Request for Qualifications and Request for Proposal to provide Construction Management At-Risk Services

Qualifications Due: August 12, 2014, by 2:00 PM
NOTES

The Agency Selection Committee shall evaluate each of the persons or firms interviewed in view of their (a) past performance; (b) the ability of professional personnel; (c) demonstrated ability to meet time and budget requirements; (d) location and knowledge of locality of the project; (e) recent, current and projected work load of the person or firm; (f) creativity and insight related to the project; (g) related experience on similar projects; (h) volume of work awarded by the using agency to the person or firm during the previous five years, with the objective of effectuating an equitable distribution of contracts by the State among qualified firms including Small and Minority Business Enterprises certified by the South Carolina Office of Small and Minority Business Assistance and firms that have not had previous state work; and (i) any other special qualification required pursuant to the solicitation of the using agency, in accordance with the South Carolina Consolidated Procurement Code and Regulations.

In accordance with SC Law Section 11-35-3245, no member of the design team selected for this project will be allowed to perform work as a contractor or subcontractor on this project.

Any actual bidder, offeror, contractor or subcontractor who is aggrieved in connection with the intended award or award of this Contract may protest to the State Engineer in accordance with Section 11-35-4210 of the SC Code of Laws at: CPO, Office of State Engineer, 1201 Main Street, Suite 600, Columbia, SC 29201, E-MAIL: protest-ose@mmo.sc.gov.

South Carolina Business Opportunities (SCBO) is the official state government publication for State of South Carolina solicitations authorized by the Office of Procurement Services. Any information on State agency solicitations that is obtained from any other source is unofficial & any reliance placed on such information is at the bidder’s sole risk & is without recourse under the South Carolina Consolidated Procurement Code.

SUBMITTING CONFIDENTIAL INFORMATION: For every document Offeror submits in response to or with regard to this solicitation or request, Offeror must separately mark with the word "CONFIDENTIAL" every page, or portion thereof, that Offeror contends contains information that is exempt from public disclosure because it is either (a) a trade secret as defined in Section 30-4-40(a)(1), or (b) privileged & confidential, as that phrase is used in Section 11-35-410. For every document Offeror submits in response to or with regard to this solicitation or request, Offeror must separately mark with the words "TRADE SECRET" every page, or portion thereof, that Offeror contends contains a trade secret as that term is defined by Section 39-8-20 of the Trade Secrets Act. For every document Offeror submits in response to or with regard to this solicitation or request, Offeror must separately mark with the word "PROTECTED" every page, or portion thereof, that Offeror contends is protected by Section 11-35-1810. All markings must be conspicuous; use color, bold, underlining, or some other method in order to conspicuously distinguish the mark from the other text. Do not mark your entire response (bid, proposal, quote, etc.) as confidential, trade secret, or protected! If your response, or any part thereof, is improperly marked as confidential or trade secret or protected, the State may, in its sole discretion, determine it nonresponsive. If only portions of a page are subject to some protection, do not mark the entire page. By submitting a response to this solicitation or request, Offeror (1) agrees to the public disclosure of every page of every document regarding this solicitation or request that was submitted at any time prior to entering into a contract (including, but not limited to, documents contained in a response, documents submitted to clarify a response, & documents submitted during negotiations), unless the page is conspicuously marked "TRADE SECRET" or "CONFIDENTIAL" or "PROTECTED", (2) agrees that any information not marked, as required by these bidding instructions, as a "Trade Secret" is not a trade secret as defined by the Trade Secrets Act, & (3) agrees that, notwithstanding any claims or markings otherwise, any prices, commissions, discounts, or other financial figures used to determine the award, as well as the final contract amount, are subject to public disclosure. In determining whether to release documents, the State will detrimentally rely on Offeror’s marking of documents, as required by these bidding instructions, as being either "Confidential" or "Trade Secret" or "PROTECTED". By submitting a response, Offeror agrees to defend, indemnify, & hold harmless the State of South Carolina, its officers & employees, from every claim, demand, loss, expense, cost, damage, or injury, including attorney’s fees, arising out of or resulting from the State withholding information that Offeror marked as "confidential" or "trade secret" or "PROTECTED."
Pendleton Campus Student Success Center / Central Plant
State Project H59-6093-SG
Tri-County Technical College
Pendleton, South Carolina

Request for Qualifications
to provide

Construction Management At-Risk Services

Caution: The only official source for this document is the one cited in the advertisement in the South Carolina Business Opportunities newsletter. Not getting this document directly from that source could mean that this document has been superseded by a later version. Answers to questions, all clarifications, and any addenda will be available online at http://www.tctc.edu/About_TCTC/PurchasingSolicitation/Solicitation.xml. The Owner is not responsible for any reader’s failure to heed this warning.

Qualifications Due: August 12, 2014, by 2:00 PM
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Tri-County Technical College (TCTC; Owner)

Written Submittals of Qualifications to provide Construction Management at-Risk Services for the construction of—
Project No. H59-6093-SG, Pendleton Campus Student Success Center / Central Plant.

1. Introduction

1.1. Purpose of Procurement

1.1.1. Tri-County Technical College (TCTC), hereinafter sometimes referred to as “Owner,” will undertake the construction of a new Student Success Center, renovation and repurposing of Ruby Hicks Hall, and construction of a new Central Chiller Plant. The project also includes the demolition of Clarke-Mckissick Hall, shop-like structure built in 1983.

1.1.2. The Student Success Center will be approximately 66,000 square feet and will house a Learning Commons (21st century library with expanded group-study and computing lab spaces), Auxiliary Services (campus store, food services), a Shipping and Receiving facility, and the new Central Plant.

1.1.3. The renovation and repurposing of Ruby Hicks Hall to become a student One-Stop / Student Services Center will centrally locate all Enrollment Services (welcome/information center, admissions, financial aid, bursar’s office, student records, placement testing, assessment, orientation, cashier, student advising). Repurposing Ruby Hicks Hall also allows co-location of Student Support Services (career services, disability services, veterans’ services, counseling, advising, IT help desk) with Academic Support Services (tutoring, computer labs, testing).

1.1.4. The Central Chiller Plant will provide cooling for campus buildings via a chilled water loop, which is expected to substantially reduce energy usage and ongoing HVAC maintenance costs. Currently, each campus building has its own stand-alone HVAC system. The project initially ties in the new Student Success Center, Ruby Hicks Hall, and Fulp Hall (50% of the campus square footage) and will be expanded to other buildings as those HVAC systems reach end-of-life.

1.1.5. Stated Cost Limitation: The stated cost limitation for the project construction is $30,000,000.

1.1.6. “Construction management at-risk” (CM-R) is the project delivery method approved by the State for this project. (Please see the definition section, below.)

1.1.7. The Owner is in the process of selecting a design professional for this project. The Owner expects to make this selection shortly before selecting the CM-R firm.

