

**REQUEST FOR PROPOSALS FOR CONSTRUCTION MANAGEMENT
SERVICES AT DTCC GEORGE CAMPUS ISSUED BY
DELAWARE TECHNICAL COMMUNITY COLLEGE
CONTRACT NUMBER DTCC19C900404-GCM**

Contents:

- I. Overview
 - II. Scope of Services
 - III. Required Information
 - IV. Professional Services RFP Administrative Information
 - V. Terms and Conditions
 - VI. RFP Miscellaneous Information
 - VII. Attachments
- Appendix A - MINIMUM MANDATORY SUBMISSION REQUIREMENTS
- Appendix B - SCOPE OF WORK AND TECHNICAL REQUIREMENTS

I. Overview

Delaware Technical Community College, seeks professional services to provide construction management professional services at the George Campus of Delaware Technical Community College in Wilmington, Delaware. This request for proposals (“RFP”) is issued pursuant to 29 *Del. C.* §§ [6981](#) and [6982](#).

The proposed schedule of events subject to the RFP is outlined below:

Public Notice

Deadline for Questions

Response to Questions Posted by:

Deadline for Receipt of Proposals
(Time)

Estimated Notification of Award

Each proposal must be accompanied by a transmittal letter which briefly summarizes the proposing firm’s interest in providing the required professional services. The transmittal letter must also clearly state and justify any exceptions to the requirements of the RFP which the applicant may have taken in presenting the proposal. (Applicant exceptions must also be recorded on Attachment 3).

STATE OF DELAWARE
Delaware Technical Community College

Delaware Technical Community College reserves the right to deny any and all exceptions taken to the RFP requirements.

OPTIONAL PREBID MEETING

An optional pre-bid meeting has been scheduled for .
This is not a mandatory meeting. Meeting will take place at 10:00 am in the Board room, West Building, George Campus, Wilmington, Delaware.

II. Scope of Services

See Appendix B.

III. Required Information

The following information shall be provided in each proposal in the order listed below. Failure to respond to any request for information within this proposal may result in rejection of the proposal at the sole discretion of the State.

A. Minimum Requirements

1. Provide Delaware license(s) and/or certification(s) necessary to perform services as identified in the scope of work.
Prior to the execution of an award document, the successful Vendor shall either furnish the Agency with proof of State of Delaware Business Licensure or initiate the process of application where required.
2. Vendor shall provide responses to the Request for Proposal (RFP) scope of work and clearly identify capabilities as presented in the General Evaluation Requirements below.
3. Complete all appropriate attachments and forms as identified within the RFP.
4. Proof of insurance and amount of insurance shall be furnished to the Agency prior to the start of the contract period and shall be no less than the requirements in this RFP.

B. General Evaluation Requirements

1. Understanding of the project
 - a. State your firms understanding of the project and demonstrated abilities with projects of similar nature and/or scope. (20 points)
2. Experience
 - a. Demonstrate the firms recent experience with school/higher education projects and the State of Delaware of the type identified in the Scope of Work. (10 points)

STATE OF DELAWARE
Delaware Technical Community College

- b. Include a minimum of three (3) client references. (10 points)

- 3. Expertise and Organization structure
 - a. Provide an organizational chart identifying key staff and key consultants (15 points)
 - b. Provide resumes for key staff and consultants identifying relevant experience, education, registrations, etc. (15 points)

- 4. Defined approach
 - a. Defined approach the firm/team will take on the project (10 points)
 - b. Provide a proposed schedule (10 points)

- 5. a. Geographic location relative to project site. (5 points)
 - b. Firm's location relative to the project site. (5 points)

Total points 100

IV. Professional Services RFP Administrative Information

A. RFP Issuance

1. Public Notice

Public notice has been provided in accordance with 29 *Del. C.* [§6981](#).

2. Obtaining Copies of the RFP

This RFP is available in electronic form through the State of Delaware Procurement website at www.bids.delaware.gov . Paper copies of this RFP will not be available.

3. RFP Designated Contact

All requests, questions, or other communications about this RFP shall be made in writing to Delaware Technical Community College. Address all communications to the person listed below; communications made to other Delaware Technical Community College personnel or attempting to ask questions by phone or in person will not be allowed or recognized as valid and may disqualify the vendor. Vendors should rely only on written statements issued by the RFP designated contact.

Mark DeVore, P.E., Collegewide Director of Facilities

100 Campus Drive

Office of the President

Dover, Delaware 19904

mark.devore@dtcc.edu

(302) 857-1654

To ensure that written requests are received and answered in a timely manner, electronic mail (e-mail) correspondence is acceptable, but other forms of delivery, such as postal and courier services can also be used.

4. Organizations Ineligible to Respond

Any individual, business, organization, corporation, consortium, partnership, joint venture, or any other entity including subcontractors currently debarred or suspended

STATE OF DELAWARE
Delaware Technical Community College

is ineligible to bid. Any entity ineligible to conduct business in the State of Delaware for any reason is ineligible to respond to the RFP.

