

**REQUEST FOR QUALIFICATIONS FOR  
CONSTRUCTION MANAGER-AT-RISK**

**MD ANDERSON CANCER CENTER  
Mays Clinic – Replace Outside Air Handling Units  
MD Anderson Project No.: FPDC-150269  
RFQ No.: 160331905**

**PRE-SUBMITTAL CONFERENCE:**

June 1, 2016  
Fannin Holcombe Building  
6900 Fannin  
Conference Room FHB 3.1021  
Houston, TX 77030

**SUBMITTAL DEADLINE:**

June 20, 2016 @ 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, Suite 1MC11.2339  
Houston, Texas 77030  
713-745-8300

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**MD ANDERSON CANCER CENTER**  
Mays Clinic – Replace Outside Air Handling Units  
FPDC-150269  
RFQ No.:160331905

**SECTION 1 – GENERAL INFORMATION & REQUIREMENTS**

- 1.1 **GENERAL INFORMATION:** The University of Texas MD Anderson Cancer Center (“Owner”) is soliciting statements of qualifications (“Qualifications”) for selection of a Construction Manager at Risk for Owner’s Project No. FPDC-150269, Mays Clinic – Replace Outside Air Handling Units (“Project”), in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications.
- 1.1.1 This Request for Qualifications (“RFQ”) is the first step in what may be up to a three step process for selecting a Construction Manager at Risk for the Project as provided by Texas Education Code §51.782(e). This RFQ provides the information necessary to prepare and submit Qualifications for consideration and initial ranking by the Owner. Based on the initial ranking, the Owner may select up to five (5) of the top-ranked Qualification respondents to participate in the second step of the process, Request for Proposals.
- 1.1.2 In the second step of the process, Request for Proposals (“RFP”), the top-ranked Qualifications respondents as identified in Section 1.1.1 will be required to submit additional information to the Owner, including fee proposals and proposed limitations on general conditions costs (“Proposals”). The Owner will rank the Proposals in the order that they provide the apparent “best value” for the Owner based on the published selection criteria and on the ranking evaluations.
- 1.1.3 In the third step of the process, Interviews, the top-ranked respondents may be required to attend an interview with the Owner to confirm its Proposal and answer additional questions. The Owner will then rank the remaining top-ranked, respondents in order to determine the the “best value” offer.
- 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 agreement is executed.
- 1.2.1 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.
- 1.3 **TYPE OF AGREEMENT:** Any agreement resulting from this solicitation will be in the form of the Owner’s standard Agreement Between Owner and Construction Manager-at-Risk Agreement, a draft of which is attached to this RFQ (Draft Agreement).
- 1.3.1 Time is of the essence for this Project. Any request to modify any terms or conditions of the Draft Agreement or any of its attachments, riders and exhibits will be taken into consideration before awarding an Agreement to any Respondent.

- 1.3.2 In anticipation of the second step, Request for Proposals (RFP), see Section 1.1.2, Respondent should carefully review the attached Draft Agreement and all of its attachments, riders and exhibits. Respondents understand and agree that the second step will require the Respondent to clearly communicate all terms and conditions of the Owner's Draft Agreement (Including all attachments, riders and exhibits) in writing that Respondent will require to be changed before Respondent will sign the Agreement.
- 1.3.3 Respondents selected to participate in the second step must provide written attestation of its willingness to accept Owner's complete Draft Agreement without change or modification or if Respondent will require changes, Respondent must provide all actual draft language it proposes for each change requested. In addition to proposed edits, Respondent must provide a reasonable and articulable explanation why Respondent requests each change. Redlining Owner's Agreement or providing a statement with the intent or an implication that the agreement will require further discussion or negotiation will not be considered sufficient as a reasonable request for change and will negatively impact Respondents overall ranking.
- 1.4 **CLARIFICATIONS AND INTERPRETATIONS:** Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted by the Owner as an addendum on the MD Anderson web site (<http://www.mdanderson.org/departments/bids>). It is the responsibility of each respondent to obtain this information in a timely manner. All such addenda issued by the Owner before the Qualifications are due are part of the RFQ, and respondents shall acknowledge receipt of and incorporate each addendum into its Qualifications.
- 1.4.1 Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda three (3) 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 Qualifications.
- 1.5 **SUBMISSION OF QUALIFICATIONS:**
- 1.5.1 **DEADLINE AND LOCATION:** The Owner will receive Qualifications at the time and location described below.
- June 16, 2016 at 2:00 PM LOCAL TIME**
- Physical Address for Courier Delivery:**  
The University of Texas MD Anderson Cancer Center  
Facilities Planning Design & Construction  
6900 Fannin, Suite FHB3.1021  
Houston, Texas 77030  
Attn: John Wroth
- 1.5.2 Submit **SEVEN (7)** identical copies of the Qualifications. An original signature must be included on the "Respondent's Statement of Qualifications and Ability To Undertake The Project" document submitted with each copy.
- 1.5.3 Respondent must submit one (1) complete, virus free, exact copy of its Qualifications on a CD. The CD must be submitted in a SEALED envelope apart from the other solicitation 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 "Qualifications" and have the name of the submitting firm, the project name, and the RFQ number on both the sealed envelope and on the CD.