1.1.8. SPECIAL CONSIDERATIONS FOR CM AT-RISK – South Carolina Code Ann § 40-11-320 and Regs. 19-445.2145(N): Firms seeking CM-R work must be registered both as a construction manager and as a general contractor with the SC Contractor’s Licensing Board. The construction manager at-risk’s General Contractor’s license must have a license group designation that will allow the construction manager at-risk to provide 100% Performance and 100% Labor and Material Payment Bonds for the entire project. Moreover, prior to contracting for a Guaranteed Maximum Price (GMP), all construction management services provided by a construction manager at-risk must be paid as a fee based on either a fixed rate, fixed amount, or fixed formula. In addition, construction may not commence for any portion of the construction until after the governmental body and the construction manager at-risk contract for a fixed price or a GMP regarding that portion of the construction.

1.1.9. The selection of professional construction services will be by Qualifications-Based Selection (QBS) or “Technically Superior Proposal” method. The South Carolina law adopted QBS as appropriate under state law for competitive sealed proposals: See §11-35-1530 in the Official Code of South Carolina. The Owner chose the CM-R delivery method specifically to allow concurrent design and construction activities, with the CM-R providing constructability reviews and other pre-construction services essential to the overall success of the project. The CM-R will have a fiduciary role and responsibility to the Owner. The CM-R must act in the best interests of the Owner, using its best efforts to perform the project in an expeditious and cost-effective manner consistent with the Owner’s program requirements and budget.

1.1.10. The Pendleton Campus currently serves approximately 5,000 students with an expected maximum of 6,500 students. The facilities should be designed to accommodate 6,500 students.
1.2. Project Objectives

1.2.1. Sustainability: Tri-County Technical College is interested in sustainability and energy efficiency, in accord with such goals of the State of South Carolina. The State requires LEED Silver or two Green Globes for the new building and the renovation work.

1.2.2. The CM-R and the design professionals each will be responsible for comprehending the Owner’s Project Requirements, accurately translating those requirements into a Basis of Design, and incorporating all into complete construction documents. With these, the CM-R will deliver a finished facility in satisfaction of the Owner’s Project Requirements.

1.2.3. The CM-R will be responsible for pricing and value-engineering issues. At an appropriate point during the projects, the Owner will ask the CM-R to commit to a Guaranteed Maximum Price (GMP) for the project.

1.2.4. The CM-R shall competitively select all construction subcontracts and other work appropriate for competitive selection but is free to use qualification factors other than price of work to select construction subcontractors that will deliver the greatest value to the State of South Carolina and the Owner.

1.2.5. In selecting a firm, the Owner will emphasize experience of the firm and of assigned personnel in providing like functions on projects of similar magnitude and complexity as the proposed project. Selection preference will be toward firms that have depths of knowledge and resources for general contracting, scheduling, contract coordination and compliance, and budget control, as well as familiarity with state laws, ordinances, and codes applicable to Tri-County Technical College.

1.2.6. It is the responsibility of each submitter to examine the entire RFQ and RFP, seek clarification in writing, and review its submittal for accuracy before submitting their qualifications and, if shortlisted, their proposal. Once submission deadlines have passed, all submissions will be final. The Owner will not request clarification from any individual submitter relative to their submission but reserves the right to ask for additional information from all parties that have submitted qualifications. Each firm must describe experience if there are multiple firms proposed as one team. Please indicate, by firm, those qualifying as a minority firm.

1.2.7. Certified Small and Minority Business Enterprises are encouraged to respond to this request.

1.2.8. The tight window of construction opportunity requires the Owner to make, as an important selection criterion, the ability of firms to place quality personnel on this job ready to work within an effective timeframe.

1.3. Project Assumptions

1.3.1. The Owner is receptive to working with multiple firms that desire to form a partnership to deliver the CM-R services anticipated under this project. In the event that two or more firms desire to establish a joint venture, it is expected that one firm from the group shall sign the state’s contract as construction manager at-risk, and that all partner firms will be in a legal position as would consultants to the firm that signs the contract.

1.3.2. The Owner expects all parties to this project to work closely together and deal appropriately with project conditions to finish the job successfully. A spirit of cooperation and collaboration among professional construction services providers is of utmost importance to the College.

1.3.3. The CM-R, as a part of its pre-construction services, will assist with developing a strategy for the best approach for the successful completion of the project. For example without limitation, the CM-R will provide guidance and assistance in the preparation of a schedule and a reliable cost estimate.

1.3.4. It is the sincere intention of the Owner to make every effort to be fair and equitable in its dealings with all candidates for selection.

1.4. Definitions of Terms

1.4.1. Whenever the terms “RFQ,” “RFP,” and “RFQ/RFP” are used, the reference is to this Request for Qualifications / Request for Proposals or portions thereof, together with any exhibits, attachments, or addenda it may contain.
1.4.2. Whenever the terms “shall,” “must,” or “is required” are used in the RFQ/RFP, the referenced task is a mandatory requirement of this RFQ/RFP. Failure to meet any mandatory requirement will be cause for rejection of a submittal.

1.4.3. Whenever the terms “can,” “may,” or “should” are used in the RFQ/RFP, the referenced specification is discretionary. Therefore, although the failure to provide any items so termed will not be cause for rejection, the Selection Committee may consider such failure in evaluating the submittal.

1.4.4. Whenever the terms “apparent successful” or “top-ranked” or “highest-ranking” firm or offeror are used in this document, the reference is to the firm that the Selection Committee ultimately judges to have submitted the case best satisfying the needs of the Owner in accordance with the RFQ/RFP. The selection of an apparent successful firm does not necessarily mean the Selection Committee accepts all aspects of the firm’s submittal or proposal.

1.4.5. Whenever the term “submittal” is used in the RFQ/RFP, the reference is to the response offered by a firm in accordance with the RFQ/RFP. The initial submittal responds only to the RFQ portion of this document. Subsequently, only firms shortlisted based on their initial submittal will be invited to respond with technical proposal submittals to the RFP portion of this document.

1.4.6. Whenever the term “Selection Committee” is used in the RFQ/RFP, the reference is to the State representatives responsible for administering and conducting the evaluation and selection process of the RFQ/RFP.

1.4.7. “Construction management at-risk” (CM-R) is a project delivery method in which the owner awards separate contracts—one for architectural and engineering services to design the project and the second to a construction manager at-risk for both construction management services and construction of the project.

1.4.8. “Design Professional” and “Designer of Record” both refer to the project’s architect or design engineer, whose responsibilities generally include programming of the facility and, at the completion of all construction, providing the owner with Record Drawings.

1.4.9. “Building Commissioning” refers to a formal and systematic process of documentation, adjustment, testing, verification, and training, focused on quality assurance and performed specifically to ensure that the finished facility operates in accordance with the owner’s documented project requirements and the construction documents.

1.4.10. “Commissioning Provider” refers to the entity or person providing building commissioning services for a project.

1.4.11. “Guaranteed Maximum Price” (GMP) means a price for all costs for the construction and completion of the project, or designated portion thereof, including all construction management services and all mobilization, general conditions, profit and overhead costs of any nature, and where the total contract amount, including the contractor's fee and general conditions, will not exceed a guaranteed maximum amount.

1.4.12. “Owner’s Project Requirements” is a written document that details the functional requirements of a project and the expectations of how it will be used and operated.

1.4.13. “Qualifications Submittal” and “Initial Written Submittal” both refer to a firm’s response to the RFQ.