5. Exclusions

The Proposal Evaluation Team reserves the right to refuse to consider any proposal from a vendor who:

- a. Has been convicted for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of the contract or subcontract;
- b. Has been convicted under State or Federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or other offense indicating a lack of business integrity or business honesty that currently and seriously affects responsibility as a State contractor;
- c. Has been convicted or has had a civil judgment entered for a violation under State or Federal antitrust statutes;
- d. Has violated contract provisions such as;
 - 1) Knowing failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or
 - 2) Failure to perform or unsatisfactory performance in accordance with terms of one or more contracts;
- e. Has violated ethical standards set out in law or regulation; and
- f. Any other cause listed in regulations of the State of Delaware determined to be serious and compelling as to affect responsibility as a State contractor, including suspension or debarment by another governmental entity for a cause listed in the regulations.

B. RFP Submissions

1. Acknowledgement of Understanding of Terms

By submitting a bid, each vendor shall be deemed to acknowledge that it has carefully read all sections of this RFP, including all forms, schedules and exhibits hereto, and has fully informed itself as to all existing conditions and limitations.

2. Proposals

To be considered, all proposals must be submitted in writing and respond to the items outlined in this RFP. Delaware Tech reserves the right to reject any non-responsive or non-conforming proposals. Each proposal must be submitted with six (6) paper copies and one (1) electronic copy on CD or DVD media disk, or USB memory drive. All properly sealed and marked proposals are to be sent to Delaware Technical Community College and received no later than **2:00 PM (Local Time)**

The Proposals may be delivered by Express Delivery (e.g., FedEx, UPS, etc.), US Mail, or by hand to:

Mark DeVore, P.E., Collegewide Director of Facilities
100 Campus Drive
Office of the President
Dover, Delaware 19904

STATE OF DELAWARE
Delaware Technical Community College

Vendors are directed to clearly print “PROPOSAL ENCLOSED” and “CONTRACT NO. DTCC19C900404-GCM on the outside of the submission package.

Any proposal received after the Deadline for Receipt of Proposals date shall not be considered and shall be returned unopened. The proposing vendor bears the risk of delays in delivery. The contents of any proposal shall not be disclosed as to be made available to competing entities during the negotiation process.

Upon receipt of vendor proposals, each vendor shall be presumed to be thoroughly familiar with all specifications and requirements of this RFP. The failure or omission to examine any form, instrument or document shall in no way relieve vendors from any obligation in respect to this RFP.

3. Proposal Modifications

Any changes, amendments or modifications to a proposal must be made in writing, submitted in the same manner as the original response and conspicuously labeled as a change, amendment or modification to a previously submitted proposal. Changes, amendments or modifications to proposals shall not be accepted or considered after the hour and date specified as the deadline for submission of proposals.

4. Proposal Costs and Expenses

Delaware Technical Community College will not pay any costs incurred by any Vendor associated with any aspect of responding to this solicitation, including proposal preparation, printing or delivery, attendance at vendor’s conference, system demonstrations or negotiation process.

5. Proposal Expiration Date

Prices quoted in the proposal shall remain fixed and binding on the bidder at least through December 31, 2019. Delaware Technical Community College reserves the right to ask for an extension of time if needed.

6. Late Proposals

Proposals received after the specified date and time will not be accepted or considered. To guard against premature opening, sealed proposals shall be submitted, plainly marked with the proposal title, vendor name, and time and date of the proposal opening. Evaluation of the proposals is expected to begin shortly after the proposal due date. To document compliance with the deadline, the proposal will be date and time stamped upon receipt.

7. Proposal Opening

Delaware Technical Community College will receive proposals until the date and time shown in this RFP. Proposals will be opened in the presence of Delaware Technical Community College personnel. Any unopened proposals will be returned to the submitting Vendor.

8. Non-Conforming Proposals

Non-conforming proposals will not be considered. Non-conforming proposals are defined as those that do not meet the requirements of this RFP. The determination of

STATE OF DELAWARE
Delaware Technical Community College

whether an RFP requirement is substantive or a mere formality shall reside solely within Delaware Technical Community College.

9. Concise Proposals

Delaware Technical Community College discourages overly lengthy and costly proposals. It is the desire that proposals be prepared in a straightforward and concise manner. Unnecessarily elaborate brochures or other promotional materials beyond those sufficient to present a complete and effective proposal are not desired. Delaware Technical Community College's interest is in the quality and responsiveness of the proposal.

10. Realistic Proposals

It is the expectation of Delaware Technical Community College that vendors can fully satisfy the obligations of the proposal in the manner and timeframe defined within the proposal. Proposals must be realistic and must represent the best estimate of time, materials and other costs including the impact of inflation and any economic or other factors that are reasonably predictable.

Delaware Technical Community College shall bear no responsibility or increase obligation for a vendor's failure to accurately estimate the costs or resources required to meet the obligations defined in the proposal.

11. Confidentiality of Documents

Subject to applicable law or the order of a court of competent jurisdiction to the contrary, all documents submitted as part of the vendor's proposal will be treated as confidential during the evaluation process. As such, vendor proposals will not be available for review by anyone other than Delaware Technical Community College/Proposal Evaluation Team or its designated agents. There shall be no disclosure of any vendor's information to a competing vendor prior to award of the contract unless such disclosure is required by law or by order of a court of competent jurisdiction.

