REQUEST FOR QUALIFICATIONS

Best Value Procurement Option One

For the Project Titled:

Structure and Roof Restoration at Rock Castle State Historic Site

Hendersonville, Sumner County, TN

SBC Project No.: 160/001-01-2015

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Release Date: February 10, 2016

1. INTRODUCTION

1.1. State of Procurement Purpose

The State of Tennessee Real Estate Asset Management ("STREAM"), an agency of the State of Tennessee, hereinafter referred to as "the Owner" or "the State," has issued this Request for Qualifications ("RFQ") to define the State's minimum service requirements, solicit responses, detail response requirements, and, outline the State's process for evaluating responses and selecting a Contractor using the Best Value Procurement Option One ("BV1").

Through this RFQ, the State seeks to contract for the requested services and to give ALL qualified businesses, including those that are owned by minorities, women, Tennessee service-disabled veterans, and small business enterprises, opportunity to do business with the State as contractors and subcontractors.

Tennessee statutes (T.C.A. 4-15-101, et. seq.) empower the State Building Commission ("SBC") to award, construction contracts for any improvement to real property in which the State of Tennessee has an interest. STREAM shall utilize the "competitive sealed best value procedure" as herein described, in order to achieve maximum competition among qualified Respondents and to obtain the highest level of quality at the best price for State projects "utilizing procedures that promote competition to the greatest extent possible".

A site visit will not be held as a part of the qualifications process, but prospective Respondents are welcome to visit the site on their own. A formal site visit, if any, will be conducted as a part of the bidding process at a later date.

1.2. Project Description

The project includes restoration and repairs to the Main House and Smoke House. Work to include roof replacement, painting, and various needed repairs per the attached scope. Scope to include, but not limited to the following:

<u>The Main House</u>

- Install existing shutters on first floor windows of house. Shutters are currently being stored in the attic of the house. Some fabrication and/or purchase of replica hardware will be needed.
- Install tongue and groove ceiling at back porch. Attach directly to existing rafters. Poplar or other appropriate species will be specified.
- Repair and/or replace damaged railings at back porch. Build new stairs off of back porch.
- Re-glaze windows above back porch and window on east wall of dining room.
- Remove and replace existing wood shake roof w/ new roof to match. Provide all required flashings, accessories, etc.
- Clean and repaint all exterior wood elements on house (doors, windows, trim, soffits, fascias)

- While completing roof repairs, re-build two dormers at back of house that were original to the house, but have since been removed. (ALTERNATE – Not in Base Bid)

The Smoke House

- Raise salting log/trough from direct contact with ground to prevent rot.
- Provide new lintel over door into smoke house. (ALTERNATE – Not in Base Bid)
- Remove and replace existing metal roof w/ new roof. Verify if metal roof is historically accurate. If so, replace w/ metal. If not, replace with wood shake roof to match the main house. (ALTERNATE – Not in Base Bid)

1.3. Current Project Status

A designer for the project was selected by SBC action on August 24, 2015. Construction Documents for the Project are being developed by the Designer:

Designer: Centric Architecture, 35 Peabody Street, Suite 305, Nashville, TN 37210.

Documents will be available at bid time from the Designer, with a refundable plan deposit of One Hundred and Fifty Dollars ($150.00). Also, plans may be viewed in area plan rooms. James Thompson, AIA is the contact person at telephone number 615-385-9600 Ext. 820 or via email at ***JThompson@Centricarchitecture.com***

1.4. Project Location

The project(s) will be located in Hendersonville, Sumner County, Tennessee

1.5. Project Expectations, and Objectives

The purpose of this RFQ is to qualify Contractors to bid on the restoration and renovation work including roof replacement, painting, and various needed repairs at Rock Castle State Historic Site located in Hendersonville, TN. The historic structures require restoration from a qualified General Contractor that has an understanding of historic preservation so the site can maintain its status on *The National Register of Historic Places*.

The Tennessee Historical Commission requires contractors working on State Historic Sites to follow the 'Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties'. This also includes knowledge and the use of the 'SOI Preservation Briefs' and 'Technical Notes' as guiding documents. Proposing contractors must have experience and familiarity with those standards as well as key personnel's knowledge and experience in that area. Proposers must display this knowledge in their respective proposals.

Therefore, to be considered for selection, the Contractor shall describe specific qualifications as stated in RFQ Attachment 6.2., Sections B and C.

1.6. Project Construction Budget

Preliminary Estimated Construction Cost for this Project - $150,000

1.7. Nondiscrimination

No person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of a contract pursuant to this solicitation or in the employment practices of the Vendor on the grounds of handicap or disability, age, race, color, religion (subject to *Tennessee Code Annotated,* Sections 4-21-401 and 405), sex, national origin, or any other classification protected by federal, Tennessee state constitutional, or statutory law. The Vendor pursuant to this solicitation shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

1.8. RFQ Communications

1.8.1. The State has assigned the following RFQ identification number that must be referenced in all communications regarding this RFQ:

SBC PROJECT No.: 160/001-01-2015

1.8.2. **Unauthorized contact about this RFQ with employees or officials of the State of Tennessee except, as detailed below may, result in disqualification from consideration under this procurement process.**

1.8.2.1. Prospective Respondents must direct communications concerning this RFQ to the following person designated as the Solicitation Coordinator:

Nickie Smith, Solicitation Coordinator
Department of General Services
Central Procurement Office, 3rd Floor
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue
Nashville, TN 37243
Phone: (615) 532-7475
Email: Nickie.Smith@tn.gov

1.8.2.2. Notwithstanding the foregoing, Prospective Respondents may alternatively contact:

a. staff of the Governor's Office of Diversity Business Enterprise for assistance available to minority-owned, woman-owned, Tennessee service-disabled veteran owned, and small businesses as well as general, public information relating to this RFQ (visitwww.tn.gov/businessopp/ for contact information); and:

b. The DGS Safety and Compliance Manger, Pamela Fitzpatrick, is the individual designated by the State to coordinate compliance with the nondiscrimination requirements of the State of Tennessee, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and associated federal regulations.