- 1.5.4 Submit the Letter of HUB Commitment as described in Section 4.1.2 of this RFQ. The Letter of HUB Commitment shall be submitted by the Submittal Deadline separate from the Qualifications in a SEALED Envelope within the sealed response.
- 1.5.5 Qualifications received after the Submittal Deadline will be returned to the respondent unopened.
- 1.5.6 The Owner will not acknowledge or receive Qualifications that are delivered by telephone, facsimile transmission (fax), or electronic mail (e-mail).
- 1.5.7 Properly submitted Qualifications will not be returned to respondents.
- 1.5.8 Qualifications materials must be enclosed in a sealed envelope (box or container) addressed to the Point of Contact person. The package must clearly identify the Submittal Deadline, the RFQ number, and the name and return address of the respondent.
- 1.5.9 Properly submitted Qualifications will be opened publicly and the names of the respondents will be read aloud.
- 1.6 **POINT-OF-CONTACT:** The Owner designates the following person, as its representative and Point-of-Contact for this RFQ. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ, including questions regarding terms and conditions, to the Point-of-Contact person.

John Wroth  
The University of Texas MD Anderson Cancer Center  
Sourcing & Contract Management  
Email: jswroth@mdanderson.org
- 1.7 **EVALUATION OF QUALIFICATIONS:** The evaluation of the Qualifications shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by the Owner. Up to five of the top-ranked respondents will be selected by the Owner to participate in step two of the selection process.
  - 1.7.1 Qualifications shall not include any information regarding respondent's fees, pricing, or other compensation. Such information will be solicited from firms selected by the Owner to participate in step two of the selection process.
- 1.8 **OWNER'S RESERVATION OF RIGHTS:** The Owner may evaluate the Qualifications 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 Qualifications and re-solicit for new Qualifications, or to reject any and all Qualifications 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 RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.
  - 1.8.1 Respondent understands and agrees that this RFQ and any subsequently executed agreement ensuing from this RFQ 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 RFQ and any subsequently executed agreement ensuing from this RFQ will be null, void, and of no effect.

- 1.9 ACCEPTANCE OF EVALUATION METHODOLOGY: By submitting its Qualifications in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of the top-ranked firm(s) will require subjective judgments by the Owner.
- 1.10 NO REIMBURSEMENT FOR COSTS: Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this selection process shall be at the sole risk and responsibility of the respondent. Respondents submit Qualifications and Proposals at their own risk and expense.
- 1.11 PRE-SUBMITTAL CONFERENCE: A pre-submittal conference will be held at the time and location described below.

**June 1, 2016 9:00 AM** local time

The University of Texas MD Anderson Cancer Center  
Fannin Holcombe Building  
6900 Fannin Street  
FHB3.1021  
Houston, TX 77030