The State of Delaware and its constituent agencies, including Delaware Technical Community College are required to comply with the State of Delaware Freedom of Information Act, [29 Del. C. § 10001, et seq. \("FOIA"\)](#). FOIA requires that the State of Delaware's records are public records (unless otherwise declared by FOIA or other law to be exempt from disclosure) and are subject to inspection and copying by any person upon a written request. Once a proposal is received by Delaware Technical Community College and a decision on contract award is made, the content of selected and non-selected vendor proposals will likely become subject to FOIA's public disclosure obligations.

Delaware Technical Community College wishes to create a business-friendly environment and procurement process. As such, Delaware Technical Community College respects the vendor community's desire to protect its intellectual property, trade secrets, and confidential business information (collectively referred to herein as "confidential business information"). Proposals must contain sufficient information to be evaluated. If a vendor feels that they cannot submit their proposal without including confidential business information, they must adhere to the following procedure or their proposal may be deemed unresponsive, may not be recommended for selection, and

STATE OF DELAWARE
Delaware Technical Community College

any applicable protection for the vendor's confidential business information may be lost.

In order to allow Delaware Technical Community College to assess its ability to protect a vendor's confidential business information, vendors will be permitted to designate appropriate portions of their proposal as confidential business information.

Vendor(s) may submit portions of a proposal considered to be confidential business information in a separate, sealed envelope labeled "Confidential Business Information" and include the specific RFP number. The envelope must contain a letter from the Vendor's legal counsel describing the documents in the envelope, representing in good faith that the information in each document is not "public record" as defined by 29 Del. C. § 10002, and briefly stating the reasons that each document meets the said definitions.

Upon receipt of a proposal accompanied by such a separate, sealed envelope, Delaware Technical Community College will open the envelope to determine whether the procedure described above has been followed. A vendor's allegation as to its confidential business information shall not be binding on Delaware Technical Community College. Delaware Technical Community College shall independently determine the validity of any vendor designation as set forth in this section. Any vendor submitting a proposal or using the procedures discussed herein expressly accepts Delaware Technical Community College absolute right and duty to independently assess the legal and factual validity of any information designated as confidential business information. Accordingly, Vendor(s) assume the risk that confidential business information included within a proposal may enter the public domain.

12. Price Not Confidential

Vendors shall be advised that as a publically bid contract, no Vendor shall retain the right to declare their pricing confidential.

13. Discrepancies and Omissions

Vendor is fully responsible for the completeness and accuracy of their proposal, and for examining this RFP and all addenda. Failure to do so will be at the sole risk of vendor. Should vendor find discrepancies, omissions, unclear or ambiguous intent or meaning, or should any questions arise concerning this RFP, vendor shall notify Delaware Technical Community College's Designated Contact, in writing, of such findings at least ten (10) days before the proposal opening. This will allow issuance of any necessary addenda. It will also help prevent the opening of a defective proposal and exposure of vendor's proposal upon which award could not be made. All unresolved issues should be addressed in the proposal.

Protests based on any omission or error, or on the content of the solicitation, will be disallowed if these faults have not been brought to the attention of the Designated Contact, in writing, at least ten (10) calendar days prior to the time set for opening of the proposals.

a. RFP Question and Answer Process

Delaware Technical Community College will allow written requests for clarification of the RFP. All questions shall be received no later than

STATE OF DELAWARE
Delaware Technical Community College

. All questions will be consolidated into a single set of responses and posted on the State's website at www.bids.delaware.gov by the date of . Vendor names will be removed from questions in the responses released. Questions should be submitted in the following format. Deviations from this format will not be accepted.

Section number

Paragraph number

Page number

Text of passage being questioned

Questions not submitted electronically shall be accompanied by a CD and questions shall be formatted in Microsoft Word.

14. Delaware Tech's Right to Reject Proposals

Delaware Technical Community College reserves the right to accept or reject any or all proposals or any part of any proposal, to waive defects, technicalities or any specifications (whether they be in Delaware Technical Community College's specifications or vendor's response), to sit and act as sole judge of the merit and qualifications of each product offered, or to solicit new proposals on the same project or on a modified project which may include portions of the originally proposed project as Delaware Technical Community College may deem necessary in the best interest of Delaware Technical Community College.

15. Delaware Tech's Right to Cancel Solicitation

Delaware Technical Community College reserves the right to cancel this solicitation at any time during the procurement process, for any reason or for no reason. Delaware Technical Community College makes no commitments expressed or implied, that this process will result in a business transaction with any vendor.

This RFP does not constitute an offer by Delaware Technical Community College. Vendor's participation in this process may result in Delaware Technical Community College selecting your organization to engage in further discussions and negotiations toward execution of a contract. The commencement of such negotiations does not, however, signify a commitment by Delaware Technical Community College to execute a contract nor to continue negotiations. Delaware Technical Community College may terminate negotiations at any time and for any reason, or for no reason.

