REQUEST FOR COMPETITIVE SEALED PROPOSALS FOR A GENERAL CONTRACTOR

MD ANDERSON CANCER CENTER
UTMDA – Linac Vaults Renovation at GB.3600
MDACC Project No.: 130068/130071
RFP No.: 13-05211540/BD

PRE-SUBMITTAL CONFERENCE:
June 19, 2013, 3:30 PM Local Time
1515 Holcombe Blvd., Room B1.5065
Houston, Texas 77030

SUBMITTAL DUE DATE
JULY 8, 2013
2:00 PM LOCAL TIME

THE UNIVERSITY OF TEXAS
MD Anderson Cancer Center
Making Cancer History®

Prepared By:
MD Anderson Cancer Center
Sourcing & Contract Management
7007 Bertner Avenue, Suite 10.3212
Houston, Texas 77030
713-745-8300

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REQUEST FOR COMPETITIVE SEALED PROPOSALS
MD ANDERSON CANCER CENTER
UTMDA – Linac Vaults Renovation at GB.3600
130068/130071
RFP No.: **13-0521140/BD**

SECTION 1 – GENERAL INFORMATION AND REQUIREMENTS

1.1 GENERAL INFORMATION: The University of Texas MD Anderson Cancer Center ("Owner") is soliciting Competitive Sealed Proposals ("Proposals") for selection of a General Contractor firm for 130068/130071 UTMDA Linac Vaults Renovation at GB.3600 ("Project"), as authorized by Texas Education Code §51.783 and in accordance with the terms, conditions, and requirements set forth in this Request for Competitive Sealed Proposals ("RFP").

1.1.1 This Request for Competitive Sealed Proposals ("RFP") will be a one or two step process to select a General Contractor for the Project as provided by Texas Education Code §51.783(d). The RFP provides the information necessary to prepare and submit Competitive Sealed Proposals for consideration and ranking by the Owner.

1.1.2 The Owner may select the proposal that offers the "best value" for the institution based on the published selection criteria and on its ranking evaluation. In a second step of the process if used, up to five (5) Respondents may be requested to attend an interview with the owner to confirm their Proposal and answer additional questions. If interviews are requested, the Owner will then rank the Proposals submitted by the highest ranked Respondents in order to select the Respondent or Respondents offering the "best value" to the Owner based on the published selection criteria and on its ranking evaluation.

1.1.3 The Owner may first attempt to negotiate a contract with the selected Respondent. If the Owner is unable to reach a contract with the selected Respondent, the Owner may formally end negotiations with that Respondent and proceed to the next "best value" Respondent in the order of the selection ranking until a contract or contracts are executed or until all Proposals are rejected.

1.2 PUBLIC INFORMATION: All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001, *et seq.*) after the solicitation is completed.

1.2.1 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFP information.

1.3 TYPE OF CONTRACT: Any contract resulting from this solicitation will be in the form of the Owner's Standard General Contractor Agreement, a copy of which is attached to this RFP.

1.3.1 If awarded, the work will be awarded as a Lump-Sum contract to the Respondent offering the "best value" to the Owner.

1.4 CLARIFICATIONS AND INTERPRETATIONS: Any clarifications or interpretations of this RFP that materially affect or change its requirements will be issued by the Owner as an Addendum on the MD Anderson web site (http://www.mdanderson.org/departments/bids) or by the Project Architect/Engineer. It is the responsibility of all respondents to obtain this

information in a timely manner. All such Addenda issued by the Owner before the proposals are due as part of the RFP, and respondents shall acknowledge receipt of each Addendum to the RFP and/or the Bid Documents in its Proposal.

1.4.1 No oral explanation in regard to the meaning of the Bidding Documents will be made and no oral instructions will be given before the award of the contract. Discrepancies, omissions or doubts as to the meaning of Drawings and Specifications shall be communicated in writing to the Project Architect for interpretation. Any interpretation made will be in the form of an Addendum, which will be forwarded to all known plan holders and its receipt by the respondent shall be acknowledged on the Pricing and Delivery Proposal Form.

1.4.2 Respondents shall consider only those clarifications and interpretations to the Drawings and Specifications that the Project Architect issues by Addenda three (3) calendar days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Proposals.

1.5 SUBMISSION OF PROPOSALS:

1.5.1 The Owner will receive Base Proposals, Alternate Proposals, if any, Qualifications, and HUB Subcontracting Plan at the time and location described below.