- 1.11.1 A guided tour of the project site **will not** be included as a part of the conference agenda. Attendance at the pre-submittal 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 Qualifications.
- 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 its Policy on Utilization of Historically Underutilized Businesses (See the exhibits to the attached Draft Agreement). 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 Letter of HUB Commitment is a required element of the Qualifications and a HUB Subcontracting Plan (HSP) for Preconstruction Services will be a required element of the Proposal. Failure to submit a required Letter of HUB Commitment will result in rejection of the Qualifications. Failure to submit the required HSP for Preconstruction Services will result in rejection of the Proposal.
- 1.13.1 STATEMENT OF PROBABILITY: Owner has determined that subcontracting opportunities are probable in connection with this procurement solicitation. Therefore, a Letter of HUB Commitment is required as a part of the respondent's Qualifications. In the event respondent is required to submit a Proposal in step two of this solicitation process, the respondent will be required to submit an HSP for Preconstruction Services as part of respondent's Proposal.
- 1.13.2 The HUB Subcontracting goal for this project is TWENTY ONE POINT ONE (21.1%) percent. Respondents are expected to make a good faith effort to meet this goal.
- 1.13.3 The Letter of HUB Commitment **must** be submitted at the same time as the sealed Qualifications. The envelope containing the Letter of HUB Commitment must be in a **separate**

attachment apart from the submittal of Qualifications. The envelope must be sealed, must be clearly labeled "Letter of HUB Commitment", and must be clearly marked with the project name and the correct RFQ number.

- 1.14 SALES AND USE TAXES: Texas Tax Code Section 151.311 provides that certain tangible personal property incorporated into realty or consumed at the jobsite in the performance of a contract for an improvement to realty for certain exempt entities, including The University of Texas System, are exempt from state sales tax. Section 151.311 also provides that certain otherwise taxable services performed at the jobsite are exempt from taxes on University of Texas System projects. It is the responsibility of the Respondent to incorporate allowable tax savings into its Proposal.
- 1.15 CERTIFICATION OF TAX STATUS: Respondents are advised that the successful respondent will be required to submit certification of tax status as required by Chapter 171 of the Texas Tax Code. The contractor agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.
- 1.16 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 2013 Uniform General Conditions for University of Texas system Building Construction Contracts (UTUGCs), which are included as an exhibit to the attached Draft Agreement.
- 1.17 PREVAILING WAGE RATE DETERMINATION: Respondents are advised that the Texas Prevailing Wage Law applies to this Project and will be administered in accordance with the University of Texas General Conditions for Building Construction Contracts and the policies and procedures set forth in the U. T. System document, entitled "Prevailing Wage Guidelines."
- 1.18 DELINQUENCY IN PAYING CHILD SUPPORT: Pursuant to Texas Family Code Section 231.006, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the award of or payment for the Project and acknowledges that any agreement may be terminated and payment may be withheld if this certification is inaccurate.
- 1.19 ETHICS MATTERS: Respondent and its employees, agents, representatives and Subcontractors must read and understand Owner's Conflicts of Interest Policy available at <http://www.mdanderson.org/about-us/compliance-program/conflict-of-interest-policy-no.-adm0255.pdf>, Owner's Standards of Conduct Guide available at <http://www.mdanderson.org/about-us/compliance-program/do-the-right-thing.pdf>, and applicable state ethics laws and rules available at [www.utsystem.edu/ogc/ethics](http://www.utsystem.edu/ogc/ethics). Neither Respondent nor its employees, agents, representatives or Subcontractors will assist or cause Owner employees to violate Owner's Conflicts of Interest Policy, provisions described by Owner's Standards of Conduct Guide, or applicable state ethics laws or rules. Respondent certifies that no member of the Board has a direct or indirect financial interest in the transaction that is the subject of this RFQ.
- 1.20 GROUP PURCHASE AUTHORITY: Texas law authorizes institutions of higher education (defined by section 61.003, *Education Code*) to use group purchasing procurement methods (ref. Sections 51.9335, 73.115, and 74.008, *Education Code*). Additional Texas institutions of higher education may therefore elect to enter into a contract with the successful Respondent.

- 1.21 COMPLIANCE WITH LAW: Respondent is aware of, is fully informed about, and in full compliance with its obligations under existing applicable law and regulations, including Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000(D)), Executive Order 11246, as amended (41 CFR 60-1 and 60-2), Vietnam Era Veterans Readjustment Act of 1974, as amended (41 CFR 60-250), Rehabilitation Act of 1973, as amended (41 CFR 60-741), Age Discrimination Act of 1975 (42 USC 6101 et seq.), Non-segregated Facilities (41 CFR 60-1), Omnibus Budget Reconciliation Provision, Section 952, Fair Labor Standards Act of 1938, Sections 6, 7, and 12, as amended, Immigration Reform and Control Act of 1986, and Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals (PL 96-507), the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.), the Civil Rights Act of 1991, University of Texas System Administration Policy UTS165, and all laws and regulations and executive orders as are applicable.