1.8.3. Only the State's official, written responses and communications with Respondents are binding with regard to this RFQ. Oral communications between a State official and one or more Respondents are unofficial and non-binding.

1.8.4. Potential Respondents must ensure that the State receives all written questions and comments, including questions and requests for clarification, no later than the Written Questions & Comments Deadline detailed in the RFQ § 2, Schedule of Events.

1.8.5. Respondents must assume the risk of the method of dispatching any communication or response to the State. The State assumes no responsibility for delays or delivery failures resulting from the Respondent's method of dispatch. Actual or digital "postmarking" of a communication or response to the State by a specified deadline is not a substitute for the State's actual receipt of a communication or response.

1.8.6. The State will convey all official responses and communications related to this RFQ to the prospective Respondents from whom the State has received a Notice of Intent to Respond (refer to RFQ § 1.11).

1.8.7. The State reserves the right to determine, at its sole discretion, the method of conveying official, written responses and communications related to this RFQ. Such written communications may be transmitted by mail, hand-delivery, facsimile, electronic mail, Internet posting, or any other means deemed reasonable by the State. For internet posting, please refer to the following website: http://www.tn.gov/generalservices/article/request-for-qualification-rfqs.

1.8.8. The State reserves the right to determine, at its sole discretion, the appropriateness and adequacy of responses to written comments, questions, and requests related to this RFQ. The State's official, written responses will constitute an amendment of this RFQ.

1.8.9. Any data or factual information provided by the State (in this RFQ, an RFQ amendment, or any other communication relating to this RFQ) is for informational purposes only. The State will make reasonable efforts to ensure the accuracy of such data or information; however, it is the Respondent's obligation to independently verify any data or information provided by the State. The State expressly disclaims the accuracy or adequacy of any information or data that it provides to prospective Respondents.

1.9. Assistance to Respondents with a Handicap or Disability

Prospective Respondents with a handicap or disability may receive accommodation relating to the communication of this RFQ and participating in the RFQ process. Prospective Respondents may contact the Solicitation Coordinator to request such reasonable accommodation no later than the Disability Accommodation Request Deadline detailed in the RFQ § 2, Schedule of Events.

1.10. Respondent Required Review & Waiver of Objections

1.10.1. Each prospective Respondent must carefully review this RFQ, including but not limited to, attachments, amendments, questions, comments, defects, objections, or any other matter requiring clarification or correction (collectively called "Questions and Comments")

1.10.2. Any prospective Respondent having Questions and Comments concerning this RFQ must provide them in writing to the State no later than the written Questions & Comments Deadline detailed in the RFQ § 2, Schedule of Events.

1.10.3. Protests based on any objection to the RFQ shall be considered waived and invalid if the objection has not been brought to the attention of the State, in writing, by the Written Questions & Comments Deadline.

1.11. Notice of Intent to Respond

Before the Notice of Intent to Respond Deadline detailed in RFQ § 2, Schedule of Events, potential Respondents should submit to the Solicitation Coordinator a Notice of Intent to Respond in the form of a simple e-mail or other written communication. Such notice should include the following information:

- the business or individual's name (as appropriate);
- a contact person's name and title; and
- the contact person's mailing address, telephone number, facsimile number, and e-mail address.

A Notice of Intent to Propose creates no obligation and is not a prerequisite for making a proposal; however, it is necessary to ensure receipt of any RFQ amendments or other notices and communications relating to this RFQ.

1.12. Response Deadline

A Respondent must ensure that the State receives a response no later than the Response Deadline time and date detailed in the RFQ § 2, Schedule of Events. A response must respond, as required, to this RFQ (including its attachments) as may be amended. The State will not accept late responses, and a Respondent's failure to submit a response before the Response Deadline will result in disqualification of the response. It is the responsibility of the Respondent to ascertain any additional security requirements with respect to packaging and delivery to the State of Tennessee. Respondents should be mindful of any potential delays due to security screening procedures, weather, or other filing delays whether foreseeable or unforeseeable.

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2. RFQ SCHEDULE OF EVENTS

2.1. The following RFQ Schedule of Events represents the State's best estimate for this RFQ.

EVENT	TIME (central time zone)	DATE (all dates are State business days)
1. RFQ Issued		February 10, 2016
2. Disability Accommodation Request Deadline		February 12, 2016
3. Notice of Intent to Respond Deadline		February 16, 2016
4. Written "Questions & Comments" Deadline	2:00 p.m.	February 19, 2016
5. State Response to Written "Questions & Comments"		February 26, 2016
6. Response Deadline	2:00 p.m.	March 8, 2016
7. State Completion of Technical Submittal Evaluations		March 17, 2016
8. State Issues Evaluation Notice		March 17, 2016
9. End of 7-Day Wait Period for Consideration of Protest.		March 24, 2016
10. Anticipated Bid Date		April 28, 2016
11. Anticipated Contract Start		June 15, 2016

2.2. **The State reserves the right, at its sole discretion, to adjust the RFQ Schedule of Events as it deems necessary.** Any adjustment of the Schedule of Events shall constitute an RFQ amendment, and the State will communicate such to potential Respondents from whom the State has received a Notice of Intent to Propose (refer to RFQ § 1.11).