JULY 8, 2013, 2:00 PM LOCAL TIME

Physical Address for Courier Delivery:
The University of Texas MD Anderson Cancer Center
Supply Chain Management
Mid Campus One Building (1MC)
7007 Bertner Avenue Suite 1MC 11.2339
Houston, Texas 77030
Attn: Bryan Dawson

1.5.1.1 Submit nine (9) identical copies of the Qualifications as described in Section 4 of this RFP.

1.5.1.2 Respondent must submit one (1) complete, virus free, exact copy of the RFP on a CD. The CD must be submitted in a SEALED envelope apart from the other bid documents and must be submitted at the same time the hard copy sealed documents are submitted. The envelope containing the CD must clearly be labeled "RFP" and have the name of the submitting firm, the project name, and the RFP number on both the sealed envelope and on the CD.

1.5.1.3 Respondent must submit one (1) complete copy of the Pricing and Delivery Proposal and Execution of Offer in a SEALED envelope apart from the other bid documents and must be submitted at the same time the hard copy sealed documents are submitted. The envelope must clearly be labeled with the name of the submitting firm, the project name, and the RFP number.

1.5.2 Submit the HUB Subcontracting Plan (HSP) as described in Section 4.1.2 of this RFP. All HUB Subcontracting Plans should be submitted by the bid closing date separate from the bid response in a SEALED Envelope, within the sealed response.

1.5.3 Base Proposals, Alternate Proposals, Qualifications or HUB Subcontracting Plans that are received late will be returned to the respondent unopened. The Point-of-Contact identified in Section 1.6 will identify the official time clock at the Proposal submittal location identified above.

1.5.4 The Owner will not acknowledge or receive Base Proposals, Alternate Proposals, Qualifications or HUB Subcontracting Plans that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

1.5.5 Properly submitted Base Proposals, Alternate Proposals, Qualifications or HUB Subcontracting Plans will not be returned to the respondents.

1.5.6 Base Proposals, Alternate Proposals, Qualifications and HUB Subcontracting Plans materials must be enclosed in a sealed envelope (box or container) addressed to the Point-of-Contact identified in Section 1.6; the package must clearly identify the submittal deadline, the RFP Number, and the name and return address of the Respondent.

1.5.7 Properly submitted Pricing and Delivery Proposals will be opened publicly and the names of the respondents will be read aloud after the HUB Subcontracting Plans are received and confirmed by the Owner.

1.6 POINT-OF-CONTACT: The Owner designates the following person, as its representative and Point-of-Contact for this RFP. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFP, including questions regarding terms and conditions, to the Point-of-Contact person.

Bryan Dawson
The University of Texas MD Anderson Cancer Center
Sourcing & Contract Management
Email: bdawson@mdanderson.org

1.6.1 The Owner designates the following person, as its Architect/Engineer representative regarding the technical Drawings and Specifications.

Richard Leyendecker, AIA, NCARB
Vice President | Senior Project Manager | Healthcare
HOK
2800 Post Oak Blvd., Suite 3700
Houston, Texas 77056
Phone: 713 623 7957
e-mail: Richard.leyendecker @hok.com

1.7 EVALUATION OF PROPOSALS: The evaluation of the Proposals shall be based on the requirements described in this RFP. Approximately **forty percent (40%)** of the evaluation will be based on the Respondent's Pricing and Delivery Proposal; the remaining evaluation will be based on the Respondent's qualifications. All properly submitted Proposals will be reviewed, evaluated, and ranked by the Owner.

1.8 OWNER'S RESERVATION OF RIGHTS: The Owner may evaluate the Proposals based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Proposals and re-solicit for new Proposals, or to reject any and all Proposals and temporarily or permanently abandon the Project. Owner

makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFP for any project and no such representation is intended or should be construed by the issuance of this RFP.

1.8.1 Respondent understands and agrees that this RFP and any subsequent Agreement ensuing from this RFP is contingent upon approval by Owner, The University of Texas Board of Regents, and the Texas Higher Education Coordinating Board. Respondent understands and agrees that Owner has made no representation, written or oral, that any such approvals will actually be obtained. If any such approvals are not obtained, Respondent understands and agrees that this RFP and any subsequent Agreement ensuring from this RFP will be null, void, and of no effect.