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## **SECTION 2 – EXECUTIVE SUMMARY**

### **2.1 HISTORICAL BACKGROUND:**

The University of Texas MD Anderson Cancer Center, located in Houston on the campus of the Texas Medical Center, is one of the world's largest and most respected centers devoted exclusively to cancer patient care, research, education and prevention.

The Texas Legislature created MD Anderson in 1941 as part of The University of Texas System. It is one of the nation's original three comprehensive cancer centers designated by the National Cancer Act of 1971 and one of 45 National Cancer Institute-designated comprehensive cancer centers.

U.S. News & World Report's annual "Best Hospitals" survey has ranked MD Anderson the nation's leading cancer care hospital for 11 of the past 14 years. It's been named one of the nation's top two cancer centers every year since the survey began in 1990.

Since 1944, 1 million patients have turned to MD Anderson for cancer care. In Fiscal Year 2014, the institution provided care for approximately 127,000 people. More than 8,000 participants were enrolled in clinical trials exploring innovative treatments, making it the largest cancer clinical trial program in the nation.

MD Anderson employs more than 20,000 people, including 1,700 faculty members. A volunteer workforce of 1,080 contributed more than 164,000 hours in service in FY14. Together, they work to fulfill MD Anderson's mission of eliminating cancer as a major health threat.

At MD Anderson, important scientific knowledge gained in the laboratory is rapidly translated into clinical care. In FY14, MD Anderson invested more than \$735 million in research, an increase of 35% in the past five years.

Inspired by America's drive a generation ago to put a man on the moon, MD Anderson has launched an ambitious and comprehensive action plan, called the Moon Shots Program, to dramatically accelerate the pace of converting scientific discoveries into clinical advances that significantly reduce cancer deaths. The program brings together large teams of researchers and clinicians to mount comprehensive attacks on several major cancer types. So far, the program has received more than \$213 million in private philanthropic commitments. The goal is for *all* cancers to one day become moon shots.

With employees working in more than 50 buildings in the greater Houston area and in central Texas, MD Anderson is the largest freestanding cancer center in the world. Its facilities in the Texas Medical Center — the largest medical center in the world — cover more than 14 million square feet and feature the latest equipment and facilities to support growing needs in outpatient and inpatient care, research, prevention and education.

MD Anderson provides cancer care at convenient locations in the greater Houston area. Services and locations outside the Texas Medical Center vary and include Bay Area, Katy, West Houston (diagnostic imaging), Bellaire (diagnostic imaging), Memorial City (surgical clinic), Sugar Land and The Woodlands.

In addition, MD Anderson has two research campuses located in Texas: The Michale E. Keeling Center for Comparative Medicine and Research, located on 381 acres near Bastrop; and, The Virginia Harris Cockrell Cancer Research Center, located in the Lost Pines region near Smithville, covering more than 27,000 building gross square feet.

To meet a growing demand for clinical, diagnostic and support services, MD Anderson has expanded its footprint with The Pavilion, an eight-story, 184,800-square-foot building connected to the existing hospital complex. Construction on The Pavilion was completed in November 2015 and the activation process began in early 2016. The Pavilion will allow MD Anderson to treat more patients and improve patient services. Ongoing projects include:

- The finish-out of three floors of shell space in the Albert B. and Margaret M. Alkek Hospital building.
- The finish-out of approximately 166,000 gross square feet of shell space in the Sheikh Zayed Bin Sultan Al Nahyan Building for Personalized Cancer Care.
- The design and construction of the Cancer network's Houston Area Location in West Houston.
- The design and construction of the Cancer network's Houston Area Location in League City.
- The design and construction of renovation and expansion of the Comparative Medicine and Research Building at the institution's Bastrop Campus.
- The design and construction of renovations and upgrades to the infrastructure systems of the A. Clark Griffin Facility and the Ralph and Lillian Meadows Molecular Biological Research Facility (Lab 3) at the institution's Smithville Campus.