3. RESPONSE REQUIREMENTS

3.1. Response Contents: A response to this RFQ should address the following:

3.1.1. **Phase I**

Mandatory Requirements: RFQ Attachment 6.2, Section A, details the mandatory technical, functional, and experience requirements that must be demonstrated in the response to this RFQ in order to be moved on to Phase II of the Technical Response evaluation. A Respondent must duplicate and use RFQ Attachment 6.2, Section A as a guide to organize responses for the Mandatory Requirements of the RFQ response. The Respondent should insert the page location of their response in the indicated first column of the RFQ Attachment 6.2, Section A. RFQ Attachment 6.2, Section A, is the State's sole means to evaluate as to whether or not a Respondent meets mandatory qualifications (Phase I).

3.1.2. **Phase II**

General Qualifications & Experience: RFQ Attachment 6.2 Section B is included in the State's evaluation of Phase II of the Technical Response Evaluation, and it details general information and qualifications that must be demonstrated in the response to this RFQ. A Respondent must duplicate and use RFQ Attachment B as a guide to organize responses for this portion of the RFQ response. The Respondent should insert the page location of their response in the indicated first column of the RFQ Attachment 6.2, Section B. The response should be economically prepared, with emphasis on completeness and clarity. A response, as well as any reference material presented, must be written in English and must be written on standard 8 ½" x 11" pages (although oversize exhibits are permissible). All response pages must be numbered. All information must be incorporated into a response to a specific requirement and clearly referenced. Any information not meeting these criteria will be deemed extraneous and will not contribute to evaluations.

Technical Qualifications, Experience & Approach: RFQ Attachment 6.2, Section C is also included in the State's evaluation of Phase II of the Technical Response Evaluation and it details technical qualifications, experience, and approach items that must be demonstrated in the response to this RFQ. A Respondent must duplicate and use RFQ Attachment 6.2, Section C as a guide to organize responses for this portion of the RFQ response. The Respondent should reference the page location of their response in the indicated first column of the RFQ Attachment 6.2, Section C. A response, as well as any reference material presented, must be written in English and must be written on standard 8 ½" x 11" pages (although oversize exhibits are permissible). All response pages must be numbered. Any information not meeting these criteria will be deemed extraneous and will not contribute to evaluations.

3.2. Non-Responsive:

The State may determine a response to be non-responsive and reject it if

a. The Respondent fails to organize and properly reference the Proposal as required by the RFQ and RFQ Attachment 6.2, or

b. The Respondent document does not appropriately respond to, address, or meet all of the requirements and proposal items detailed in RFQ Attachment 6.2

3.3. Response Delivery

A Respondent must ensure that the State receives a Response to this RFQ no later than the Response Deadline time and dates detailed in the RFQ § 2, Schedule of Events. All responses must be delivered to:

Nickie Smith, RFQ Coordinator
Department of General Services
William R. Snodgrass Tennessee Tower, 3rd Floor (Central Procurement Office)
312 Rosa L. Parks Avenue
Nashville, Tennessee 37243
Telephone: (615) 532-7475

3.4. Response Format

3.4.1. A Respondent must ensure that the original response meets all form and content requirements detailed within this RFQ.

3.4.2. A Respondent must submit original response documents and copies as specified below.

3.4.2.1. One original Technical Response paper document labeled:

"RFQ SBC 160/001-01-2015 TECHNICAL RESPONSE ORIGINAL"

AND

Six Technical Response paper documents labeled:

"RFQ SBC 160/001-01-2015 TECHNICAL RESPONSE COPIES"

AND

One copy(s) of the Technical Response in the form of one digital document in "PDF" format properly recorded on its own otherwise blank, standard CD-R recordable disc labeled:

"RFQ SBC 160/001-01-2015 QUALIFICATIONS SUBMITTAL COPY"

Any discrepancies between the paper response document and digital copies may result in the State rejecting the response as nonresponsive. The original, signed paper document will take precedence.

3.4.3. A Respondent must separate, seal, package, and label the documents and discs for delivery as follows.

3.4.3.1. The Technical Response original document and copy disc(s) must be placed in a sealed package that is clearly labeled:

"DO NOT OPEN... RFQ SBC 160/001-01-2015 TECHNICAL RESPONSE FROM [INSERT PROPOSER LEGAL ENTITY NAME]"

3.4.3.2. The Response Package Cover Attachment (RFQ Attachment 6.3.a.) must be completely filled in with all pertinent information and affixed to the outermost container of the Technical Response.

3.5. Response & Respondent Prohibitions: A response to this RFQ should not:

3.5.1. A Respondent shall not include the Respondent's own contract terms and conditions. If a response contains such terms and conditions, the State, at its sole discretion, may determine the proposal to be a non-responsive counter offer and reject it.

3.5.2. A Respondent shall not restrict the rights of the State or otherwise qualify offer to deliver services as required by this RFQ. The State, at its sole discretion, may determine the proposal to be a non-responsive counteroffer and reject it.

3.5.3. A Respondent shall not propose alternate services (*i.e.*, offer services different from those requested and required by this RFQ). The State may consider a proposal of alternate services to be non-responsive and reject it

3.5.4. A Respondent shall not provide, for consideration in this RFQ process or subsequent contract negotiations, incorrect information that the Respondent knew or should have known was materially incorrect. If the State determines that a Respondent has provided such incorrect information, the State may deem the Respondent's proposal non-responsive and reject it.

3.5.5. A Respondent shall not submit more than one Proposal in response to this RFQ. If a Respondent submits more than one Proposal, the State may deem all of the proposals non-responsive and reject them.

3.5.6. A Respondent shall not submit a Proposal as a prime contractor while also permitting one or more other Respondents to offer the Respondent as a subcontractor in their own Proposals. Such may result in the disqualification of all Respondents knowingly involved. This restriction does not, however, prohibit different Respondents from offering the same subcontractor as a part of their proposals (provided that the subcontractor does not also submit a proposal as a prime contractor).