16. Revisions to the RFP

If it becomes necessary to revise any part of the RFP, an addendum will be posted on the State of Delaware's website at www.bids.delaware.gov . Delaware Technical Community College is not bound by any statement related to this RFP made by any **Delaware Tech** employee, contractor or its agents.

17. Exceptions to the RFP

STATE OF DELAWARE
Delaware Technical Community College

Any exceptions to the RFP, or Delaware Technical Community College's terms and conditions, must be recorded on Attachment 3. Acceptance of exceptions is within the sole discretion of the evaluation committee.

23. Business References

Provide at least three (3) business references consisting of current or previous customers of similar scope and value using Attachment 5. Include business name, mailing address, contact name and phone number, number of years doing business with, and type of work performed. Personal references cannot be considered.

24. Award of Contract

The final award of a contract is subject to approval by Delaware Technical Community College. Delaware Technical Community College has the sole right to select the successful vendor(s) for award, to reject any proposal as unsatisfactory or non-responsive, to award multiple contracts, or not to award a contract, as a result of this RFP.

Notice in writing to a vendor of the acceptance of its proposal by Delaware Technical Community College and the subsequent full execution of a written contract, which shall be an AIA form C-132-2009 with **Delaware Tech's** amendment thereto, will constitute a contract, and no vendor will acquire any legal or equitable rights or privileges until the occurrence of both such events.

a. RFP Award Notifications

After reviews of the evaluation committee report and its recommendation, and once the contract terms and conditions have been finalized, Delaware Technical Community College will award the contract.

The contract shall be awarded to the vendor whose proposal is most advantageous, taking into consideration the evaluation factors set forth in the RFP. It should be explicitly noted that the contract will be awarded to the vendor whose proposal is the most advantageous to Delaware Technical Community College. The award is subject to the appropriate State of Delaware approvals. After a final selection is made, the winning vendor will be invited to negotiate a contract with Delaware Technical Community College; remaining vendors will be notified in writing of their selection status.

25. Cooperatives

Vendors, who have been awarded similar contracts through a competitive bidding process with a cooperative, are welcome to submit the cooperative pricing for this solicitation.

C. RFP Evaluation Process

STATE OF DELAWARE
Delaware Technical Community College

An evaluation team composed of representatives of Delaware Technical Community College will evaluate proposals on a variety of quantitative criteria.

Delaware Technical Community College reserves full discretion to determine the competence and responsibility, professionally and/or financially, of vendors. Vendors are to provide in a timely manner any and all information that Delaware Technical Community College may deem necessary to make a decision.

1. Proposal Evaluation Team

The Proposal Evaluation Team shall be comprised of representatives of Delaware Technical Community College. The Team shall determine which vendors meet the minimum requirements pursuant to selection criteria of the RFP and procedures established in 29 *Del. C.* §§ [6981](#) and [6982](#). Professional services for this solicitation are considered under 29 *Del. C.* §6982(a). The Team will negotiate with the qualified firm designated 1st on the preference list. Should the Team be unable to negotiate a satisfactory contract with the qualified firm designated to be first on the preference list, at a price the Team determines to be fair and reasonable, negotiations with that firm shall be formally terminated. The Team may negotiate with the remaining firms by order of ranking. At any point in the negotiations process, the Team may, at its discretion, terminate negotiations with any or all firms. The Team shall make a recommendation regarding the award to the President of Delaware Tech, who shall have final authority, subject to the provisions of this RFP and 29 *Del. C.* § [6982\(a\)](#), to award a contract to the successful vendor in the best interests of Delaware Technical Community College.

2. Proposal Selection Criteria

The Proposal Evaluation Team shall assign up to the maximum number of points for each Evaluation Item to each of the proposing vendor's proposals. All assignments of points shall be at the sole discretion of the Proposal Evaluation Team.

The proposals shall contain the essential information on which the award decision shall be made. The information required to be submitted in response to this RFP has been determined by Delaware Technical Community College to be essential for use by the Team in the bid evaluation and award process. Therefore, all instructions contained in this RFP shall be met in order to qualify as a responsive and responsible contractor and participate in the Proposal Evaluation Team's consideration for award. Proposals which do not meet or comply with the instructions of this RFP may be considered non-conforming and deemed non-responsive and subject to disqualification at the sole discretion of the Team.

The Team reserves the right to:

- Reject any and all proposals or portions of proposals received in response to this RFP or to make no award or issue a new RFP.
- Waive or modify any information, irregularity, or inconsistency in proposals received.
- Request modification to proposals from any or all vendors during the contract review and negotiation.

STATE OF DELAWARE
Delaware Technical Community College

- Negotiate any aspect of the proposal with any vendor and negotiate with more than one vendor at the same time.

Criteria Weight

All proposals shall be evaluated using the same criteria and scoring process. The following criteria shall be used by the Evaluation Team to evaluate proposals:

Criteria	Weight
Demonstrated abilities with projects of similar nature and/or scope	20
Recent Project Experience Professional reputation (client references)	20
Expertise and Organization structure	30
Defined Approach, proposed schedule	20
Experience as a team/ venture	5
Geographic Location	5
Total	100%

For award under 29 Del. C. § [6982\(a\)](#), pricing shall not be solicited for comparison of vendors. Delaware Tech may require the firm receiving the award to execute a truth-in-negotiation certificate stating the wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting.