The institution's MD Anderson Cancer Network® also has developed a network of national and international locations:

#### **Partner members**

Banner MD Anderson Cancer Center (Gilbert, Arizona)

Baptist MD Anderson Cancer Center (Jacksonville, Florida)

MD Anderson Cancer Center at Cooper (Camden, New Jersey)

MD Anderson Cancer Center at Summit Medical Group (Berkeley Heights, New Jersey)

#### **Certified members**

14 health systems and hospitals in 12 states

#### **Associate members**

Hospital Israelita Albert Einstein (Sao Paulo, Brazil)

MD Anderson Cancer Center Madrid (Madrid, Spain)

#### **Affiliates**

MD Anderson Radiation Treatment Center at Presbyterian Kaseman Hospital (Albuquerque, New Mexico)

MD Anderson Radiation Treatment Center at American Hospital (Istanbul)

## **2.2 MISSION STATEMENT:**

### **Mission**

The mission of The University of Texas MD Anderson Cancer Center is to eliminate cancer in Texas, the nation, and the world through outstanding programs that integrate patient care, research and prevention, and through education for undergraduate and graduate students, trainees, professionals, employees and the public.

### **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, SCOPE AND BUDGET:**

Owner seeks Construction Manager at Risk Services for Owner's Project No. FPDC-150269, Mays Clinic – Replace Outside Air Handlers, which is generally described in this Project Description. Respondents to this RFQ will be expected to interface with and provide support to the Owner and the Owner's Project Architect.

Replace the 4 Mays Clinic Outside Air Handling Units that are located in the north and south roof penthouses of this building. One unit will need to be replaced at a time and arrangements will need to be made to temporarily provide outside air to the respective areas as each unit is replaced. Each unit is approximately 50,000 CFM.

The Construction Manager's Budget Limitation is: Five Million and Five Hundred Thousand Dollars (\$ 5,500,000 ).

## **2.4 PRECONSTRUCTION SERVICES:**

- 2.4.1 The Project is currently in the design phase. Following execution of the Agreement, the Owner will provide the Construction Manager with a set of 75% complete Construction Documents. Construction Manager will be expected to complete a thorough constructability review of the 75% CDs, provide detailed review comments and provide a detailed construction cost estimate. The Project Architect will revise the Construction Documents as needed to resolve all review comments and reissue the Construction Documents as 95% complete. (95% CDs). Owner anticipates requesting the Construction Manager to prepare and submit a Guaranteed Maximum Price Proposal based on the 95% CDs.

- 2.5 **PROJECT PLANNING SCHEDULE:** Key Project planning schedule milestones, subject to change at the Owner's sole discretion, are:

Owner conducts Pre-Submittal Conference	Refer to Section 1.11
Deadline to submit Requests for Information (RFIs) 4:00 PM CST	June 6, 2016
Responses to RFIs Posted to Internet	June 8, 2016
Owner receives Qualifications and Letter of HUB Commitment	Refer to Section 1.5
Owner issues Request for Proposal (to top-ranked respondents)	July 11, 2016
Owner receives Proposals	August 1, 2016
Owner Interviews, at Owner's Discretion (top-ranked respondents only)	September 7, 2016
Owner delivers Agreement for execution to selected Respondent	September 12, 2016
Selected respondent delivers executed agreement to Owner	September 26, 2016
Owner delivers 75% Construction Documents to Construction Manager	September 26, 2016
95% Construction Documents	October 10, 2016
Construction Manager submits GMP Proposal	October 24, 2016
Owner Issues Notice to Proceed with Construction	November 1, 2016
Construction Manager achieves Substantial Completion	July 13, 2017
Construction manager achieves Final Completion	July 23, 2017

- 2.6 **OWNER'S MASTER CONSTRUCTION SPECIFICATIONS:** The Owner requires full compliance with specification Division 00: Procurement and Contracting Requirements and Division 01: General Requirements. These specifications are included as exhibits to the attached Draft Agreement.