1.9 ACCEPTANCE OF EVALUATION METHODOLOGY: By submitting its Proposals in response to this RFP, the Respondent accepts the evaluation process and acknowledges and accepts that determination of the "best value" Respondent will require subjective judgments by the Owner.

1.9.1 The Owner reserves the right to consider any Proposal "non-responsive" if the Base Proposal Cost is determined to be unreasonable or irresponsible in relation to the other submitted Proposals and/or the Owner's estimate of the construction cost.

1.10 NO REIMBURSEMENT FOR COSTS: Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFP process shall be at the sole risk and responsibility of the respondent. Respondents submit Proposals at their own risk and expense.

1.11 PRE-PROPOSAL CONFERENCE: A pre-proposal conference will be held at the time and location described below.

June 19, 2013, 3:30 PM local time

The University of Texas MD Anderson Cancer Center
1515 Holcombe Blvd.
Main Building, Room B1.5065 (Radiation Oncology Planning Clinic)
Houston, Texas 77030

1.11.1 A guided tour of the project site **will** be included as a part of the conference agenda. This may be the only opportunity for potential respondents to view the project site before the submittal of Proposals. Attendance at the pre-proposal conference is optional.

1.12 ELIGIBLE RESPONDENTS: Only individual firms or lawfully formed business organizations may apply (This does not preclude a respondent from using consultants.) The Owner will contract only with the individual firm or formal organization that submits a Proposal.

1.13 HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS: It is the policy of The University of Texas System, and each of its component institutions, to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, the Owner has adopted Policy on Utilization of Historically Underutilized Businesses (included in the Bidding Documents). The Policy applies to all contracts with an expected value of $100,000 or more. If Owner determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the Proposals. Failure to submit a required HUB Subcontracting Plan will result in rejection of the Proposals.

1.13.1 STATEMENT OF PROBABILITY

Owner has determined that subcontracting opportunities are probable in connection with this procurement solicitation. Therefore, a HUB Subcontracting Plan (HSP) is required as a part of the respondent's Qualifications. The respondent shall develop and administer a HSP as a part of the respondent's Qualifications in accordance with the Owner's Policy on Utilization of Historically Underutilized Businesses (HUB).

1.13.2 The HUB Subcontracting goal for this project is twenty-one point one percent (21.1%). Respondents are expected to make a good faith effort meeting this goal.

1.13.3 All HUB Subcontracting Plans must be submitted by the bid closing date SEPARATE from the bid response in a SEALED Envelope.

1.13.4 Refer to Policy on Utilization, Historically Underutilized Business (attached) and the Summary of Requirements for a detailed list of attachments required with the Qualifications.

1.13.5 The "Statement of Probability" determines the probability for subcontracting opportunities. This determination will clarify which attachments, detailed in Figure 1, will be required to be completed and returned.

1.13.6 Submit the HUB Subcontracting Plan as described in Section 4.1.2 of this RFP**.**

1.14 NOT USED.

1.15 SALES AND USE TAXES: Section 151.311, Tax Code, as amended effective October 1, 1993, permits the purchase free of state sales and use taxes of tangible personal property to be incorporated into realty in the performance of a contract for an improvement to realty for certain exempt entities that include The University of Texas System. The section further permits the purchase tax-free of tangible personal property (other than machinery or equipment and its accessories and repair and replacement parts) for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."

1.16 CERTIFICATION OF FRANCHISE TAX STATUS: Respondents are advised that the successful respondent will be required to submit certification of franchise tax status as required by State Law (H.B. 175, Acts 70th Leg. R.S., 1987, Ch. 283, p. 3242). The Respondent further agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.

1.17 REQUIRED NOTICES OF WORKERS' COMPENSATION INSURANCE COVERAGE: The Texas Workers' Compensation Commission has adopted a new rule, 28 TAC, sec. 110.110, relating to REPORTING REQUIREMENTS FOR BUILDING OR CONSTRUCTION PROJECTS FOR GOVERNMENTAL ENTITIES. The rule applies to all building or construction contracts advertised for bid on or after September 1, 1994. The rule implements sec. 406.096, Texas Labor Code, which requires workers' compensation insurance coverage for all persons providing services on a building or construction project for a governmental entity. The

requirements of the rule are set forth in the Uniform General and Supplementary General Conditions for The University of Texas System Building Construction Contracts.