3.5.7. A Respondent must not be (and the State will not award a contract to):

a. an individual who is, or within the past six months has been, an employee of the State of Tennessee or who is a volunteer member of a State board or commission that votes for, lets out, overlooks, or any manner superintends the services being procured in this RFQ;

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

where such ownership constitutes less than 2% of the total outstanding amount of the stocks or bonds of the issuing entity);

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

d. any individual, company, or other entity involved in assisting the State in the development, formulation, or drafting of this RFQ or its scope of services (such person or entity being deemed by the Owner as having information that would afford an unfair advantage over other Respondents).

For the purposes of applying the requirements of this RFQ subsection 3.5.7., the State will deem an individual to be an employee of the State of Tennessee until such time as all compensation for salary, termination pay, and annual leave has been paid, but the term "employee of the State of Tennessee" shall not include individuals performing volunteer services for the State of Tennessee.

3.6. Conflict of Interest

3.6.1. This RFQ is also subject to *Tennessee Code Annotated*, Section 12-4-101

3.6.2. This RFQ is also subject to State Building Commission Policy and Procedure 12.02, and the duties and obligations of the State are subject to Policy 12.02.

3.7. Response Errors & Revisions

A Respondent is responsible for any and all errors or omissions in its response to this RFQ. A Respondent will not be allowed to alter or revise its response after the Response Deadline time and date as detailed in RFQ § 2, Schedule of Events, unless such is formally requested in writing by the State (e.g., through a request for clarification, etc.).

3.8. Response Withdrawal

A Respondent may withdraw a response at any time before the Response Deadline time and date as detailed in RFQ § 2, Schedule of Events, by submitting a written signed request by an authorized representative of the Respondent. After withdrawing a response, a Respondent may submit another Response at any time before the Response Deadline time and date as detailed in RFQ § 2, Schedule of Events.

3.9. Response Preparation Costs

The State will not pay any costs associated with the preparation, submittal, or presentation of any response. Each Respondent is solely responsible for the costs it incurs in responding to this RFQ.

4. GENERAL CONTRACTING INFORMATION & REQUIREMENTS

4.1. RFQ Amendment

The State reserves the right to amend this RFQ at any time, provided that it is amended in writing. However, prior to any such amendment, the State will consider whether it would negatively impact the ability of potential respondents to meet the deadlines and revise the RFQ Schedule of Events if deemed appropriate. If a RFQ amendment is issued, the State will convey it to potential respondents who submitted a Notice of Intent to Respond (refer to RFQ § 1.11). A response must respond, as required, to the final RFQ (including its attachments) as may be amended.

4.2. RFQ Cancellation

The State reserves the right, at its sole discretion, to cancel the RFQ or to cancel and reissue this RFQ in accordance with applicable laws and regulations.

4.3. State Right of Rejection

4.3.1. Subject to applicable laws and regulations, the State reserves the right to reject, at its sole discretion, any and all responses.

4.3.2. The State may deem as non-responsive and reject any response that does not comply with all terms, conditions, and performance requirements of this RFQ. Notwithstanding the foregoing, the State reserves the right to waive, at its sole discretion, minor variances from full compliance with this RFQ. If the State waives variances in a response, such waiver shall not modify the RFQ requirements or excuse the Respondent from full compliance, and the State may hold any Contractor to strict compliance with this RFQ.

4.4. Assignment & Subcontracting

The Contractor may not subcontract, transfer, or assign any portion of the Contract awarded as a result of this RFQ without prior approval of the State. The State reserves the right to refuse approval, at its sole discretion, of any subcontract, transfer, or assignment.

4.5. Insurance

The State will require the apparent successful Respondent to provide proof of insurance coverage as required by the Owner's Designers' Manual (Conditions of the Contract), before entering into a contract. Refer to Article 11 of the General Conditions of the Contract for Construction and any Supplementary Conditions (RFQ Attachment 6.6). Failure to provide evidence of such insurance coverage is a material breach and grounds for termination of the contract negotiations. Any insurance required by the State shall be in form and substance acceptable to the State.

4.6. Professional Licensure and Department of Revenue Registration

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

4.6.2. A Respondent shall be a licensed Contractor in the State of Tennessee. Appropriate Tennessee Contractor License(s) are required, and demonstration of current licensure in

the State of Tennessee is a mandatory part of the proposal submission. The Contractor must maintain licensure during the period of this Contract, and shall notify the State of any changes in licensure.

4.6.3. Before the response to this RFQ is submitted, the apparent successful Respondent (and Respondent employees and subcontractors, as applicable), must hold all necessary, appropriate business and professional licenses to provide service as required. The Owner may require any Respondent to submit evidence of proper licensure.

4.6.4. Respondent shall complete the Response Package Cover Sheet, RFQ Attachment 6.3.a., which is to be affixed to the outermost container of the response package. The dollar limit on the license must be sufficient to support the preliminary estimated construction cost for this Project (Refer to RFQ § 1.6.).

4.6.5. Before the Contract resulting from this RFQ is signed, the apparent successful Respondent must be registered with the Tennessee Department of Revenue for the collection of Tennessee sales and use tax. The State shall not award a contract unless the Respondent provides proof of such registration or provides documentation from the Department of Revenue that the Contractor is exempt from this registration requirement. The foregoing is a mandatory requirement of an award of a contract pursuant to this solicitation. For purposes of this registration requirement, the Department of Revenue may be contacted at: TN.Revenue@tn.gov.

4.7. Disclosure of Response Contents

4.7.1. All materials submitted to the State in response to this RFQ shall become the property of the State of Tennessee. Selection or rejection of a response does not affect this right. By submitting a response, a Respondent acknowledges and accepts that the full response contents and associated documents will become open to public inspection in accordance with the laws of the State of Tennessee.