Vendors are encouraged to review the evaluation criteria and to provide a response that addresses each of the scored items. Evaluators will not be able to make assumptions about a vendor's capabilities so the responding vendor should be detailed in their proposal responses.

3. Proposal Clarification

The Evaluation Team may contact any vendor in order to clarify uncertainties or eliminate confusion concerning the contents of a proposal. Proposals may not be modified as a result of any such clarification request.

4. References

The Evaluation Team may contact any customer of the vendor, whether or not included in the vendor's reference list, and use such information in the evaluation process. Additionally, Delaware Technical Community College may choose to visit existing installations of comparable projects, which may or may not include vendor personnel.

STATE OF DELAWARE
Delaware Technical Community College

If the vendor is involved in such site visits, Delaware Technical Community College will pay travel costs only for State of Delaware personnel for these visits.

5. Oral Presentations

After initial scoring and a determination that vendor(s) are qualified to perform the required services, selected vendors may be invited to make oral presentations to the Evaluation Team. All vendor(s) selected will be given an opportunity to present to the Evaluation Team.

The selected vendors will have their presentations scored or ranked based on their ability to successfully meet the needs of the contract requirements, successfully demonstrate their product and/or service, and respond to questions about the solution capabilities.

The vendor representative(s) attending the oral presentation shall be technically qualified to respond to questions related to the proposed system and its components. All of the vendor's costs associated with participation in oral discussions and system demonstrations conducted for Delaware Technical Community College are the vendor's responsibility.

V. Terms and Conditions

1. General Information

- a. If awarded Vendor shall execute a contract which shall be AIA form C132-2009 with **Delaware Tech's** amendment thereto. See Attachment 6 hereof.
- b. The successful vendor shall promptly execute a contract incorporating the terms of this RFP within twenty (20) days after award of the contract. No vendor is to begin any service prior to receipt of a State of Delaware purchase order signed by two authorized representatives of Delaware Technical Community College requesting service, properly processed through the State of Delaware Accounting Office and the Department of Finance. The purchase order shall serve as the authorization to proceed in accordance with the bid specifications and the special instructions, once it is received by the successful vendor.
- c. If the vendor to whom the award is made fails to enter into the agreement as herein provided, the award will be annulled, and an award may be made to another vendor. Such vendor shall fulfill every stipulation embraced herein as if they were the party to whom the first award was made.
- d. Delaware Technical Community College reserves the right to extend this contract on a yearly basis for a period of up to 5 years after the term of the full contract has been completed.

a. Licenses and Permits

In performance of the contract, the vendor will be required to comply with all applicable federal, state and local laws, ordinances, codes, and regulations. The cost of permits and other relevant costs required in the performance of the contract shall be borne by the successful vendor. The vendor shall be properly licensed and authorized to transact business in the State of Delaware as provided in 30 *Del. C.* § [2502](#).

STATE OF DELAWARE
Delaware Technical Community College

Prior to receiving an award, the successful vendor shall either furnish Delaware Technical Community College with proof of State of Delaware Business Licensure or initiate the process of application where required. An application may be requested in writing to: Division of Revenue, Carvel State Building, P.O. Box 8750, 820 N. French Street, Wilmington, DE 19899 or by telephone to one of the following numbers: (302) 577-8200—Public Service, (302) 577-8205—Licensing Department.

Information regarding the award of the contract will be given to the Division of Revenue. Failure to comply with the State of Delaware licensing requirements may subject vendor to applicable fines and/or interest penalties.

b. Notice

Any notice to Delaware Technical Community College required under the contract shall be sent by registered mail to:

**Mark DeVore, P.E., Collegewide Director of Facilities
100 Campus Drive
Office of the President
Dover, Delaware 19904**

c. Insurance

1. Vendor recognizes that it is operating as an independent contractor and that it is liable for any and all losses, penalties, damages, expenses, attorney's fees, judgments, and/or settlements incurred by reason of injury to or death of any and all persons, or injury to any and all property, of any nature, arising out of the vendor's negligent performance under this contract, and particularly without limiting the foregoing, caused by, resulting from, or arising out of any act of omission on the part of the vendor in their negligent performance under this contract.
2. The vendor shall maintain such insurance as will protect against claims under Worker's Compensation Act and from any other claims for damages for personal injury, including death, which may arise from operations under this contract. The vendor is an independent contractor and is not an employee of Delaware Technical Community College.
3. During the term of this contract, the vendor shall, at its own expense, also carry insurance minimum limits as follows:
 - a. Vendor shall in all instances maintain the following insurance during the term of this Agreement.
 - i. Worker's Compensation and Employer's Liability Insurance in accordance with applicable law.
 - ii. Commercial General Liability
\$1,000,000.00 per occurrence/\$3,000,000 per aggregate.
 - b. The successful vendor must carry at least one of the following depending on the scope of work being delivered.