1.18 PREVAILING MINIMUM WAGE RATE DETERMINATION: Respondents are advised that the Texas Prevailing Wage Law will be administered in accordance with the policies and procedures set forth in the U. T. System document, entitled "Prevailing Wage Guidelines." A copy is attached to the Special Conditions. The penalty for violation of prevailing wage rates has been increased from $10.00 per underpaid worker per day or portion thereof to $60.00.

1.19 DELINQUENCY IN PAYING CHILD SUPPORT: Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.

1.20 FINANCIAL COMMITMENT: The University of Texas MD Anderson Cancer Center is an institution of The University of Texas System, which consists of nine universities and six health institutions.

1.20.1 Each UT System campus is a financially separate entity and shall be solely responsible for the financial commitments of that institution.

SECTION 2 – EXECUTIVE SUMMARY

2.1 HISTORICAL BACKGROUND:

MD Anderson is known throughout the world for high-quality cancer care, research, academic programs and prevention services. Since its establishment in 1941, MD Anderson has made major contributions to improve the outlook for cancer patients everywhere.

MD Anderson was one of the first three federally designated comprehensive cancer centers by the National Cancer Act of 1971. A survey of health professionals has routinely ranked MD Anderson as one of the two premier cancer centers in the nation for the past eight years. Over 55,000 persons annually seek care at MD Anderson. The team approach to cancer care, pioneered at MD Anderson, has been strengthened by consolidating specialty clinics into multi-disciplinary care centers that allow patients to receive more ambulatory care and treatment in a single location.

MD Anderson offers one of the largest bone marrow and stem cell transplantation programs, as well as clinical trials to improve existing therapies. Teams of clinical specialists collaborate with scientists on problems of common interest and test theories that shorten the application of better treatment methods. Translational research studies are responsible for the promising field of chemoprevention, which uses synthetic vitamins to reverse pre-malignant lesions and halt the recurrence of some cancers, and for innovative gene therapy strategies being evaluated for several forms of cancer.

With faculty and staff working in more than 30 buildings in the greater Houston area and in central Texas, MD Anderson is the largest freestanding cancer center in the world. The physical plant covers more than 11 million square feet, featuring the latest equipment and facilities to

support growing needs in outpatient and inpatient care, research, prevention and education. It includes inpatient hospital facilities with 571 beds.

Construction projects include the addition of 12 floors that can accommodate more than 300 new inpatient beds in Alkek Hospital on the North Campus; two new research buildings on the South Campus that will house the Center for Advanced Biomedical Imaging Research and Center for Targeted Therapy as part of the McCombs Institute; and MD Anderson's first facility on its Mid Campus, a 25-story building to support current office space and future growth needs.

In addition to its main campus in the Texas Medical Center and two research campuses in Bastrop County, Texas, MD Anderson has developed a number of local, national and international affiliations.

2.2 MISSION STATEMENT:

Mission. The mission of MD Anderson is to eliminate cancer in Texas, the nation and the world through outstanding integrated programs in patient care, research, education and prevention.

Vision. We shall be the premier cancer center in the world, based on the excellence of our people, our research-driven patient care and our science. We are Making Cancer History.

Core Values.

- Caring: By our words and actions, we create a caring environment for everyone.
- Integrity: We work together to merit the trust of our colleagues and those we serve.
- Discovery: We embrace creativity and seek new knowledge.

2.3 PROJECT DESCRIPTION AND SCOPE:

This project consists of renovation of two (2) linear accelerator vaults, immediately adjacent to each other, for installation of new linear accelerators. MD Anderson will remove the existing linear accelerators, exclusive of base frame and turntable, prior to Contractor's arrival on the site.

All existing improvements to the vaults and control console will be demolished and replaced with new materials and improvements. Supplementary shielding in the form of interlocking lead brick will be required.

This project will take place within the confines of an operating Radiotherapy Treatment Clinic. Maintaining an environment which fosters a safe and comfortable environment for patients, as well as continuation of on-going clinical operations is of paramount importance.

2.4 PROJECT PLANNING SCHEDULE:

The following anticipated dates are for planning purposes only (if there is a conflict between the dates below and the Proposal Form, the duration shown on the Proposal Form shall govern). The contractual dates required by the Owner of the "best value" respondent will be identified in the executed agreement.