4.7.2. The State will hold all response information, including both technical and cost information, in confidence during the evaluation process. Notwithstanding the foregoing, a list of actual Respondents submitting timely responses may be available to the public, upon request, after technical responses are opened.

4.7.3. Upon completion of response evaluations, indicated by public release of a Notice of Intent to Award, the responses and associated materials will be open for review by the public in accordance with *Tennessee Code Annotated*, Section 10-7-504(a)(7).

4.8. Contract Approval and Contract Payments

4.8.1. The State shall not be liable for payment of any type associated with the Contract resulting from this RFQ (or any amendment thereof), or shall not responsible for any work done by the Contractor, even work done in good faith and even if the Contractor is orally directed to proceed with the delivery of services, if it occurs before the Contract start date or after the Contract end date.

4.8.2. All payments relating to this procurement will be made in accordance with the Payment Terms and Conditions of the Contract resulting from this RFQ.

4.8.3. If any provision of the Contract provides direct funding or reimbursement for the competitive purchase of services or items to be delivered to the State as a component of contract performance or otherwise provides for the reimbursement of specified, actual costs, the State will employ all reasonable means and will require all such documentation that it deems necessary to ensure that such purchases were competitive and costs were reasonable, necessary, and actual. The Contractor shall provide reasonable assistance and access related to such review. Further, the Owner shall not remit, as funding or reimbursement pursuant to such Contract provisions, any amount(s) which it determines did not result from a reasonably competitive purchase or do not represent reasonable, necessary, and actual costs.

4.9. Severability

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

4.10. Joint Ventures

Firms submitting Qualification Statements as a Joint Venture must file a statement of partnership authority with the Tennessee Secretary of State's office in compliance with Tenn. Code Ann. § 61-1-303 as well as have similar projects completed as the Joint Venture.

If a Respondent intends to submit a Proposal as a joint venture, then the following requirements shall apply:

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

b. The joint venture shall meet the licensure requirements stated in the RFQ; or each joint venture participant shall meet the licensure requirements stated in the RFQ;

c. The joint venture shall meet the insurance requirements stated in the RFQ, or each joint venture participant shall meet the insurance requirements state in this RFQ;

d. Each joint venture participant shall individually provide all documentation required for review of financial responsibility and stability. A sub-contractor to a Respondent is not a joint venture participant.

5. PROCUREMENT PROCESS & CONTRACT AWARD

5.1. Evaluation Categories & Maximum Points

5.1.1. The evaluation process is designed to determine those Qualifications Submittal Documents having the highest total scores. The RFQ Coordinator will use RFQ Attachment 6.2., Qualifications & Evaluation Guide, to manage the evaluation and maintain evaluation records.

The RFQ Coordinator will review each Qualifications Submittal to determine compliance with RFQ requirements (refer to RFQ Attachment 6.2.). If the RFQ Coordinator determines that submitted documents may have failed to meet one or more of the RFQ requirements, the Evaluation Team (made up of three or more State of Tennessee employees) will review the submitted documents and record its determination of whether: 1) the Qualifications Submittal meets requirements for further evaluation; 2) the Owner will request clarifications or corrections; or, 3) the owner will determine the Qualifications Submittal as non-responsive to the RFQ and reject it.

The Owner will consider qualifications, experience and approach, in the evaluation of proposal. The maximum points that may be awarded for each of these categories are detailed below.

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

EVALUATION CATEGORY	MAXIMUM POINTS POSSIBLE
General Business Requirements refer to RFQ Attachment 6.2., Section A	**Pass/Fail**
Qualifications & Experience refer to RFQ Attachment 6.2., Section B	**50 POINTS**
Project Approach refer to RFQ Attachment 6.2., Sections C	**50 POINTS**

5.1.2. This competitive Best Value Type 1 selection process is separated into two parts: a Qualifications submittal (containing Qualifications, Experience, and Project Approach), and a bid.

Part One: Qualifications Submittal documents must attain a combined normalized minimum score of seventy-five points for a Contractor to be offered opportunity to bid.

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

5.1.3. Contractors invited to submit bids may be limited to the three (3) highest scoring Qualifications submittals in Part One, who's Qualifications have attained the normalized minimum combined score of seventy-five points.

5.1.4. Contractors shall be responsive to the bidding requirements provided in the project documents, and the State of Tennessee's bidding procedures.

5.1.5. The Contractor with the lowest bid in accordance with Part Two will be considered the apparent low bidder for contract award, pending review by the Owner.

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

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

5.1.8. The evaluation of Qualifications Submittal Documents concludes with determination of the submitted Qualifications Submittal having the highest total scores.

5.1.9. The Owner will issue an Evaluation Notice to identify the apparent high scoring Qualifications Submittal Documents on the date detailed in the RFQ Schedule of Events. The Evaluation Notice shall not create rights, interests, or claims of entitlements with any RFQ participant.

5.1.10. RFQ files will be available for public inspection as detailed in the RFQ Schedule of Events. The files remain open for public review from that date. Bid result information will be available upon opening of bids (Bid Date), as detailed in the RFQ Schedule of Events.

5.2. Protest Process

Any protests or appeals of protests pursuant to this RFQ or the Notice of Intent to Award shall be handled in accordance with the SBC By-laws, Policy and Procedure Item 18.

SBC Project No. 160/001-01-2015

STATEMENT OF CERTIFICATIONS AND ASSURANCES

The Respondent must sign and complete the Proposal Statement of Certifications and Assurances below as required, and it must be included in the Technical Proposal (as required by RFP Attachment 6.2., Technical Proposal & Evaluation Guide, Section A, Item A.2.).