STATE OF DELAWARE
Delaware Technical Community College

- i. Medical/Professional Liability
\$1,000,000.00 per occurrence/\$3,000,000 per aggregate
 - ii. Miscellaneous Errors and Omissions
\$1,000,000.00 per occurrence/\$3,000,000 per aggregate
 - iii. Product Liability
\$1,000,000 per occurrence/\$3,000,000 aggregate
- c. If the contractual service requires the transportation of departmental clients or staff, the vendor shall, in addition to the above coverage's, secure at its own expense the following coverage.
 - i. Automotive Liability Insurance (Bodily Injury) covering all automotive units transporting departmental clients or staff used in the work with limits of not less than \$100,000 each person and \$300,000 each accident.
 - ii. Automotive Property Damage (to others) - \$25,000
- 4. The vendor shall provide a Certificate of Insurance (COI) as proof that the vendor has the required insurance. The COI shall be provided prior to agency contact prior to any work being completed by the awarded vendor(s).
- 5. Should any of the above described policies be cancelled before expiration date thereof, notice will be delivered in accordance with the policy provisions.
- d. **Performance Requirements**

The selected Vendor will warrant that it possesses, or has arranged through subcontractors, all capital and other equipment, labor, materials, and licenses necessary to carry out and complete the work hereunder in compliance with any and all Federal and State laws, and County and local ordinances, regulations and codes.
- e. **BID BOND**

There is no Bid Bond Requirement.
- f. **PERFORMANCE BOND**

There is no Performance Bond requirement.
- g. **Contract Documents**

The RFP, the purchase order, the executed contract and any supplemental documents between Delaware Technical Community College and the successful vendor shall constitute the contract between Delaware Technical Community College and the vendor. In the event there is any discrepancy between any of these contract documents, the following order of documents governs so that the former prevails over the latter: contract, Delaware Tech's RFP, Vendor's response to the RFP and purchase order. No other documents shall be

STATE OF DELAWARE
Delaware Technical Community College

considered. These documents will constitute the entire agreement between Delaware Technical Community College and the vendor.

h. Applicable Law

The laws of the State of Delaware shall apply, except where Federal Law has precedence. The successful vendor consents to jurisdiction and venue in the State of Delaware.

In submitting a proposal, Vendors certify that they comply with all federal, state and local laws applicable to its activities and obligations including:

1. the laws of the State of Delaware;
2. the applicable portion of the Federal Civil Rights Act of 1964;
3. the Equal Employment Opportunity Act and the regulations issued there under by the federal government;
4. a condition that the proposal submitted was independently arrived at, without collusion, under penalty of perjury; and
5. that programs, services, and activities provided to the general public under resulting contract conform with the Americans with Disabilities Act of 1990, and the regulations issued there under by the federal government.

If any vendor fails to comply with (1) through (5) of this paragraph, Delaware Technical Community College reserves the right to disregard the proposal, terminate the contract, or consider the vendor in default.

The selected vendor shall keep itself fully informed of and shall observe and comply with all applicable existing Federal and State laws, and County and local ordinances, regulations and codes, and those laws, ordinances, regulations, and codes adopted during its performance of the work.

VI. Attachments

The following attachments and appendixes shall be considered part of the solicitation:

- Attachment 1 – No Proposal Reply Form
- Attachment 2 – Non-Collusion Statement
- Attachment 3 – Exceptions
- Attachment 4 – Confidentiality and Proprietary Information
- Attachment 5 – Business References
- Attachment 6 – Proposed Form of Agreement, AIA C132-2009 and Delaware Tech's amendment thereto.
- Appendix A – Minimum Response Requirements
- Appendix B – Scope of Work / Technical Requirements

STATE OF DELAWARE
Delaware Technical Community College

[balance of page is intentionally left blank]

STATE OF DELAWARE
Delaware Technical Community College

Attachment 1

NO PROPOSAL REPLY FORM

Contract No. DTCC19C900404-GCM Contract Title: **CONSTRUCTION MANAGEMENT SERVICES AT DTCC GEORGE CAMPUS**

To assist us in obtaining good competition on our Request for Proposals, we ask that each firm that has received a proposal, but does not wish to bid, state their reason(s) below and return in a clearly marked envelope displaying the contract number. This information will not preclude receipt of future invitations unless you request removal from the Vendor's List by so indicating below, or do not return this form or bona fide proposal.

Unfortunately, we must offer a "No Proposal" at this time because:

- _____ 1. We do not wish to participate in the proposal process.
- _____ 2. We do not wish to bid under the terms and conditions of the Request for Proposal document. Our objections are:

- _____ 3. We do not feel we can be competitive.
- _____ 4. We cannot submit a Proposal because of the marketing or franchising policies of the manufacturing company.
- _____ 5. We do not wish to sell to the State. Our objections are:

- _____ 6. We do not sell the items/services on which Proposals are requested.
- _____ 7. Other: _____

FIRM NAME

SIGNATURE

_____ We wish to remain on the Vendor's List **for these goods or services.**

_____ We wish to be deleted from the Vendor's List **for these goods or services.**

PLEASE FORWARD NO PROPOSAL REPLY FORM TO THE CONTRACT OFFICER IDENTIFIED.