1.4.14. “Qualifications-Based Selection” and “QBS” both refer to a procurement process for the selection of professional construction services for public projects. It is a competitive contract procurement process whereby consulting firms submit qualifications to a procuring entity (owner) who evaluates and selects the most qualified firm, and then negotiates the project scope of work, schedule, budget, and consultant fee.

1.4.15. “As-Built Drawings” are prepared by the contractor. They show, in red ink, on-site changes to the original construction documents.

1.4.16. “Record Drawings” are prepared by the architect and reflect on-site changes the contractor noted in the as-built drawings. They are often compiled as a set of on-site changes made for the owner per the owner-architect contract.

1.4.17. “Technical Proposal” refers to a firm’s response to the RFP.
2. General Instructions

2.1. Building Program

2.1.1. Quality
The project will be designed and constructed to a level of quality and timeliness that reflects the long-term use of a state-owned facility.

2.1.2. Owner / CM-R Contract
AIA Document A121 CMc-2003 and AGC Document 565, Standard Form of Agreement Between Owner and Construction Manager with amendments by the OSE and Tri-County Technical College.

2.2. Selection Process

2.2.1. Request for Qualifications / Request for Proposal
This document is a combined Request for Qualifications (RFQ) and Request for Proposal (RFP). An interested firm's initial response will be only to the RFQ portion of this document. Only if a firm is subsequently shortlisted will it be invited to provide a separate proposal in response to the RFP portion of this document.

2.2.2. Selection Committee
The selection of professional service providers will be by a Selection Committee comprising representatives of the Office of State Engineer and Tri-County Technical College.

2.2.3. Point of Contact
The public's contact for information and clarification about the Project must be limited to the project manager, as identified in Section 3, below.

2.2.4. Shortlisting, Proposals, Interviews
Selection of the CM-R will be a multi-step process:

a. Initial Written Submittal (Qualifications Statements)
The Selection Committee will receive and review statements of qualifications and performance data in response to the RFQ. The Selection Committee will evaluate all firms first against a set of criteria, provided in Section 3 below, to determine which firms are most qualified and suited for this particular project. Qualifications alone will narrow the field to a shortlist of three to five firms. The shortlisted firms will be invited to respond to the Request for Proposal.

b. Written Technical Proposals (Responses to Request for Proposal)
Only shortlisted firms shall prepare and submit written technical proposals that respond to the Request for Proposal (RFP). This written proposal will be evaluated by the Selection Committee against a set of criteria, provided in Section 5, below.

c. Interview & Final Evaluation
As part of the evaluation, shortlisted firms will be invited to a formal interview to explain their proposal and to answer questions from the Selection Committee. From the evaluations of the written proposals and the interview, the Selection Committee will rank the shortlisted firms in order of suitability and appropriateness for this project.

2.2.5. Fee Proposals
Each shortlisted firm invited to interview shall prepare and deliver a separate sealed fee proposal to the Selection Committee chair at the time of the interview. Following all interviews and after final ranking of the shortlisted firms, the Selection Committee will open each fee proposal. These fee proposals will be part of the selection evaluation. The highest-ranked offeror's fee proposal will be part of the basis for initial negotiations subsequently conducted. If negotiations with the highest-ranked offeror are not successful, the Owner will then invite the second-ranked firm to negotiate, and so on.

2.3. RFQ Pre-submittal Conference
There will be an RFQ pre-submittal conference for all interested parties. The conference will take place at the time and location given on the Schedule of Events (Section 2.7). Anyone may attend.

2.4. RFP Pre-proposal Conference
There will be an RFP pre-proposal conference for the shortlisted firms. Details about this pre-proposal conference will be announced to the shortlisted firms at the appropriate time by e-mail to the firm's contact person identified in the RFQ submittal.
2.5. [RESERVED]

2.6. Scope of Work Overview
As professional services, the CM-R’s services shall conform to recognized standards of professional practice. The contract will outline the scope of work.

2.6.1. The CM-R will work in concert with the Design Professionals towards the successful completion of the project within the schedule and the stated cost limitation, in compliance with the contract documents, and adhering to the requirements of the authorities having jurisdiction.

2.6.2. The CM-R, through in-house staff or outside consultants/contractors, shall serve as the Construction Manager and Constructor, and shall provide all pre-construction and construction management services and activities necessary for the construction and completion of this project. The services described in this Request are representative of the services required, and are not exhaustive.

2.6.3. Pre-construction Services shall include but are not limited to the following:
   a. Participate in design team meetings as required to facilitate the design process.
   b. Evaluate the design during development; providing analysis of alternate construction methods and materials for potential quality, cost, and schedule enhancements.
   c. Evaluate construction documents for constructability, maintainability, potential problems, errors, and compliance with the construction budget.
   d. Develop a comprehensive design and construction schedule, coordinating activities to accomplish the completion of the project by the earliest date possible within the stated cost limitation.
   e. Provide cost estimating, cost management, value analysis, and value engineering.
   f. Provide cost estimating of alternative means, methods, materials, and configurations of the design.
   g. Provide cost estimating of the individual construction packages.
   h. Develop a construction budget to be maintained throughout design and construction.

2.6.4. Construction Phase Services shall include but are not limited to the following:
   a. Develop requirements for safety, quality assurance, and schedule adherence.
   b. Maintain on-site staff for construction management.
   c. Maintain a system for tracking the timely submittal, review, and approval of submittals.
   d. Coordinate, conduct, and document regular construction meetings.
   e. Prepare and submit change order documentation for review and approval by the Design Professional and the Owner.
   f. Maintain on-site records and submit monthly progress reports to the Design Professional and the Owner.
   g. Maintain quality control and ensure conformity to contract documents.
   h. Reconcile construction contract requirements with the construction budget.
   i. Assist the Owner with permits and inspections required by authorities having jurisdiction.
   j. Develop and maintain a detailed design and construction schedule (CPM) indicating sequencing of construction activities and milestones necessary for completion of the project by the targeted date.
   k. Document activities associated with the administration, management, and construction of the project.
   l. Certify monthly all work in place and approve all sub-contractor and vendor payment requests.
   m. Document all LEED-related or Green Globes-related information and credits.
   n. Coordinate with and respond to the Commissioning consultant.
   o. Develop As-Built drawings for presentation to the Design Professional and Owner upon project completion.
p. Resolve punch-list items in a timely and professional manner.

q. Coordinate post-completion activities, including start-up testing and break-in, as well as the assembly of guarantees, manuals, closeout documents, training, and Owner's final acceptance.

r. Monitor, coordinate, and resolve all warranty complaints to the satisfaction of the Owner during the one-year general warranty period.

2.6.5. Guaranteed Maximum Price: At an appropriate point in the project and subject to contractual negotiations, the CM-R shall issue to the Owner a guaranteed maximum price (GMP) backed by a surety bond. The project shall be constructed within this GMP. To the extent professionally responsible, the CM-R will overlap the Design Development and Construction Phases when components are conducive to early construction starts, reflecting such in a master project schedule.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]
2.7. Schedule of Events

The following Schedule of Events represents the Owner’s best estimate of the schedule that will be followed. The Owner reserves the right, at its sole discretion, to adjust this schedule as it deems necessary. Adjustment to the Schedule of Events will be posted to the following website: http://www.tctc.edu/About_TCTC/PurchasingSolicitation/Solicitation.xml.