### **SECTION 3 – REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS**

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

- 3.1 **CRITERION ONE: RESPONDENT'S STATEMENT OF QUALIFICATIONS AND AVAILABILITY TO UNDERTAKE THE PROJECT** (Maximum of two (2) printed pages per question)

- 3.1.1 Provide a statement of interest for the Project including a narrative describing the respondent's unique qualifications as they pertain to this particular Project.
- 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 **CRITERION TWO: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES**

- 3.2.1 Provide the following information on your firm:

- Total bonding capacity;
- Available bonding capacity and current backlog;
- Revenue total for the past fiscal year;
- Annual revenue totals for the past five (5) years;
- Annual revenue totals for the past five (5) years within the State of Texas

- 3.2.2 Attach a letter of intent from a surety company indicating your firm's ability to bond for the entire amount of the Construction Manager's Budget Limitation, as set forth in Section 2.3 of this RFQ. The surety shall acknowledge that the respondent may be bonded for each stage, or phase, of the project. The bonding requirements are set forth in Article 17 of the Draft Agreement and the UTUGCs.
- 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 organizational and directional terms.
- 3.2.4 Provide any details of all 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 CRITERION THREE: QUALIFICATIONS OF CONSTRUCTION MANAGER-AT-RISK TEAM

- 3.3.1 Describe your management philosophy for the Construction Manager-at-Risk construction delivery method.
- 3.3.2 Provide a resume for each member of the Construction Manager-at-Risk 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(s) of residence. For each resume, include at least two professional references from individuals who are not associated with the respondent.
- 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 Project for Pre-Construction and Construction Services.
- 3.3.4 Identify the proposed team members (including consultants) who worked on the Projects listed in Section 3.4 or 3.5 of this RFQ, and describe their responsibility in those projects compared to this project.
- 3.3.5 Identify any consultants that are included as part of the proposed team, their role and related experience for this Project. List projects for which the consultant(s) has worked with the respondent.
- 3.3.6 Identify your Pre-Construction Services staff, including their experience with similar projects, the number of years with the firm, and their cities of residence.
- 3.3.7 Identify the officer or principle in charge who will have daily operational responsibility for the project, including their experience with similar projects, the number of years with the firm, and the city of residence.

### 3.4 CRITERION FOUR: RESPONDENT'S PERFORMANCE ON PAST REPRESENTATIVE CONSTRUCTION MANAGER-AT-RISK PROJECTS

3.4.1 Identify and describe the proposed Team's past experience for providing Construction Manager-at-Risk Services that are MOST RELATED TO THIS PROJECT within the last five (5) years. List the projects in order of priority, with the most relevant project listed first. Provide the following information for each project listed:

- Project name, location, construction/delivery method, and description
- Color images (photographic or machine reproductions)
- Construction cost estimate determined by respondent during Pre-Construction Phase Services
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed for Pre-Construction Services
- 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
- Names of the proposed team from 3.3.2, if any, who participated in these projects
- The owner's name and representative who served as the day-to-day liaison during the design and construction phases of the project, including telephone number
- Architect/Engineer's name and representative who served as the day-to-day liaison during the Construction Phase of the project, including telephone number
- Length of business relationship with the owner.
- What is the total recordable incident rate and days away from work rate for each of the listed projects, including all project participants? Information obtained from SafetyNet is acceptable if available.

3.4.2 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 selection process. The Owner reserves the right to contact any other references at any time during the selection process. Please acknowledge your approval for Owner to contact your references.

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

3.5.1 Identify and describe the proposed team's past experience for providing Construction Manager-at-Risk services on University of Texas System projects within the last five (5) years.

If the respondent has not previously provided Construction Manager-at-Risk services for The University of Texas System, then identify and describe the respondent's past performance on Construction Manager-at-Risk projects for "major" institutions of higher education (or similar) within the last five (5) years.

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

- Project name, location, construction delivery method, and description
- Color images (photographic or machine reproductions)
- Construction cost estimate determined by respondent during Pre-Construction Phase Services
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed for Pre-Construction Services
- 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
- What is the total recordable incident rate and days away from work rate for each of the listed projects, including all project participants? Information obtained from SafetyNet is acceptable if available.

### 3.6 CRITERION SIX: RESPONDENT'S ABILITY TO MANAGE CONSTRUCTION SAFETY RISKS

The Vision of the University of Texas MD Anderson Cancer Center is to eliminate workplace injuries on all MD Anderson Cancer Center construction projects. We consider safety a core value within our organization and attach the highest importance to this section in scoring evaluation.

- NOTE: This section shall be addressed by the corporate safety director and within its response the firm shall provide the signature of the corporate safety director attesting to that fact. The response to Criterion Six may be reviewed by the Owner's safety professional.