▪ Owner conducts Pre-Submittal Conference	Refer to Section 1.11
▪ Last Day to submit Request for Information 4:00 PM CST	June 21, 2013
▪ Response to RFI posted to Internet	June 25, 2013
▪ Owner receives Proposals and HUB Subcontracting Plan	Refer to Section 1.5

- Owner determines Contractor offering "Best Value" August 6, 2013
- Selected Contractor delivers executed Agreement to Owner August 22, 2013
- Owner issues Notice to Proceed with Construction September 9, 2013
- Contractor achieves Substantial Completion December 23, 2013
- Contractor achieves Final Completion April 14, 2013

2.5 CONSTRUCTION DOCUMENTATION:

Construction Documents, Issued for Bid & Construction, are available for purchase at:

A&E – The Graphics Complex
4235 Richmond Ave.
Houston, Texas 77027
Phone: 713-579-1007
Attn.: Ken Quartey
E-mail:ken.quartey@aecomplex.com

Interested bidders will not be reimbursed for costs associated with obtaining copies of construction documents.

SECTION 3 – REQUIREMENTS FOR COMPETITIVE SEALED PROPOSALS

Respondents shall carefully read the information contained in the following criteria and submit a complete statement of Proposals to all questions in Section 3 formatted as directed in Section 4. Incomplete Proposals will be considered non-responsive and subject to rejection.

3.1 CRITERIA ONE: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION SERVICES

3.1.1 Demonstrate the Respondent's understanding of the scope of this Project by including a narrative describing the respondent's understanding of the scope of the Work. Specifically address respondent's understanding of:

- The tolerances required for calibration of the linear accelerator
- Requirements and schedule for final inspection of the vault in preparation for delivery and installation of the linear accelerator.
- Support required by MDACC and Elekta from respondent during delivery and installation of the linear accelerator.
- Challenges associated with construction of this project in an operating radiotherapy clinic.
- Requirements associated with maintenance of indoor air quality and environmental conditions.

3.1.2 Provide a statement on the availability and commitment of the respondent, its principal(s) and assigned professionals to undertake the Project.

3.2 CRITERIA TWO: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES

3.2.1 Provide the following information on your firm for the past **five** (5) fiscal years:

Volume

- Annual number, value and percent change of contracts in Texas per year;

- Annual number, value and percent change of contracts nationally per year;

Revenues

- Annual revenue totals and percent change per year;

Bonding

- Total bonding capacity;
- Available bonding capacity and current backlog;

3.2.2 Attach a letter of intent from a surety company indicating your firm's ability to bond for the entire construction cost of the project. The surety shall acknowledge that the firm may be bonded for the full amount of the project. Bonding requirements are set forth in the Agreement and in the Uniform General and Supplementary General Conditions for The University of Texas System Building Construction Contracts.

3.2.3 Identify if your firm is currently for sale or involved in any transaction to expand or to become acquired by another business entity. If so, please explain the impact both in organization and company direction.

3.2.4 Provide details of any past or pending litigation, or claims filed, against your firm that may affect your performance under a Contract with the Owner.

3.2.5 Identify if your firm is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity. If so, specify date(s), details, circumstances, and prospects for resolution.

3.2.6 Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any Owner employee, officer or Regent? If so, please explain.

3.3 CRITERIA THREE: QUALIFICATIONS OF CONSTRUCTION TEAM

3.3.1 Provide resumes of the Respondent's team that will be directly involved in the Project, including their experience with similar projects, the number of years with the firm, and their city of residence. Include as applicable; Project Managers, Superintendents, Assistant Project Managers and Superintendents, Expeditors, Project Scheduler, Quality Control Inspectors, Safety Coordinator / Assistant, Carpenter Forman, and Labor Forman.

3.3.2 For the each team member identified above, provide his/her current status, and when each team member will be available to provide Construction Services for this Project.

3.3.3 Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for each team member to be directly involved in the Project. Indicate the estimated percent of time these team members will be involved in the Construction Services.

3.3.4 Identify the mechanical, electrical, and plumbing subcontractors included as part of this proposal, including their experience with similar projects, the number of years with the firm, and their city of residence.

3.3.5 Provide resumes of the Project Manager and Superintendent that will be directly involved in the Project for the mechanical, electrical, and plumbing subcontractors, including their experience with similar projects, the number of years with the firm, and their city(s) of residence.

3.3.6 Identify the proposed flooring and millwork subcontractors included as part of this proposal, including their experience with similar projects.