<table>
<thead>
<tr>
<th>EVENT</th>
<th>DATE</th>
<th>TIME</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Advertisement in SCBO</td>
<td>6/23/14</td>
<td>----------</td>
</tr>
<tr>
<td>2. Owner conducts a pre-submittal conference for all interested firms.</td>
<td>7/15/14</td>
<td>10:00 AM</td>
</tr>
<tr>
<td>To take place at the Pendleton Campus.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Deadline for written questions and clarification on Request for Qualifications</td>
<td>7/22/14</td>
<td>4:00 PM</td>
</tr>
<tr>
<td>4. Owner will have responded to all questions submitted on the RFQ by this date</td>
<td>7/28/14</td>
<td>4:00 PM</td>
</tr>
<tr>
<td>5. Deadline for submission of Qualifications</td>
<td>8/12/14</td>
<td>2:00 PM</td>
</tr>
<tr>
<td>6. Owner completes qualification evaluation and notifies shortlisted firms</td>
<td>8/19/14</td>
<td>----------</td>
</tr>
<tr>
<td>7. Owner conducts a pre-proposal conference for shortlisted firms</td>
<td>8/26/14</td>
<td>10:00 AM</td>
</tr>
<tr>
<td>8. Deadline for written questions and clarification on Request for Proposal</td>
<td>9/2/14</td>
<td>4:00 AM</td>
</tr>
<tr>
<td>9. Owner will have responded to all questions submitted on the RFP by this date</td>
<td>9/8/14</td>
<td>4:00 PM</td>
</tr>
<tr>
<td>10. Deadline for shortlisted firms to submit detailed proposals</td>
<td>9/16/14</td>
<td>2:00 PM</td>
</tr>
<tr>
<td>11. Owner interviews shortlisted firms</td>
<td>9/23/14</td>
<td>TBA</td>
</tr>
</tbody>
</table>

3. Initial Written Submittal—Qualifications Submission Format and Requirements (Response to Request for Qualifications or “RFQ”)

3.1. Ethics Act (January 2004)

By submitting an Offer, you certify that you are in compliance with South Carolina’s Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee – Section 8-13-790, (b) Recovery of kickbacks – Section 8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official – Section 8-13-720, (d) Use or disclosure of confidential information – Section 8-13-725, and (e) Persons hired to assist in the preparation of specifications or evaluation of bids – Section 8-13-1150.

3.2. Physical Submittal

Ten copies of the information shall be submitted. Submittals should be put together in such manner that the entire document can be easily recycled. Each submittal shall be identical and include a transmittal letter. The transmittal letter (or “Letter of Interest”) will not count toward the page limit (specified below). The table of contents sheet and the tab sheets also do not count toward the page limit. The first page should identify your submittal; it does not count against your page limit and should not be used to convey your response to the RFQ by means of printing on it. Submitters should follow the sequence of the Initial Written Submittal outlined below. Responses should be concise, clear, and relevant. Submitter’s cost incurred in responding to this RFQ is submitter’s alone and the Owner does not accept liability for any such costs.
3.2.1. Responses are limited to twenty standard (8½” x 11”) pages (may be fewer) using a minimum of a 10-point Arial font and one-inch margins. A page means a display of information on a side of a sheet of paper: printing on a single side of paper is one page; printing on both sides (double-sided printing) of the same sheet of paper is two pages. The pages of the qualification submittals must be numbered. A table of contents, with corresponding tabs in the body of the submittal, must be included as well to identify each section. Placing multiple tabs on a single page is perfectly acceptable. If more than one item in the table of contents can be started on the same page, you may do so and place all corresponding tabs on that one page. Any affidavits, certifications, or signed statements called for in this Request may be included in an appendix and will not count toward the page limit. Please do not place or ask to place in the appendix any additional information not explicitly required to be placed there by this Request.

3.2.2. Submittals of qualifications will be accepted until the time and date shown in the Schedule of Events (Section 2.7). This is a firm deadline. The Owner is not responsible for the proper or timely delivery of submittals. Failure to meet the deadline for receipt of submittals will result in rejection of the submittal. Submittals received after the deadline will not be considered whether delayed in transit or for any other cause whatsoever. Each firm is solely responsible for the accuracy and completeness of its submittal. Errors and omissions may constitute grounds for rejection.

3.2.3. The Owner intends to limit the cost that submitters incur to respond to this solicitation. Therefore, submitters are encouraged to be brief and succinct. Thick volumes of background and general marketing material are not desired. A firm should highlight instead its responsiveness to the evaluation criteria. If there are multiple firms proposed as one team, each component firm should describe its own relevant qualifications.

3.2.4. Firms should deliver their submittals in a sealed package. The name and address of the firm should appear on the outside of the package, and the package should reference the project title and the state project number; i.e., “RFQ for CM at-Risk Services, Pendleton Campus Student Success Center / Central Plant, Project No. H59-6093-SG.”

3.2.5. Submit qualifications document to the following address:

Ms. Kristal Doherty
Purchasing Manager
7900 Hwy 76 (for carrier deliveries), PO Box 587 (for US Mail)
Pendleton, SC  29670

3.2.6. Except for submission of questions, discussed further below, proposers shall not contact any members of the Selection Committee, or employees of Tri-County Technical College, or the Office of State Engineer, or the project’s Design Professional regarding any aspect of this procurement until after the award of the contract. Contact with these persons could be grounds for elimination from the competition.

3.2.7. Questions may be asked at the pre-submittal conference. Questions not asked at the pre-submittal conference must be submitted in writing via e-mail to

Ms. Kristal Doherty, Purchasing Manager:
E-mail: kdoherty@tctc.edu

3.2.8. All follow-up questions from the pre-submittal conference, as well as any questions that have been submitted in writing before the deadline, will be compiled and answered in writing. The deadlines for submission of questions relating to the RFQ and the RFP are the times and dates shown in the Schedule of Events (Section 2.7). Answers, responses, and clarifications to the will be posted to the following website by the dates and times shown in the Schedule of Events (Section 2.7): at http://www.tctc.edu/About_TCTC/PurchasingSolicitation/Solicitation.xml.

3.3. Initial Written Submittal Prerequisite (Pass/Fail) Criteria
Firms must meet the criteria in the bullet points immediately below. Firms that do not meet these criteria are automatically disqualified for further evaluation.

- Builder MUST have a safety Experience Modification Rate average of not greater than 1.0 over the last three years.
• Firm MUST have bonding capacity to provide a payment and performance bond for the total cost of the work. A letter from a surety stating that the firm has sufficient bonding capacity must be submitted and should be placed in an appendix (does not count toward page limit).

• Firm MUST be able to obtain a Builder’s Risk Insurance Policy for the total cost of the work.

