with the Department of Historical Resources (DHR) to obtain a permit for the civil work inside the Kitty Foster DHR boundaries.

F.6.6. Geotechnical Information

A geotechnical report for the Bridging Documents was prepared by Froehling and Robertson, Inc. and is provided in the Bridging Documents Project Manual as INFORMATION ONLY. A geotechnical report for the South Lawn Connector Park was prepared by Froehling and Robertson, Inc., dated October 3, 2017, and is provided herein as INFORMATION ONLY. The opinions expressed in the geotechnical report, and any addendum, represent the Geotechnical Engineer’s interpretation of the subsurface conditions, tests, and the results of the analyses conducted. This report should not be considered part of the contract documents.

F.6.7. Adjacent Projects

The D/B shall coordinate construction activities with any adjacent University projects and Project phases.

F.6.8. Asbestos

Due to the Project being new construction, it is not anticipated that asbestos will be found. However, it is known to have been used around Grounds so if the D/B discovers the presence of asbestos, suspects that asbestos is present, or a Subcontractor advises the D/B of the presence of asbestos, it shall:

1. Stop the work immediately.
2. Secure the area in accordance with Federal and State requirements including signage.
3. Notify the University.
4. Await positive identification of the suspect material.

During the downtime in such a case, the D/B shall not disturb any surrounding surfaces but shall have the area protected with suitable dust covers. The University shall allow the D/B a mutually agreed extension of time to perform its work under the D/B Contract in the event the discovery of asbestos or suspected asbestos delays the D/B, but the University shall not pay any additional compensation to the D/B due to the time extension.

F.6.9. University No Smoking Policy SEC-028

The University prohibits smoking inside facilities it owns or leases. It also prohibits smoking in any outside area adjacent to a facility whose configuration and/or other physical conditions allow smoke either to enter and affect the internal environment or to affect unduly the environment of those entering or exiting the facility. There shall be no smoking inside this building as it is constructed.

F.6.10. Harassment

Offensive behavior toward any member of the University community will not be tolerated. Any reported incidents of harassment, offensive behavior, or discriminatory conduct will be brought to the D/B’s attention and shall be appropriately addressed to the satisfaction of the University.

F.6.11. Assignment

Neither party to those contracts resulting from this RFP shall have the right to assign the contracts in whole or in part without the prior written consent of the other.

F.6.12. Audit - Open Book

The D/B hereby agrees to retain all books, records, and other documents for the Contract for five (5) years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. The University, its authorized agents, and/or State auditors shall have full access to and the right to examine any of said materials during said period and at any time during the term of this Contract.

ATTACHMENT F.7

Electronically Available Bridging Documents and Additional Information

The documents contained in this RFP can be found at the web link below for the duration of the RFP and selection process.

<https://virginia.box.com/s/ojpkxmating5cadbj9fl59ylvjn9w1sa>

These documents are the property of the University and shall only be used for the preparation of the RFP response.

Available Documents

- 01 – Tipton Associates Fee Proposal
- 02 – Site B and Site C Bridging Documents
 - Bridging Documents Drawings
 - Bridging Documents Project Manual
- 03 – South Lawn Connector park and Sanitary Line Relocation Construction Documents
 - Construction Document Drawings
 - Construction Document Project Manual
- 04 – Bridging Documents BIM Release Form