3.4 CRITERIA FOUR: RESPONDENT'S PAST PERFORMANCE ON REPRESENTATIVE PROJECTS

3.4.1 Identify and describe the Construction Team's past experience for providing Construction Services that are most similar to this project within the last five (5) years. List the projects in order of priority, with the most similar project listed first. Provide the following information for each project listed:

- Project name, location, contract delivery method, and description
- Color images (photographic or machine reproductions)
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed, Substantial Completion, and Final Payment dates for Construction Services
- Name of Project Manager (individual responsible to the Owner for the overall success of the project)
- Name of Project Superintendent (individual responsible for coordinating the day to day work)
- Names of Mechanical, Plumbing and Electrical Subcontractors

References (for each project listed above, identify the following):

- The Owner's representative who served as the day-to-day liaison during construction, including telephone number
- Architect/Engineer's name and representative who served as the day-to-day liaison during construction, including telephone number
- Length of business relationship with the Owner

References shall be considered relevant based on specific project participation and experience with the respondent. The Owner may contact references during any part of this process. The Owner reserves the right to contact any other references at any time during the RFP process.

3.4.2 Attachedis a draft copy of the Competitive Sealed Proposal Agreement for Owner. Identify any terms of the Agreement you will require to be changed prior to signing the Owner's Competitive Sealed Proposal Agreement.

3.4.3 Identify a maximum of three (3) completed projects, of any type, for which your firm has received an award for construction excellence from a recognized organization and provide descriptive information for each.

3.5 CRITERIA FIVE: RESPONDENT'S PAST PERFORMANCE ON U.T. SYSTEM PROJECTS

3.5.1 Identify and describe the Construction Team's past experience for providing Construction Services on University of Texas System projects within the last five (5) years.

If the respondent has not previously provided Construction Services for The University of Texas System, then identify and describe the respondent's past performance on Construction

projects for "major" institutions of higher education (or similar) within the last five (5) years. Projects may repeat with Section 3.3 above.

In either case above, provide the following information for each project listed:

- Project name, location, contract delivery method, and description
- Color images (photographic or machine reproductions)
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed, Substantial Completion, and Final Payment dates for Construction Services
- Name of Project Manager (individual responsible to the Owner for the overall success of the project)
- Name of Project Superintendent (individual responsible for coordinating the day to day work)
- Names of Mechanical, Plumbing and Electrical Subcontractors

3.6 CRITERIA SIX: RESPONDENT'S PROJECT PLANNING AND SCHEDULING FOR THIS PROJECT

3.6.1 Provide a CPM Milestone schedule for this Project as described in Owner Specification Section 01 32 00 using the Project Planning Schedule and identify specific critical process, phases, milestones, approvals, and procurements anticipated. Clearly identify the 10% Total Project Float required during the Construction Phase.

3.6.2 Describe what you perceive are the critical Construction issues for this Project.

3.6.3 Describe your approach to assuring timely completion of this project, including methods for schedule recovery, if necessary. From any three (3) of the projects listed in response to Section 3.3 or 3.4 of this RFP, provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.

3.6.4 This Project will occur within an operating clinic which provides Radiation Therapy. Treatments may begin as early as 5:30 AM, and continue as late as 9:00 PM, Monday through Friday. Additionally, treatments may take place on Saturday and Sunday mornings, commencing at 7:30 AM and ending at approximately 1:00 PM, or whenever the last patient treatment is complete. Describe the approach that will be used to maintain clinical operations during construction of this project. Respondent shall specifically address how noise complaints during treatment hours will be addressed, and who on the Respondent's team is authorized to halt work which generates a noise complaint.

3.6.5 As previously stated herein, MD Anderson is engaged in the treatment of cancer. The protocols utilized for treatment of the various forms of cancer often compromise the patient's immune system. Describe respondent's understanding of the risks to MD Anderson's patient population associated with construction of this project, and the steps and procedures that respondent will utilize to mitigate that risk.

3.6.6 Scheduling of the work of this contract is the very essence of this project. Failure to meet construction deadlines can result in long term delays in installation and commissioining of the new linear accelerators, and returning the rooms to revenue producing status. Provide the name of the person in the respondent's organization who has final authority over scheduling

of the Work, what steps that person is empowered to undertake to recover lost time, and how that person will monitor construction progress.

3.7 CRITERIA SEVEN: RESPONDENT'S QUALITY CONTROL AND COMMISSIONING PROGRAM FOR THIS PROJECT

3.7.1 Describe your quality control program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from any of three (3) projects listed in response to Section 3.3 or 3.4 of this RFP.