The Proposer does, hereby, expressly affirm, declare, confirm, certify, and assure ALL of the following:

1. The Respondent will comply with all of the provisions and requirements of the RFQ.
2. The Respondent will provide all specified goods or services as required by the contract awarded pursuant to this RFQ.
3. The Respondent accepts and agrees to all terms and conditions set out in the contract awarded pursuant to this RFQ.
4. The Respondent acknowledges and agrees that a contract resulting from the RFQ shall incorporate, by reference, all Response responses as a part of the contract.
5. The Respondent will comply, as applicable, with:
   (a) the laws of the State of Tennessee;
   (b) the policies and procedures of the State Building Commission and the Office of the State Architect;
   (c) Title VI of the federal Civil Rights Act of 1964;
   (d) Title IX of the federal Education Amendments Act of 1972;
   (e) the Equal Employment Opportunity Act and the regulations issued there under by the federal government; and,
   (f) the Americans with Disabilities Act of 1990 and the regulations issued there under by the federal government.
6. To the best of the undersigned's knowledge, information or belief, the information detailed within the Response to the RFQ is accurate.
7. The Response submitted to the RFQ was independently prepared, without collusion, and under penalty of perjury.
8. No amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Respondent in connection with the request or any potential resulting contract.
9. The Response submitted in response to the RFQ shall remain valid for at least 120 days subsequent to the date of the Response opening and thereafter in accordance with any contract pursuant to the RFQ.

By signature below, the signatory certifies legal authority to bind the responding entity to the provisions of this RFQ and any contract awarded pursuant to it. The State may, at its sole discretion and at any time, require evidence documenting the signatory's authority to be personally bound or to legally bind the responding entity.

DO NOT SIGN THIS DOCUMENT IF YOU ARE NOT LEGALLY AUTHORIZED TO DO SO BY THE ENTITY RESPONDING TO THIS RFQ.

SIGNATURE & DATE: _____

PRINTED NAME & TITLE: _____

RESPONDENT LEGAL ENTITY NAME: _____

RESPONDENT FEDERAL EMPLOYER IDENTIFICATION NUMBER (or SSN): _____

QUALIFICATIONS & EVALUATION GUIDE

SECTION A: GENERAL BUSINESS REQUIREMENTS. The Respondent shall address all items detailed below and provide, in sequence, the information and documentation as required (referenced with the associated item references). The Respondent shall also detail the proposal page number for each item in the appropriate space below.

The RFQ Coordinator will review the proposal to determine if the General Business Requirement Items are addressed as required and mark each with Yes (Y) or No (N). For each item that is not addressed as required, the Proposal Evaluation Team shall review the proposal and attach a written determination. In addition to the General Business Requirement Items, the RFQ Coordinator will review each proposal for compliance with all RFQ requirements.

RESPONDENT LEGAL ENTITY NAME:			
Proposal Page # (Respondent completes)	**Item Ref.**	**Section A— General Business Requirements**	**Owner Use Only** **Responsive Y/N**
		The Technical Response must be delivered to the State no later than the Technical Response Deadline specified in the RFQ § 2, Schedule of Events.	
		The Technical Response must not contain cost or pricing information of any type.	
		The Technical Response must not contain any restrictions of the rights of the State or other qualification of the response.	
		A Respondent must not submit alternate responses.	
		A Respondent must not submit multiple responses in different forms (e.g. as a prime and a subcontractor).	
		Responsive to document layout details. Section and subsections partitioned with tabbed separation sheets. Tabs are labeled accordingly.	
	A.1.	Qualifications Submittal delivered as: One original and Six printed copies **and** One digital document in PDF format properly recorded on its own otherwise blank, standard CD-R recordable disc.	
	A.2.	**Statement of Certifications and Assurances:** Provide the Proposal Statement of Certifications and Assurances (RFQ Attachment 6.1.), completed and signed by an individual empowered to bind the Respondent to the provisions of this RFQ and any resulting contract. The document must be signed without exception or qualification.	

RESPONDENT LEGAL ENTITY NAME:			
Proposal Page # (Respondent completes)	**Item Ref.**	**Section A— General Business Requirements**	**Owner Use Only** **Responsive Y/N**
	A.3.	**<u>Response Package Cover Sheet:</u>** The outermost container displays Contractor Licensing information, with the Respondent's State of Tennessee Contractor's License Number, Classification, Expiration Date, and License Limit (Refer to RFQ Attachment 6.3.a.). The dollar limit on the license is sufficient to support the preliminary estimated construction cost for this Project.	
	A.4.	**<u>Conflict of Interest:</u>** Provide a statement, based upon reasonable inquiry, of whether the Respondent or any individual who will perform work under the contract has a possible conflict of interest (*e.g.*, employment by the State of Tennessee), and, if so, the nature of that conflict. NOTE: Any questions of conflict of interest shall be solely within the discretion of the Owner, and the Owner reserves the right to cancel any award.	
	A.5.	Provide an official document or letter from an accredited credit bureau, verified and dated within the last three months and indicating a positive credit rating for the Respondent (NOTE: A credit bureau report number without the full report is insufficient and will <u>not</u> be considered responsive).	
	A.6.	Detail the name, e-mail address, mailing address, telephone number, and facsimile number of the person the State should contact regarding the response.	
	A.7.	Describe the Respondent's form of business (*i.e.*, individual, sole proprietor, corporation, non-profit corporation, partnership, limited liability company), and business location (physical location or domicile).	
	A.8.	Detail the number of years the Respondent has been in business.	
	A.9.	Provide a statement of whether there have been any mergers, acquisitions, or sales of the Company within the last five years, and if so, an explanation providing relevant details.	
	A.10.	Provide a statement of whether the Respondent or, to the Respondent's knowledge, any of the Respondent's employees, agents, independent contractors, or subcontractors, proposed to	