- 3.6.1 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.
- 3.1.1 Describe the level of importance for Enforcement and Support of Project Safety that the firm includes in performance evaluations for Superintendents and Project Managers. Detail the criteria used in evaluations and requirements for continuing safety education.
- 3.6.2 Describe the Safety and Insurance/Claims History information and weighting that the firm includes in the solicitation and award process for "best value" subcontracts.
- 3.6.3 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

- 3.6.4 Does the firm or any other company within the same holding group of companies self-perform any work other than the General Conditions work? If so, please identify the firm and the services performed.
- 3.6.5 Identify the firm's Experience Modification Rate (EMR) for the three (3) most recent annual insurance-year ratings.
- 3.6.6 Identify the firm's annual OSHA Recordable Incident Rates (RIR) for all work performed during the past three (3) calendar years.
- 3.6.7 Identify the firm's annual OSHA Lost Workday Case Incident Rates (LWCIR) for all work performed during the past three (3) calendar years.
- 3.6.8 List any OSHA reports/citations your firm has been issued during the last five (5) years and final outcome of each.

3.7 CRITERION SEVEN: RESPONDENT'S ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS ON PAST PROJECTS

- 3.7.1 Describe your fiduciary responsibility as a Construction Manager at Risk using Guaranteed Maximum Price contracts for publicly funded projects.
- 3.7.2 Describe your cost estimating methods during the Pre-Construction Phase and during the design and construction phases . How do you develop cost estimates and how often are they updated? For any combination of three (3) projects listed in response to Criteria 3.4 and 3.5, provide examples of how these techniques were used and what degree of accuracy was achieved.
- 3.7.3 Describe your cost control methods during construction and how you procure subcontracts, confirm scope, amount, and ensure proper payment. From any three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, provide examples of how these techniques were used and the degree of accuracy achieved.
- 3.7.4 Describe your methodology for working with the Architect/Engineer and its consultants to deliver a Guaranteed Maximum Price and to maintain the GMP throughout the completion of the design and construction process.
- 3.7.5 Provide a sample of a cost estimate used to establish a contract amount from any project listed in Section 3.4 or 3.5 of this RFQ.
- 3.7.6 The Owner intends to accept a Guaranteed Maximum Price prior to completion of Construction Documents. Describe 1) your process for ensuring that the Design Documents provide the information necessary to arrive at a complete GMP, including all Owner requirements with reasonable contingencies, and 2) your process for subsequently ensuring that the 100% Construction Documents align with the project scope in the previously accepted GMP Proposal documents.

3.8 CRITERION EIGHT: RESPONDENT'S ABILITY TO MEET SCHEDULES ON PAST PROJECTS

- 3.8.1 Describe how you will develop, maintain and update the project schedule during design and construction.



- 3.8.2 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 3.4 or 3.5 of this RFQ, provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.
- 3.8.3 Describe how you develop and maintain work schedules during design and construction to coordinate with the owner's project schedule. From any of three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, provide examples of how these techniques were used.
- 3.8.4 Describe your experience with Microsoft Project CPM scheduling. From any of three (3) of the projects listed in response to Section 3.4 or 3.5 of this RFQ, provide a sample of the monthly schedule reports, including identified milestones and schedule recovery plans.

3.9 CRITERION NINE: RESPONDENT'S KNOWLEDGE OF CURRENT CONSTRUCTION METHODOLOGIES, TECHNOLOGIES, AND BEST PRACTICES

- 3.9.1 Describe your quality assurance 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 3.4 or 3.5 of this RFQ.
- 3.9.2 Describe your procedures for implementing industry's "best practices" as defined by the Construction Industry Institute and similar organizations for:
- Establishing and tracking project objectives
  - Using project scope definition resources (i.e. Project Definitions Rating Index (PDRI)) in order to obtain complete and accurate design and construction documents from the A/E
  - Partnering
  - Cost tracking
  - Master milestone scheduling, look-ahead planning, and weekly work planning to ensure best productivity
  - Change (order) management systems
  - Building systems commissioning including coordination with the Owner's commissioning agent
  - Total quality management for each phase, including close-out and commissioning
- 3.9.3 Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.
- 3.9.4 Describe your methodology for advertising, evaluating and selecting trade contractors for "major" institutions of higher education as a Construction Manager-at-Risk.
- 3.9.5 As the Construction Manager-at-Risk, describe your relationship with the local subcontracting community.
- 3.9.6 Describe your past experience dealing with congested campuses, congested site conditions, or both for any project listed in Section 3.4 or 3.5 of this RFQ.
- 3.9.7 Provide any other details regarding special services, products, advantages or other benefits offered to the Owner by the respondent.