3.7.2 Describe how your quality control team will measure the quality of construction and commissioning performed by trade Subcontractors as required by Owner specifications on this Project, and how will you address non-conforming work.

3.7.3 Describe how you have maintained security during the construction of an occupied facility listed in Section 3.3 or 3.4 of this RFP.

3.7.4 Describe your past experience dealing with congested campuses/site conditions for any project listed in Section 3.3 or 3.4 of this RFP.

3.7.5 Provide examples of records, reports, monitoring systems, and information management systems you will use on this Project.

3.7.6 Describe your plans for infection control in an occupied, fully functional hospital facility.

3.7.7 Describe your approach to coordinating inspections and approvals with the State Fire Marshall regarding approval of life safety systems.

3.7.8 Describe your Best Management Practices for containing storm water run-off as required by the Environmental Protection Agency's National Pollutant Discharge Elimination System and The University of Texas Systems Storm Water Pollution Prevention Program.

3.8 CRITERIA EIGHT: RESPONDENT'S PROJECT SAFETY PROGRAM FOR THIS PROJECT

3.8.1 Describe your job site safety program for this Project and specific safety policies in which employees must be in compliance.

3.8.2 Identify any deaths that have occurred on a project site controlled by your firm, or any subcontractor(s) (at any contractual level), that had a death on your project site? If so, describe how you have revised your program.

3.8.3 Identify the proposed safety management team members for Construction services. Identify their intended percent of monthly involvement and duration for this Project. Include all details necessary to demonstrate the credentials required by Project Safety specification.

3.8.4 Describe the methodology, including any technology or other assets, that the firm intends to use for prevention and/or control of incidents and insurance claims on this Project.

3.8.5 Identify (in separate figures) the percentage of the Construction Cost that is to be included in the Project General Conditions for each of the following pieces of the Project Safety Program:

- on-site safety education & training,
- personal protective equipment, signage, and hardware,
- first aid and emergency response equipment,
- safety incentives and recognition,
- contingency for post incident drug testing and incident management costs
- Miscellaneous other safety-related expenses (NOTE: DO NOT LIST items that will appear elsewhere in the Project's General Conditions; office equipment, salaries, etc.)

3.8.6 Briefly describe the firm's approach for anticipating, recognizing and controlling safety risks and note the safety resources that the firm provides for each project's Safety program.

3.8.7 Describe the level of importance for Enforcement and Support of Project Safety that the firm includes in performance evaluations for Superintendents and Project Managers.

3.8.8 Describe the Safety and Insurance/Claims History information and weighting that the firm includes in the submission and award process for "best value" Subcontracts.

3.8.9 For all projects that the firm has managed (or co-managed) in the past five (5) years, list and describe all events or incidents that have reached any of the following levels of severity:
- Any occupational illness or injury that resulted in death or total and permanent disability
- Three occupational illnesses or injuries that resulted in hospital admittances
- Explosion, fire or water damage that claimed 5% of the project's construction value
- Failure, collapse, or overturning of a scaffold, excavation, crane or motorized mobile equipment when workers were present at the project

3.9 CRITERIA NINE: RESPONDENT'S WARRANTY AND SERVICE SUPPORT PROGRAM FOR THIS PROJECT

3.9.1 Describe your warranty service support philosophy and warranty service implementation plan for this Project.

3.9.2 Describe how you will measure the quality of service provided to the Owner for this Project.

3.9.3 Provide reference letters from three (3) Owners (other than U.T. System) identified in Sections 3.3 OR 3.4 of the previously issued RFP that describe your response to, and performance on, warranty services AFTER substantial completion.

3.10 CRITERIA TEN: RESPONDENT'S PRICING AND DELIVERY PROPOSAL

3.10.1 Complete the "Respondent's Pricing and Delivery Proposal" included with the Bidding Documents.

SECTION 4 – FORMAT OF PROPOSALS

4.1 GENERAL INSTRUCTIONS

4.1.1 Proposals shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFP. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.

4.1.2 Proposals shall be a MAXIMUM OF FIFTY (50) PRINTED PAGES. The cover, table of contents, divider sheets, HUB Subcontracting Plan (Section 1.13), Pricing and Delivery Proposal, and Execution of Offer do not count as printed pages. Each bound copy must be in the following order.