RESPONDENT LEGAL ENTITY NAME:			
Proposal Page # (Respondent completes)	**Item Ref.**	**Section A— General Business Requirements**	**Owner Use Only** **Responsive Y/N**
		provide work on a contract pursuant to this RFQ, have been convicted of, pled guilty to, or pled *nolo contendere* to any felony. If so, include an explanation providing relevant details.	
	A.11.	Provide a statement of whether, in the last ten years, the Contractor has filed (or had filed against it), any bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors, and if so, an explanation providing relevant details.	
	A.12.	Provide a statement of whether there is any material, pending litigation against the Respondent that the Respondent should reasonably believe could adversely affect its ability to meet contract requirements pursuant to this RFQ or is likely to have a material adverse effect on the Respondent's financial condition. If such exists, list each separately, explain the relevant details, and attach the opinion of counsel addressing whether and to what extent it would impair the Respondent's performance in a contract pursuant to this RFQ. NOTE: All persons, agencies, firms, or other entities that provide legal opinions regarding the Respondent must be properly licensed to render such opinions. The Owner may require the Respondent to submit proof of such licensure detailing the state of licensure and licensure number for each person or entity that renders such opinions.	
	A.13.	**<u>Securities Exchange Commission:</u>** Provide a statement of whether there are any pending or in progress Securities Exchange Commission investigations involving the Respondent. If such exists, list each separately, explain the relevant details, and attach the opinion of counsel addressing whether and to what extent it will impair the Respondent's performance in a contract pursuant to this RFQ. NOTE: All persons, agencies, firms, or other entities that provide legal opinions regarding the Respondent must be properly licensed to render such opinions. The Owner may require the Respondent to submit proof of such licensure detailing the state of licensure and licensure number for each person or entity that renders such opinions.	
	A.14.	Provide a statement of whether the Respondent or, to the	

RESPONDENT LEGAL ENTITY NAME:			
Proposal Page # (Respondent completes)	**Item Ref.**	**Section A— General Business Requirements**	**Owner Use Only** **Responsive Y/N**
		Respondent's knowledge, any of the Respondent's employees, agents, independent contractors, or subcontractors, proposed to provide work on a contract pursuant to this RFQ, have been convicted of, pled guilty to, or pled *nolo contendere* to any felony. If so, include an explanation providing relevant details.	
	A.15.	Provide a statement and any relevant details addressing whether the Respondent is any of the following: (a) is presently debarred, suspended, proposed for debarment, or voluntarily excluded from covered transactions by any federal or state department or agency; (b) has within the past three years, been convicted of, or had a civil judgment rendered against the contracting party from commission of fraud, or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or grant under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; (c) is presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses detailed above; and; (d) has within a three year period preceding the contract had one or more public transactions (federal, state, or local), terminated for cause or default.	
State Use – RFQ Coordinator Signature, Printed Name & Date:			

End of Section A

QUALIFICATIONS & EVALUATION GUIDE

SECTION B: GENERAL QUALIFICATIONS & EXPERIENCE. The Respondent must address all items detailed below and provide, in sequence, the information and documentation as required (referenced with the associated item references). The Respondent must also detail the proposal page number for each item in the appropriate space below. Proposal Evaluation Team members will evaluate and assign one score for all responses to Section B— General Qualifications & Experience Items.

RESPONDENT LEGAL ENTITY NAME:		
Proposal Page # (Respondent completes)	**Item Ref.**	**Section B— General Qualifications & Experience Items**
	B.1.	Provide a brief statement indicating your firm's credentials to deliver the services required by this RFQ. Include your firm's license information, number of employees, type of client base, and location of offices. Name the location of the office that will be providing the required services sought by the RFQ.
	B.2.	Provide a Project Reference Form for each of no more than five projects (case studies), of similar scope and complexity, completed or being constructed by your firm. For each project (case study), complete the Project Reference Form (RFQ Attachment 6.3.b.). **<u>Project (case study) examples should include the following information:</u>** • Buildings of similar size to this Project (130,000 square feet); • Construction of a new museum; • Multi-phase Projects; • Challenges faced and process of how those challenges were met to ensure project was completed on time and in budget; and • Work evidencing public sector experience.
	B.3.	Provide a personnel roster listing the names of key people who the Respondent will assign to perform tasks required by this RFQ along with the estimated number of hours that each individual will devote to the required tasks. Follow the personnel roster with a résumé for each of the people listed. The résumé must detail the individual's title, education, current position with the Respondent, and employment history. Also, provide a personnel roster and résumés listing the names of the individuals who the Respondent will assign to provide back up support to the key team members.
	B.4.	Provide a table that identifies the personnel named in B.3 that worked on any projects named in B.2, and their job titles for those projects.
	B.5.	Provide documentation of the Respondent's commitment to diversity as represented by the following: (a) <u>Business Strategy</u>. Provide a description of the Respondent's existing programs