• Firm MUST have a current Contractor’s Public Liability Insurance Policy, and must be insurable in the following amounts: Bodily injury, including death—limits of $1 million for each incident; Property damage—limits of $1 million for each incident and $2 million for the aggregate of operations. (The Owner reserves the right to require additional limits and coverage in the final contract.)

• Firm MUST hold a valid South Carolina General Construction Manager License and General Contractor (BD5) license. A copy of each license must be submitted and should be placed in an appendix (does not count toward page limit).

• Firm MUST have experience as the Construction Manager at-Risk with projects greater than $20 million.

In order to be deemed eligible for evaluation, the submitting firm must create, officially sign, and place in its submittal a signed statement that contains the following declarations:

• We certify that our building firm has a safety Experience Modification Rate average not greater than 1.0 over the last three years.

• We certify that our firm has sufficient bonding capacity to provide a payment and performance bond for total cost of work.

• We certify that our firm can obtain a Builder’s Risk Insurance Policy for the total cost of the work.

• We certify that our firm has a current Contractor’s Public Liability Insurance Policy, and our firm is insurable in the following amounts: Bodily injury, including death—limits of $1 million for each incident; Property damage—limits of $1 million for each incident and $2 million for the aggregate of operations.

• We certify that our firm holds a valid South Carolina General Construction Manager License and General Contractor (BD5) license.

• We certify that our firm has experience as the Construction Manager at-Risk with projects greater than $20 million.

Such signed statement may be placed in an appendix and will not count toward your page limit.
3.4. Initial Written Submittal Evaluation

3.4.1. Evaluative Criteria – The Selection Committee will evaluate the submittals uniformly based upon the criteria listed in the table below. Each major category of criteria is listed in order of importance. The services being sought under this RFQ are considered professional in nature. Consequently, the evaluation of submittals will be based upon consideration of the demonstrated qualifications and capabilities of the offerors. Absent modification by addendum, factors to be considered in the evaluation will be limited to the following:

<table>
<thead>
<tr>
<th>Major Category</th>
<th>Criteria Summaries</th>
</tr>
</thead>
</table>
| Firm’s relevant project experience *(POINT VALUE=35)*                         | • Firm’s experience with similar projects  
• Firm’s similar experience with pre-construction and construction management services  
• Firm’s experience on State or (especially) higher education projects            |
| Firm’s Prior Performance *(POINT VALUE=20)*                                    | • Firm’s ability to successfully deliver projects to their clients  
• Letters of recommendation (limit to five letters in your submittal)  
• References (maximum of five) with up-to-date contact information, including telephone numbers and email addresses  
• Firm’s litigation record                                                                 |
| Key Personnel, who are available and might be assigned to this project, with Relevant Experience *(POINT VALUE=15)* | • The purpose for setting this criterion is to evaluate your firm’s potential personnel you would expect to assign to work on this project and not just general resources within the firm.  
• Depth of resources with experience and ability, qualified and available for CM-R Pre-construction Services Manager role  
• Depth of resources with experience and ability, qualified and available for Project Superintendent role  
• Depth of resources with experience and ability, qualified and available for CM-R Project Manager role  
• Depth of resources with experience and ability, qualified and available for Project Executive role |
| Financial Information *(POINT VALUE=10)*                                       | • Firm’s financial stability                                                                                                                       |
| Responsiveness of Submittal *(POINT VALUE=10)*                                | • Extent to which the instructions in the RFQ were followed  
• Accuracy in reflecting the project’s assumptions & requirements                     |
| Statement of Why the Firm Should be Selected and the Letter of Interest *(POINT VALUE=10)* | • Firm’s *unique* ability to provide Construction Management at-Risk services, herein described                                                    |

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]
3.5. Contents
The qualification submittal should contain the following information in the following order:

3.5.1. Letter of Interest. Briefly, tell why your firm is interested in this project.

3.5.2. Firm Description

3.5.3. Basic company information
   a. Company name
   b. Address & Zip code
   c. E-mail address & Name of primary contact related to this RFQ/RFP
   d. Telephone number
   e. Number of years in business

3.5.4. Form of ownership, including state of residency or incorporation: Is the offeror a sole proprietorship, partnership, corporation, Limited Liability Company (LLC), joint venture, or other structure? For joint venture entities that have not completed at least two relevant projects together, each firm should describe its qualifications separately but hold the unified submittal to the set page limit. Refer also above to Section 1.3.1 regarding the Owner’s position on joint ventures.

3.5.5. Succinctly describe the history and growth of your firm(s).

3.5.6. Regarding litigation with owners, subcontractors, and design professionals, list any active or pending litigation and explain.

3.5.7. Other than that just listed, has the firm been involved in any relevant litigation in the past five years? Explain.

3.5.8. List and briefly describe projects that your firm has completed in the past three years in the role of construction manager at-risk that were valued at or above $20,000,000.

3.5.9. Has the firm ever failed to complete any work awarded to it or has it been removed from any project awarded to the firm? Explain.

3.5.10. Give a maximum of five references of owners to whom your company has provided professional services of a nature and quality similar to those described herein. This reference information should include a short paragraph describing the service(s) provided, together with the following:
   a. The name of the organization to which the services were provided
   b. Project location
   c. Dates during which services were performed
   d. Brief description of project
   e. A current contact name, together with organizational title, at the firm
   f. The contact’s current address and telephone number (The Selection Committee will not appreciate obsolete contact information)
   g. A maximum of five letters of recommendation may be included in the appendix. Each letter of recommendation should be from an owner for whom your firm has finished a project.

3.5.11. List five major trade contractors with whom your firm has worked (company, contact, and telephone number).

3.5.12. Provide a statement of disclosure, which will allow the Owner to evaluate possible conflicts of interest. (This disclosure requirement is not about giving the Owner permission regarding our contacting your references. It is about revealing relationships that your company might have with persons not of your company who are directly involved in the decision-making regarding this project.) If your company has no conflicts of interest, your statement should affirm that as fact, and you may do so succinctly.

3.5.13. Office Submitting Qualifications
   If the firm has multiple offices, the qualification statement should include information about the parent company and branch office separately. Identify the office from which project will be managed and that office’s proximity to the project site. Parent company (or general office) financial information as totals will be acceptable IF “parent” (or “general office”) means that it is financially responsible for the liabilities of the branch office. If the parent company is not so responsible, meaning that its financial resources are not available to the office that will perform the contract, it will be misleading to the Owner to offer the financials of any office other than the one with the prospect of a contract with the Owner.
3.5.14. Financial Responsibility
   a. List your total annual billings for each of the past three calendar years. If forming a partnership, list separately by firm.
   b. List the contact persons, addresses, and telephone numbers for your insurance carrier and agent.
   c. List the contact persons, addresses, and telephone numbers for the firm's bonding company and agent.
   d. What percentage of your firm's work has been negotiated during the past three years?
   e. Supply firm's Current Ratio (Current Assets / Current Liabilities) experience for the last five years, with a signed statement. Such signed statement may be placed in an appendix and will not count toward your page limit.
   f. Supply a letter from a surety stating that the firm has sufficient bonding capacity for this project. Such letter may be placed in an appendix and will not count toward your page limit.