- Cover
- Cover Letter
- Table of Contents
- CRITERIA ONE: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION SERVICES
- CRITERIA TWO: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES
- CRITERIA THREE: QUALIFICATIONS OF CONSTRUCTION TEAM
- CRITERIA FOUR: RESPONDENT'S PAST PERFORMANCE ON REPRESENTATIVE PROJECTS
- CRITERIA FIVE: RESPONDENT'S PAST PERFORMANCE ON U.T. SYSTEM PROJECTS
- CRITERIA SIX: RESPONDENT'S PROJECT PLANNING AND SCHEDULING FOR THIS PROJECT
- CRITERIA SEVEN: RESPONDENT'S QUALITY CONTROL AND COMMISSIONING PROGRAM FOR THIS PROJECT
- CRITERIA EIGHT: RESPONDENT'S PROJECT SAFETY PROGRAM FOR THIS PROJECT
- CRITERIA NINE: RESPONDENT'S WARRANTY AND SERVICE SUPPORT PROGRAM FOR THIS PROJECT
- **RESPONDENT'S PRICING AND DELIVERY PROPOSAL AND EXECUTION OF OFFER - Respondent's Pricing and Delivery Proposal and Execution of Offer must be submitted at the same time the sealed proposal/bid is submitted. The envelope containing these documents must clearly be labeled and marked with the project name and the bid/proposal number.**
  HUB SUBCONTRACTING PLAN –The HUB Subcontracting Plan must be submitted at the same time the sealed proposal/bid is submitted. The envelope containing the HUB Subcontracting Plan must clearly be labeled "HUB Subcontracting Plan", and marked with the project name and the bid/proposal number.

4.1.3 Respondents shall carefully read the information contained in this RFP and submit a complete response to all requirements and questions as directed. Incomplete Proposals will be considered non-responsive and subject to rejection.

4.1.4 Proposals and any other information submitted by respondents in response to this RFP shall become the property of the Owner.

4.1.5 Proposals that are qualified with conditional clauses, alterations, items not called for in the RFP documents, or irregularities of any kind are subject to rejection by the Owner, at its option.

4.1.6 The Owner makes no representations of any kind that an award will be made as a result of this RFP. The Owner reserves the right to accept or reject any or all Proposals , waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFP when deemed to be in Owner's best interest.

4.1.7 Proposals shall consist of answers to questions identified in Section 3 of the RFP. Separate each section of the Qualifications by use of a divider sheet with an integral tab for ready reference. Identify the tabs in accordance with the parts under Section 3, which is to be consistent with the Table of Contents. TAB IDENTIFICATION BY NUMBERS ONLY IS NOT ACCEPTABLE.

4.1.8 Failure to comply with all requirements contained in this Request for Proposals may result in the rejection of the Proposals.

4.2 PAGE SIZE, BINDING, DIVIDERS AND TABS:

4.2.1 Proposals shall be printed on letter-size (8-1/2" x 11") paper and assembled with spiral-type bindings or staples. DO NOT USE METAL-RING HARD COVER BINDERS.

4.2.2 Additional attachments shall NOT be included with the Proposals. Only the responses provided by the Respondent to the questions identified in Section 3 of this RFP will be used by the Owner for evaluation.

4.2.3 Separate and identify each criteria response to Section 3 of this RFP by use of a divider sheet with an integral tab for ready reference.

4.3 TABLE OF CONTENTS:

4.3.1 Submittals shall include a "Table of Contents" and give page numbers for each part the Qualifications.

4.4 PAGINATION:

Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.); the Respondent is not required to number the pages of the HUB Subcontracting Plan.

SECTION 5 – ATTACHMENTS TO THE PROPOSAL

5.1 Attachment A – Draft Agreement

5.2 Attachment B - Rider 1 to the Agreement; Joint Commission

5.3 Attachment C – Rider 104; Policy on Utilization of Historically Underutilized Businesses

5.4 Attachment D – Rider 105; Vendor Affirmation

5.5 Attachment E – Rider 106; Premises Rules

5.6 Attachment F – Rider 107; Travel Policy

5.7 Attachment G – Rider 116; Invoice Payment Requirements

5.8 Attachment H – Rider 117; Compliance with Institutional Policies

5.9 Attachment I – Request for Information

5.10 Attachment J – Respondent's Pricing and Delivery Proposal

5.11 Attachment K – 2010 Uniform General and Supplementary General Conditions