CONTRACT NO.: DTCC19C900404-GCM
CONTRACT TITLE: CONSTRUCTION MANAGEMENT SERVICES AT DTCC GEORGE CAMPUS

NON-COLLUSION STATEMENT:

This is to certify that the undersigned vendor has neither directly nor indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this proposal, **and further certifies that it is not a sub-contractor to another Vendor who also submitted a proposal as a primary Vendor in response to this solicitation** submitted this date to Delaware Technical Community College. It is agreed by the undersigned Vendor that the signed delivery of this bid represents, subject to any express exceptions set forth at Attachment 3, the Vendor's acceptance of the terms and conditions of this solicitation including all specifications and special provisions.

NOTE: Signature of the authorized representative **MUST** be of an individual who legally may enter his/her organization into a formal contract with Delaware Technical Community College.

COMPANY NAME _____ Check one)

Corporation
Partnership
Individual

NAME OF AUTHORIZED REPRESENTATIVE _____
(Please type or print)

SIGNATURE _____ TITLE _____

COMPANY ADDRESS _____

PHONE NUMBER _____ FAX NUMBER _____

EMAIL ADDRESS _____

FEDERAL E.I. NUMBER _____ STATE OF DELAWARE LICENSE NUMBER _____

COMPANY CLASSIFICATIONS:	CERT. NO.:	Certification type(s)	Circle all that apply	
		Minority Business Enterprise (MBE)	Yes	No
Woman Business Enterprise (WBE)	Yes	No		
Disadvantaged Business Enterprise (DBE)	Yes	No		
Veteran Owned Business Enterprise (VOBE)	Yes	No		
Service Disabled Veteran Owned Business Enterprise (SDVOBE)	Yes	No		

[The above table is for informational and statistical use only.]

PURCHASE ORDERS SHOULD BE SENT TO:
(COMPANY NAME) _____

ADDRESS _____

CONTACT _____

PHONE NUMBER _____ FAX NUMBER _____

EMAIL ADDRESS _____

AFFIRMATION: Within the past five years, has your firm, any affiliate, any predecessor company or entity, owner, Director, officer, partner or proprietor been the subject of a Federal, State, Local government suspension or debarment?

YES _____ NO _____ if yes, please explain _____

THIS PAGE SHALL HAVE ORIGINAL SIGNATURE, BE NOTARIZED AND BE RETURNED WITH YOUR PROPOSAL

SWORN TO AND SUBSCRIBED BEFORE ME this _____ day of _____, 20 _____

Notary Public _____ My commission expires _____

City of _____ County of _____ State of _____

STATE OF DELAWARE
DELAWARE TECHNICAL COMMUNITY COLLEGE

Attachment 5

Contract No. DTCC19C900404-GCM
Contract Title: **CONSTRUCTION MANAGEMENT SERVICES AT
DTCC GEORGE CAMPUS**

BUSINESS REFERENCES

List a minimum of three business references, including the following information:

- Business Name and Mailing address
- Contact Name and phone number
- Number of years doing business with
- Type of work performed

Please do not list any State Employee as a business reference. If you have held a State contract within the last 5 years, please provide a separate list of the contract(s).

1. Contact Name & Title:	
Business Name:	
Address:	
Email:	
Phone # / Fax #:	
Current Vendor (YES or NO):	
Years Associated & Type of Work Performed:	

2. Contact Name & Title:	
Business Name:	
Address:	
Email:	
Phone # / Fax #:	
Current Vendor (YES or NO):	
Years Associated & Type of Work Performed:	

3. Contact Name & Title:	
Business Name:	
Address:	
Email:	
Phone # / Fax #:	
Current Vendor (YES or NO):	
Years Associated & Type of Work Performed:	

STATE OF DELAWARE OR DELAWARE TECH PERSONNEL MAY NOT BE USED AS REFERENCES.

STATE OF DELAWARE
DELAWARE TECHNICAL COMMUNITY COLLEGE

Attachment 6

Proposed Form of Agreement AIA Form

C-132-2009

And

Delaware Tech amendment thereto

to be provided at time of contract award

Appendix A - MINIMUM MANDATORY SUBMISSION REQUIREMENTS

Each vendor solicitation response should contain at a minimum the following information:

1. Transmittal Letter as specified on page 1 of the Request for Proposal including an Applicant's experience, if any, providing similar services including any prior experience with college projects.
2. The remaining vendor proposal package shall identify how the vendor proposes meeting the contract requirements and shall include pricing. Vendors are encouraged to review the Evaluation criteria identified to see how the proposals will be scored and verify that the response has sufficient documentation to support each criteria listed.
3. One (1) complete, signed and notarized copy of the non-collusion agreement (See Attachment 2). Bid marked "ORIGINAL", **MUST HAVE ORIGINAL SIGNATURES AND NOTARY MARK .** All other copies may have reproduced or copied signatures – Form must be included.
4. One (1) completed RFP Exception form (See Attachment 3) – please check box if no information – Form must be included.
5. One (1) completed Confidentiality Form (See Attachment 4) – please check if no information is deemed confidential – Form must be included.
6. One (1) completed Business Reference form (See Attachment 5) – please provide references other than State of Delaware contacts – Form must be included.