3.5.15. Personnel Capability
Provide general information about the firm's personnel resources, including classifications and numbers of employees and the locations and staffing of relevant offices. Provide list of qualified and available personnel resources, identifying experience and ability for key personnel. The key personnel, at a minimum, are the proposed project pre-construction manager (and any key pre-construction specialists, including estimator), project superintendent, CM-R's project manager, project director, and the executive in charge. At this stage, firms may list more than one person qualified and available for the proposed project.

3.5.16. Relevant Project Experience
Relevant project experience includes similar building type and delivery method relevant to the type of project to be constructed using the CM-R delivery method or performing as a general contractor on similar types and sizes of projects. Describe no more than six and no fewer than four projects in order of most relevant to least relevant that demonstrate the firm's capabilities to perform the project at hand. For each project, the following information should be provided:
   a. Project name
   b. Project location
   c. Dates during which services were performed
   d. Physical description (e.g., square footage, number of stories, site area)
   e. Brief description of project
   f. Services performed
   g. Statement of performance versus owner expectations in the areas of cost, quality, and schedule

3.5.17. Safety Information
Provide a letter on the letterhead of the building firm's insurance company stating the Workers Compensation Experience Modification Rate (EMR) for the past three years. This letter may be placed in the appendix and not count toward the page limit.

3.5.18. South Carolina General Construction Manager License and General Contractor (BD5) license
Submit a copy of each license by placing them in the appendix (does not count toward page limit).

3.5.19. Statement of Why the Proposing Firm Should Be Selected
This section provides each firm the opportunity to provide specific information that differentiates them from others in the competition. This statement is limited to two pages of the allowed total.

[END OF RFQ—REQUEST FOR QUALIFICATIONS]
Pendleton Campus Student Success Center / Central Plant
State Project H59-6093-SG
Tri-County Technical College
Pendleton, South Carolina

Request to Shortlisted Firms Only

Request for Proposals and Interview
to provide

Construction Management At-Risk Services

Caution: The only official source for this document is the one cited in the advertisement in the South Carolina Business Opportunities newsletter. Not getting this document directly from that source could mean that this document has been superseded by a later version. Answers to questions, all clarifications, and any addenda will be available online at http://www.ttc.edu/About_TTCPurchasingSolicitation/Solicitation.xml. The Owner is not responsible for any reader’s failure to heed this warning.
4. Preliminary Considerations

4.1. Technically Superior Proposal

Final selection of the Construction Management at-Risk firm for this project shall be made using the Technically Superior Proposal method, according to South Carolina Code of Laws, Section 11-35-1530 – Competitive Sealed Proposals.

4.1.1. Pursuant to Section 11-35-1520(8), the Procurement Officer may elect to communicate with you after opening for the purpose of clarifying either your offer or the requirements of the solicitation. Such communications may be conducted only with offerors who have submitted an offer which obviously conforms in all material aspects to the solicitation. Clarification of an offer must be documented in writing and included with the offer. Clarifications may not be used to revise an offer or the solicitation. [South Carolina Code of Laws, Section 11-35-1520(8); South Carolina Code of Regulations Chapter 19-445.2080.]

5. Written Technical Proposal—Submission Format and Requirements (Response to Request for Proposal or “RFP”)

5.1. Physical Submittal

The Selection Committee will review the data submitted above and shortlist three-to-five firms. These shortlisted firms will be asked to submit proposals describing their ideas and approach to the present project. The format shall be according to the order dictated in Section 5.2, below.

5.1.1. Ten copies of the proposal shall be submitted. Each submittal set shall be identical and include a transmittal letter. The transmittal letter will not count toward the page limit. Responses should be concise, clear, and relevant. Submitter’s cost incurred in responding to this RFP is submitter’s alone. The Owner does not accept liability for any such costs.

5.1.2. Responses are limited to forty printed pages (may be fewer) using a minimum of a 10-point Arial font and one-inch margins. A page means a display of information on a side of a sheet of paper: printing on a single side of paper is one page; printing on both sides (double-sided printing) of the same sheet of paper is two pages. Submitted document shall be 8½” x 11” in surface area, not including its binder. Pages should be numbered consecutively. A table of contents, with corresponding tabs in the body of the proposal, must be included as well to identify each section. Placing multiple tabs on the same page is perfectly acceptable. If more than one item in the table of contents can be started on a single page, you may do so and place all corresponding tabs on that page. Any affidavits, certifications, or signed statements called for may be included in an appendix and will not count toward the page limit.

5.1.3. The deadline for submission of questions relating to the RFP is shown in the Schedule of Events (Section 2.7). This is a firm deadline. The Owner is not responsible for the proper or timely delivery of submittals. Failure to meet the deadline for receipt of submittals will result in rejection of the submittal. Submittals received after the deadline will not be considered whether delayed in transit or for any other cause whatsoever. Each firm is solely responsible for the accuracy and completeness of its submittal. Errors and omissions may constitute grounds for rejection.

5.1.4. The Owner intends to limit the cost that proposers incur to respond to this solicitation. Therefore, proposers are encouraged to be brief and succinct. At this stage, the Owner will already have the firms’ qualification statements. Therefore, firms should devote most of their allotted space in the written proposal, and time in the interview presentation, to their creative ideas and special qualifications pertinent to the present project. Thick volumes of background and general marketing material are not desired. Instead, a firm should highlight its responsiveness to the evaluation criteria and its understanding of this project’s requirements and the Owner’s goals. If there are multiple firms proposed as one team, each component firm should describe its own relevant experience but still adhere to set page limits.

5.1.5. A firm should deliver its technical proposal in a sealed package. The name and address of the firm should appear on the outside of the package, and the package should reference the project; i.e., “RFP for Construction Management at-Risk Services, Pendleton Campus Student Success Center / Central Plant, Project No. H59-6093-SG.” Do not include a fee proposal.
5.1.6. Submit technical proposal only (not fee proposal) to the following address:

Ms. Kristal Doherty  
Purchasing Manager  
7900 Hwy 76 (for carrier delivery), PO Box 587 (US Mail)  
Pendleton, SC  29670

5.1.7. For shortlisted firms, all follow-up questions from the pre-proposal conference will have answers and any clarifications distributed by e-mail to the contact person identified as the firm’s point of contact for this RFQ/RFP in their RFQ submittal. All other questions during the proposal phase that have been submitted in writing before the deadline will be compiled and answered in writing by e-mail to that person, as well. Answers will be distributed simultaneously by e-mail to the contact person in the shortlisted firms. Shortlisted firms should submit questions relating to the RFP in writing via e-mail to

Ms. Kristal Doherty, Purchasing Manager:  
E-mail: kdoherty@tctc.edu

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]
5.2. Evaluation of Shortlisted Firms

5.2.1. **Evaluative Criteria** – The Selection Committee will evaluate the content of the written technical proposals, the interviews, and the fee proposals based upon the criteria listed in the table below. The Owner has listed each major category of criteria in order of importance. The services being sought under this RFP are considered professional in nature. Consequently, the evaluation of the proposals will be based upon consideration of the demonstrated qualifications and capabilities of the proposers. Absent modification by addendum, factors to be considered in the evaluation will be limited to the following:

<table>
<thead>
<tr>
<th>Major Category</th>
<th>Criteria Summaries</th>
</tr>
</thead>
</table>
| Management Plan *(POINT VALUE=30)* | • Details for managing project integration, scope, time/schedule, cost, quality, human resources, communication, risk, and procurement, especially addressing the following:  
  o Firm’s plan for creating desired outcomes for this project  
  o Firm’s plan for helping Owner attain project’s desired LEED or Green Globes certifications  
  o Effectiveness of firm’s cost management plan during pre-construction and construction  
  o Firm’s approach for managing changes within the stated cost and schedule limitations  
  o Effectiveness of firm’s schedule management plan  
  o Effectiveness of firm’s subcontractor management plan  
  o Effectiveness of quality assurance program and plan  
  o Effectiveness of firm’s safety program  
  o Effectiveness of closeout plan  
  o Effectiveness of plan for administering any other services identified by firm and offered to add value to project |
| Qualifications and Experience of the Proposed Project Team *(POINT VALUE=25)* | • Specific experiences of the proposed project team on similar projects using the CM-R project delivery method, including specific details on the pre-construction, construction, and closeout phase services provided  
  • Team’s demonstrated ability to solve complex project issues  
  • Team’s qualifications to contribute toward successful attainment of the desired LEED or Green Globes certification  
  • Level of experience and technical qualifications of the specific team members  
  • Individual safety records of the Project Manager and Site Superintendent |
| Project Approach *(POINT VALUE=20)* | • CM-R’s approach to team integration with Tri-County Technical College, the design team, and specialty consultants  
  • CM-R’s approach to responsibilities and activities in component phases of the project, including, in general, the following:  
    o Pre-construction  
    o Construction  
    o Closeout and Warranty |
| Fee Proposal *(POINT VALUE=15)* | • Level and quality of professional services pledged relative to fees proposed for pre-construction services and construction services |
| References *(POINT VALUE=10)* | • Quality of firm’s references |

Proposers must submit evidence of their abilities and provide complete, thorough, and comprehensive responses and information for each of the criteria above, as elaborated below.
The proposal submittal from shortlisted firms should contain responses to the issues raised in the table above, and in the order shown below.

5.2.2. Management Plan
   a. Reflecting the value of this criterion category, please address the project management issues raised.
   b. What about your firm and your team should make you stand out as the most appropriate construction management firm for this program?

5.2.3. Qualifications and Experience of Proposed Project Team
   a. Describe your firm’s proposed organization for the CM-R team. Your synopsis should provide an organizational chart showing the lines of responsibility and accountability. Please designate the specific people to fill the key roles on your team for this particular project.
   b. Please identify the person who, from project start to finish, will be the leader of your project team and the principal point of contact between your firm and the Owner. This person’s competence, leadership, and ability to achieve customer satisfaction will be heavily considered in the selection of a CM-R firm.

5.2.4. Project Approach
   a. Describe your approach to achieving integration of project participants and stakeholders into a project team.
   b. Describe roles and responsibilities in the CM-R delivery method during the main project phases. Describe your commitment to these.

5.2.5. Fee Proposal
   a. Fee proposals will be received only from the shortlisted candidates invited to interview. Fee proposals must be submitted by the conclusion of the interview session in a sealed envelope.
   b. A fee proposal form is included in Exhibit A to this RFP. The form asks you to assume a certain total construction cost to this project and submit your pre-construction fee proposal in dollars, and your construction fee proposal as a percentage of that assumed total cost of construction. Both entries shall contain your overhead and profit but no direct construction costs.

5.2.6. References
   a. If your firm has additional references that were not provided in your qualifications submittal, provide them now, along with a brief statement about the relevance of each reference. It is the proposer’s responsibility to ensure that they have listed a current contact with a correct phone number; it is also in your best interest because your Selection Committee will not appreciate it if it is difficult to trace references that you provide. Include project-specific references and contact information for the following team members:
      • Pre-construction Services Positions
      • Project Manager
   b. In order to assist the Selection Committee’s understanding of your previous projects, please provide a matrix of comparable projects with respect to their costs and schedules. We suggest use of a matrix similar to the following:

<table>
<thead>
<tr>
<th>Project Name, Location, &amp; Brief Description</th>
<th>Construction Budget</th>
<th>Final Construction Cost</th>
<th>Contracted Completion Date</th>
<th>Date of Substantial Completion</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life Support Project, New Technical College, Imagination, Kansas. Healthcare Lab</td>
<td>$25 Million</td>
<td>$22 Million</td>
<td>4/10/2014</td>
<td>4/12/2014</td>
<td>The project completion date was missed by two days because of owner delays in providing necessary components. Because of their delays and acknowledgement of them, no liquidated damages were imposed.</td>
</tr>
</tbody>
</table>
5.3. Additional Conditions

5.3.1. The Selection Committee will endeavor to shortlist only firms that are fully capable and qualified to perform the current project. The Selection Committee intends to interview all shortlisted firms. Nevertheless, it is possible, although not anticipated, that the review of a technical proposal from a firm might convince the Selection Committee that a shortlisted firm is not appropriate for this project after all. Therefore, the Selection Committee will issue formal invitations to interview, leaving open the possibility that a shortlisted firm might not continue in the competition past submittal of its technical proposal.

5.3.2. The Owner reserves the right to reject any or all proposals received. The Owner is not obligated to request clarifications or additional information but may do so at its discretion. The Owner reserves the right to extend the deadline for submittals or alter the schedule of events, as may be deemed necessary.

5.3.3. The Office of State Engineer will approve the form of contract used for this project.

5.3.4. Non-Collusion: In submitting its proposal, the proposer affirms that, in connection with its proposal, the proposer has not either directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free and open competition; and that, to the best of its knowledge and belief, the contents of its proposal have not been communicated by the proposer or by any of proposer’s employees or agents to any person who is not an employee or agent of the proposer or of the surety on any bond furnished with the proposal and will not be communicated to any person who is not an employee or agent of the bidder or of said surety prior to the official opening of the proposal, and, to the extent that its proposal includes the participation of subcontractors or teaming partners, those subcontractors and teaming partners have not participated in any collusive activities as described above.

5.3.5. Confidentiality of Documents: Upon receipt of a proposal by the Owner, the proposal shall become the property of the Owner without compensation to the proponent for disposition or usage by the Owner at its discretion. Subject to the provisions of the Freedom of Information Act, the details of the proposal documents will remain confidential until final award.

5.3.6. Costs to Prepare Responses: Tri-County Technical College assumes no responsibility or obligation to the respondents and will make no payment for any costs associated with the preparation or submission of proposals.

5.3.7. The Owner reserves the right to check references of proposed personnel on the project team and to request substitutions of personnel if it deems such action in the Owner’s best interests. Moreover, the Owner reserves the right to check any reference that it may become aware of in addition to the references given by the proposer.

5.3.8. Equal Employment Opportunity: During the performance of this Contract, the CM-R agrees as follows: The CM-R will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, national origin, place of birth, or physical handicap. CM-R must have a history of being non-discriminating and will not discriminate on the basis of race, creed, color, sex, or national origin in any of its employment practices, or procurement practices with respect to the workforce of the firm, or procurement services in connection with this project. An affirmative action plan must be maintained for both work force and procurement practices.