RESPONDENT LEGAL ENTITY NAME:		
Proposal Page # (Respondent completes)	**Item Ref.**	**Section B— General Qualifications & Experience Items**
		and procedures designed to encourage and foster commerce with business enterprises owned by minorities, women, Tennessee service-disabled veterans, and small business enterprises. Please also include a list of the Respondent's certifications as a diversity business, if applicable. (b) Business Relationships. Provide a listing of the Respondent's current contracts with business enterprises owned by minorities, women, Tennessee service-disabled veterans and small business enterprises. Please include the following information: (i) contract description and total value; (ii) contractor name and ownership characteristics (*i.e.*, ethnicity, gender, Tennessee service-disabled); and (iii) contractor contact name and telephone number. (c) Estimated Participation. Provide an estimated level of participation by business enterprises owned by minorities, women, Tennessee service-disabled veterans, and small business enterprises if a contract is awarded to the Respondent pursuant to this RFQ. Please include the following information: (i) a percentage (%) indicating the participation estimate. (Express the estimated participation number as a percentage of the total estimated contract value that will be dedicated to business with subcontractors and supply contractors having such ownership characteristics only and **DO NOT INCLUDE DOLLAR AMOUNTS**); (ii) anticipated goods or services contract descriptions; and (iii) names and ownership characteristics (i.e., ethnicity, gender, Tennessee service-disabled veterans), of anticipated subcontractors and supply contractors. NOTE: In order to claim status as a Diversity Business Enterprise under this contract, businesses must be certified by the Governor's Office of Diversity Business Enterprise (Go-DBE). Please visit the Go-DBE website at https://tn.diversitysoftware.com/FrontEnd/StartCertification.asp?TN=tn&XID=9265 for more information. (d) Workforce. Provide the percentage of the Respondent's total current employees by ethnicity and gender. NOTE: Respondents that demonstrate a commitment to diversity will advance State efforts to expand opportunity to do business with the State as contractors and

RESPONDENT LEGAL ENTITY NAME:		
Proposal Page # (Respondent completes)	**Item Ref.**	**Section B— General Qualifications & Experience Items**
		subcontractors. Response evaluations will recognize the positive qualifications and experience of a Respondent that does business with enterprises owned by minorities, women, Tennessee service-disabled veterans and small business enterprises and who offer a diverse workforce.
	B.6.	Continuous Improvement Process – Describe how customer feedback is received and provide copies of feedback received from the last five projects completed. The projects completed can include projects worked on with the Owner. If you do not have a continuous improvement process in place, please so state.
SCORE *(for all Section B—Qualifications & Experience Items above)*: *(maximum possible score = 50)*		
State Use – Evaluator Identification:		

End of Section B

QUALIFICATIONS & EVALUATION GUIDE

SECTION C: TECHNICAL QUALIFICATIONS, EXPERIENCE & APPROACH. The Respondent must address all items detailed below and provide, in sequence, the information and documentation as required (referenced with the associated item references). The Respondent must also detail the proposal page number for each item in the appropriate space below. Proposal Evaluation Team members will evaluate and assign one score for all responses to Section C— General Qualifications & Experience Items.

RESPONDENT LEGAL ENTITY NAME:		
Proposal Page # (Respondent completes)	**Item Ref.**	**Section C— Technical Qualifications, Experience & Approach Items**
	C.1.	Provide a narrative that illustrates the Respondent's understanding of the State's requirements and project schedule.
	C.2.	Provide a narrative that illustrates how the Respondent will complete the delivery of scope of services, accomplish required objectives, and meet the State's project schedule.
	C.3.	Provide a narrative that illustrates how the Respondent will manage the project, ensure delivery of specified goods or completion of the scope of services, and accomplish required objectives within the State's project schedule.
	C.4.	Quality Control: Describe how your firm implements quality control throughout the construction phases.
	C.5.	Provide a narrative on the Respondent's process and experience in working with other team members, including architects, engineers, and general contractors. [Insert team members Proposers will be working with on this projects]
	C.6.	Provide a narrative that illustrates how the Respondent will coordinate the [Insert project specific requirements that Proposers need to respond to – Example" Experience with Museum, Parking Garages, Startup of a New Facility, etc.].
SCORE *(for all Section C—Qualifications & Experience Items above)*: *(maximum possible score = 50)*		
State Use – Evaluator Identification:		
State Use – RFQ Coordinator Signature, Printed Name & Date:		

End of Section C

RESPONSE PACKAGE COVER SHEET

Best Value Procurement Option One

for

Structure and Roof Restoration at Rock Castle State Historic Site
CITY, COUNTY, Tennessee

SBC Project No.: 160/001-01-2015

Tennessee Contractor License Information

Any blank spaces may cause Proposal to be unacceptable and rejected.

Provide contractor license number, expiration date, and classifications for Respondent as applicable and in accordance with State of Tennessee licensing law.
Provide all names as used for licensing or other legal transactions.

Respondent Identification:

Respondent _____

Address _____

Tennessee Contractor License information:

License Number _____

License Classification(s) applicable to Project _____

License expiration date _____ $(_____)
Dollar Limit

Project Reference Form

Project # ☐

Utilize project reference forms with Section B, Qualifications and Experience, of the Qualifications and Evaluation Guide.

RESPONDENT NAME:	

Owner/Agency Name:_____

Address:_____ City:_____ State:_____ Zip:_____

Contact Person's Name:_____ Title:_____

Phone:_____ E-Mail:_____

Project Information:

Project Title:	
Owner's Project or Contract #:	
Project Location (City, State):	
Construction Start Date:	
Construction Completion Date:	
Project Square Footage (New):	
Project Square Footage (Renovation):	
Dollar Value of Construction: $	
Project Executive:	
Project Manager:	
Other Key Personnel (Project Lead and Team Members):	
Third Party Commissioning Agent (if used):	
Sustainability Criteria (if used):	

Project Reference Form

Project # ☐

***Utilize project reference forms with Section B, Qualifications and Experience, of the Qualifications and Evaluation Guide*.**

RESPONDENT NAME:	

A. Provide a brief description of the project that includes the scope of the work and the services provided by your firm. Relate the work in this project to the scope and required services contained in the RFQ.

RFQ

SCORE SUMMARY MATRIX FORMAT

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

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

$$\left(\frac{Respondent\ Average\ Score\ TotalHighest\ Average\ Score\ Total}{}\right) \times Maximum\ Points\ = Total\ Points$$

Calculations shall result in numbers rounded to two decimal places.

RFQ Coordinator _____ Date _____