The items listed above provide the basis for evaluating each vendor's proposal. **Failure to provide all appropriate information may deem the submitting vendor as "non-responsive" and exclude the vendor from further consideration.** If an item listed above is not applicable to your company or proposal, please make note in your submission package.

Vendors shall provide proposal packages in the following formats:

1. Six (6) paper copies of the vendor proposal paperwork. **One (1) paper copy must be an original copy, marked "ORIGINAL" on the cover, and contain original signatures.**
2. One (1) electronic copy of the vendor proposal saved to CD or DVD media disk, or USB memory stick. Copy of electronic price file shall be a separate file from all other files on the electronic copy. (If Delaware Tech has requested multiple electronic copies, each electronic copy must be on a separate computer disk or media).

Appendix B - SCOPE OF WORK AND TECHNICAL REQUIREMENTS

General

Delaware Technical Community College is proposing to complete various renovation projects at the George Campus in Wilmington. The campus consists of 4 buildings totaling approximately 298,000 square feet and also a 453 space parking garage. Many of the campus buildings and their systems require action as they have reached the end of their lifetime without major renovation/replacement. Completion of these projects play a crucial role in meeting the needs of the campus for Delaware Technical Community College's students and staff. Construction Management services as Adviser (CMA), will be required for a portion of these upcoming projects (as determined by the College). These projects include:

- Roof replacement and plaza waterproofing reconstruction at East building
- Replacement of 4 Air Handlers located in penthouses on the roof of East building
- Installation of an exterior curtain wall at East building to enclose the existing plaza and provide for expanded space and renovations for Student Success Center
- Renovations of lower level and other floors of the East Building

Future projects may require additional CMA services (as determined by the College). These projects include but are not limited to:

- Add additional parking level to existing garage (+113 spaces)
- Replacement of primary heating and cooling units at Southeast building
- Replacement of closed circuit coolers (towers) at West and Southeast buildings
- Electrical system rehabilitation and maintenance (all buildings)
- cement and enhancements
- Other miscellaneous building renovations needed at the campus

Scope of Services

Project Planning and Budgeting

During this phase, the selected firm shall coordinate with College staff to develop project funding budgets and schedule timelines. Work may consist of special reports, budget plans and schedules to assist the College in sequencing of projects at the Campus. The selected firm will work closely with Campus and DTCC staff to develop plans that provide for needed improvements while minimizing disruption to students and staff. The selected firm may be asked to assist in architect and engineer selection as an advisor (non-voting member) of the selection team.

Preliminary, Schematic and Design Development reviews and cost estimates

The selected firm shall provide design reviews of the architect/engineering design during this phase. The review will identify constructability concerns and opportunities for value engineering. Cost estimates will be prepared at each stage of the design as requested by the College.

Construction Scopes of Work and Phasing

The selected firm will develop Scopes of Work for the various construction trade packages to construct the project as outlined in the design documents. A construction phasing plan will be developed to minimize disruption to students and staff. A final cost estimate and project budget will be provided. Upon the completion of this phase, bid packages including all construction documents and specifications shall be issued.

Program Management and Construction Administration

Program Management and Construction Administration (CA) shall be provided throughout the entire design and construction process respectively.

Support during the Bidding Phase:

STATE OF DELAWARE
DELAWARE TECHNICAL COMMUNITY COLLEGE

- Assist in qualifying bidders
- Prepare bidding documents and scopes of work
- Attend bid meetings and answer questions for bidders and client
- Provide bid review and analysis
- Assist client in processing of contract documents

Support during the Construction Phase:

- On-site oversight and inspection to assure construction documents are followed by contractors.
- Conduct bi-weekly construction meetings with trade contractors.
- Scheduling and phasing of the work.
- Answer and respond to questions to support the project completion. Coordinate with design team.
- Provide overview of construction compliance in report format on a weekly or monthly basis.
- Developing and updating the master project schedule.
- Assist with commissioning activities and the commissioning agent

Meetings

Reasonable meetings associated with obtaining the above mentioned approvals shall be included in this scope of work. The following meetings at a minimum shall be included in the base bid: Attendance to special meetings with the client, design professional and/or agencies may be billed on an hourly basis with prior approval.

1. Project planning and budgeting
2. Preliminary/Schematic Plan Review
3. Review of Design Development Drawings
4. Review of Construction Drawings
5. Value engineering analysis as requested by College
6. General Contractor Pre-Bid Meeting
7. General Contractor Bid Review
8. General Contractor Award Recommendation
9. Bi-Weekly Status Meetings
10. Punchlist and warranty reviews (11 and 23 month)

Deliverables and Schedule

A detailed task list and deliverable list with the corresponding milestone schedule dates shall be provided as part of the base bid. This schedule should illustrate the design milestone dates and key agency submittals dates, expected review times and approval dates as based on the firm's experience.

Updated schedules and progress report shall be provide on at least a bi-weekly basis once the Scope of Work has commenced.