5.3.9. The Owner embraces diversity in all aspects of its function, including use of minority businesses, vendors, or contractors in construction projects. For example, the Owner has established a strategic objective of achieving a minimum of double-digit minority business participation in procurement contracts with vendors and contractors involved in this project. The Owner is prepared to serve as a resource to assist with outreach efforts.

5.3.10. Project site visit will be conducted with the shortlisted firms together before their interviews. Separate site visits for individual firms will not be conducted. All firms will receive the same information from the Owner relevant to this project.

5.3.11. It is a specific requirement that the selected firm certify that it operates a drug-free workplace and that it will remain that way throughout the duration of the project in order to satisfy South Carolina Statute 44-107-30.
6. Interview, Fee Proposal, & Final Evaluation

6.1. Proposal Presentation and Interview Format
The time allotted to each firm for the presentation and interview will not exceed 70 minutes (50 minutes for presentation, 20 minutes for questions). The format of the firm’s presentation during the interview session is at the discretion of the firm. All members of the Selection Committee will be present during the formal interview.

6.1.1. Firms must address any questions, prior to the interview, to the project manager. Firms must not contact any other members of the Selection Committee before or after the interview until after a contract is executed.

6.2. Who Should Attend?
Please limit the number of representatives of the CM-R team to no more than ten people, but include at least the CM-R’s Superintendent, Project Manager, and Pre-construction Manager, and most of those people with whom the Owner will interact regularly. Essential consultants may be appropriate, also.

6.3. Things to Address at Interview
The intent of the formal interview process is to provide the Selection Committee with an elaboration of the written proposal’s information in order to help the Selection Committee make a final selection of the firm that in the sole discretion of the selection committee best meets the requirements for this project.

6.4. Final Evaluation Ranking
Based on a combination of the scores received on the written submission and the formal interview, the Committee will rank the firms in order of qualification. The Selection Committee will use only those criteria published in this RFP in making their determinations.

6.5. Fee Proposal Evaluation
After all interviews have concluded, as part of its deliberations, the Selection Committee will open the fee proposal from each firm and will evaluate each in light of the submitting firm’s Technical Proposal. They will evaluate the level and quality of professional services pledged relative to fees proposed for pre-construction services and construction services.

6.6. SPECIAL CONSIDERATIONS FOR CM AT-RISK – South Carolina State Budget and Control Board Regulation 19-445.2145(N)(2) and (4):
Prior to contracting for a Guaranteed Maximum Price (GMP), all construction management services provided by a construction manager at-risk must be paid as a fee based on either a fixed rate, fixed amount, or fixed formula. In addition, construction may not commence for any portion of the construction until after the governmental body and the construction manager at-risk contract for a fixed price or a GMP regarding that portion of the construction.

6.7. Certification of Cost or Pricing Data
According to South Carolina Code of Laws, Section 11-35-1830, the contractor “shall certify that to the best of his knowledge or belief, the cost or pricing data submitted is accurate, complete and current” as of a mutually specified date. Each shortlisted firm that submits a fee proposal shall, by its submission, acknowledge this requirement.

GIVING FALSE, MISLEADING, OR INCOMPLETE INFORMATION ON THIS CERTIFICATION MAY RENDER YOU SUBJECT TO PROSECUTION UNDER SECTION 16-9-10 OF THE SOUTH CAROLINA CODE OF LAWS AND OTHER APPLICABLE LAWS.

(a) By submitting an offer, the offeror certifies that—

(1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to—

(i) Those prices;

(ii) The intention to submit an offer; or

(iii) The methods or factors used to calculate the prices offered.

(2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
(3) No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

(b) Each signature on the offer is considered to be a certification by the signatory that the signatory

(1) is the person in the offeror’s organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to paragraphs (a)(1) through (a)(3) of this certification; or

(2) (i) Has been authorized, in writing, to act as agent for the offeror’s principals in certifying that those principals have not participated, and will not participate in any action contrary to paragraphs (a)(1) through (a)(3) of this certification [As used in this subdivision (b)(2)(i), the term "principals" means the person(s) in the offeror’s organization responsible for determining the prices offered in this bid or proposal];

(ii) As an authorized agent, does certify that the principals referenced in subdivision (b)(2)(i) of this certification have not participated, and will not participate, in any action contrary to paragraphs (a)(1) through (a)(3) of this certification; and

(iii) As an agent, has not personally participated, and will not participate, in any action contrary to paragraphs (a)(1) through (a)(3) of this certification.

(c) If the offeror deletes or modifies paragraph (a)(2) of this certification, the offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure. [02-2A032-1]

6.9. Additional Information

6.9.1. The Owner reserves the right to withdraw this RFQ/RFP or to reject any and all submittals at any time and cancel the project if, in the sole discretion of the Owner, continuation is deemed not to be in the best interest of the State.

6.9.2. In addition to the Owner’s general right to reject all submittals, a submittal may be rejected if the submittal contains false or misleading statements or references that, in the sole judgment of the Selection Committee, do not support an attribute or condition contended by the firm and, in the sole judgment of the Selection Committee, such statements were intended to mislead the Selection Committee in its evaluation of the submittal.

6.9.3. The Selection Committee’s identification of an apparent successful firm does not necessarily mean the Selection Committee accepts all aspects of the firm’s submittal or proposal.

6.9.4. The Selection Committee reserves the right in its sole discretion to waive minor irregularities and to reject any or all submittals.

6.9.5. All submittals, together with any supporting material submitted by the firm, become the property of the Owner and may be retained, destroyed, or otherwise disposed of at the convenience of the Owner. All submittals, if retained by the Owner, become a matter of public record when final negotiations are completed. The submittal received from the selected firm will become part of the agreement reached by the Owner and the firm.

6.9.6. By providing a submittal, each firm agrees not to request access to another firm’s submittals until after a contract has been executed.

6.9.7. By providing a submittal, each firm agrees that the Owner will have the right to use any or all ideas or concepts presented in any submittal without restriction and without compensation to the firm.

6.9.8. All South Carolina employers must verify the employment eligibility status of all new hires through the federal E-Verify system in compliance with the “South Carolina Illegal Immigration and Reform Act.” (See http://www.lhr.state.sc.us/immigration.) Contractors and subcontractors who contract with public employers for the physical performance of services are to register and participate in the federal work authorization program or otherwise verify employees. The director of the State Budget and Control Board is authorized to prescribe forms and promulgate rules necessary to administer the act and publish the rules and regulations on the Board’s website: www.procurementlaw.sc.gov/immigration.

[END OF REQUEST FOR PROPOSALS]
ASSUME TOTAL PROJECT CONSTRUCTION COST OF $30,000,000.00

Fee: For the pre-construction consulting services and Construction Services provided by CM-R before the establishment of a Guaranteed Maximum Price for the work or any portion of the work, the College shall pay to CM-R a Fee, as noted below:

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<td>Pre-construction Fee (in dollars)</td>
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<tr>
<td>Construction Services Fee Percentage</td>
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