- 3.9.8 Describe what you believe are your unique operational skills and experiences, which differentiate your company from your competitors.
- 3.9.9 Describe how you interface with the architects and their consultants to enhance the design and planning process. Specifically address how you typically use Building Information Modeling to benefit the project and the owner. Describe the measures you use to ensure data that is to be exchanged between the various discipline models is transferred accurately and consistently. Indicate to what extent you use BIM to support your efforts in developing construction cost estimates. Indicate whether you typically develop a single independent construction model or independent models for each of the major construction trades (mechanical, electrical, plumbing). Describe the measures that you use to transfer accurately the design data into the construction model(s).
- 3.9.10 Describe the measures you use to maintain and update the information contained in the design model(s) and documents throughout the construction phase and how you insure the final equipment and system data is accurately transferred or submitted to the owner at substantial completion.

3.10 CRITERION TEN: RESPONDENT'S ABILITY TO IDENTIFY AND RESOLVE PROBLEMS ON PAST PROJECTS

- 3.10.1 Describe your understanding of the administrative challenges and opportunities associated with providing Pre-Construction and Construction Services for Owner on this project, and your strategy for resolving these issues.
- 3.10.2 Understanding the schedule limitations, provide an analysis of the Owner's project planning schedule in Section 2.5 of this RFQ and describe your plan for communicating constructability, phasing, value engineering and other budget options in a form that will quickly facilitate the Owner's decision making.
- 3.10.3 This project is within or adjacent to hospital, education and research facilities which are occupied. Describe the project team's experience with renovation projects and expansion projects in occupied facilities, including the impact on existing MEP systems and the occupants of the facilities.
- 3.10.4 For any combination of three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, describe the methods you have used to resolve conflicts with the owner, consultants, Architect/Engineer, and subcontractors.
- 3.10.5 Provide examples of Pre-Construction Services provided that creatively incorporated mechanical, electrical, and plumbing solutions in similar structures, particularly those that fostered energy conservation, value engineering, and constructibility enhancement.

### 3.11 CRITERION ELEVEN: EXECUTION OF OFFER

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS MAY RESULT IN REJECTION OF THE QUALIFICATIONS.

SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT'S QUALIFICATIONS, AND THE RESPONDENT MAY BE REMOVED FROM ALL PROPOSER LISTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT OR PURCHASE ORDER.

- 3.11.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.
- 3.11.2 By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.
- 3.11.3 By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.
- 3.11.4 By signature hereon, a corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Respondent is exempt from the payment of such taxes, or that the corporate Respondent is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.
- 3.11.5 By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership or Owner represented by the Respondent, or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the Qualifications made to any competitor or any other person engaged in such line of business.
- 3.11.6 By signature hereon, Respondent represents and warrants that:
  - 3.11.6.1 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;
  - 3.11.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;

- 3.11.6.3 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;
- 3.11.6.4 Respondent understands (i) the requirements and specifications set forth in this RFQ and (ii) the terms and conditions set forth in the Contract under which Respondent will be required to operate;
- 3.11.6.5 Respondent, if selected by the Owner, will maintain insurance as required by the Agreement;
- 3.11.6.6 All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.
- 3.11.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications.
- 3.11.8 By signature hereon, Respondent certifies that if a Texas address is shown as the address of the Respondent, Respondent qualifies as a Texas Resident Respondent as defined in Rule 1 TAC 111.2.
- 3.11.9 By signature hereon, Respondent certifies as follows:
  - 3.11.9.1 "Under Section 231.006, Texas 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."
  - 3.11.9.2 "Under Section 2155.004, *Texas Government Code*, the vendor or applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate."
  - 3.11.9.3 "Under Section 2254.004, *Texas Government Code*, the vendor or applicant certifies that each individual or business entity which is an engineer or architect proposed by Respondent as a member of its team was selected based on demonstrated competence and qualifications only."
- 3.11.10 By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of any University of Texas component, or Respondent has not been an employee of any University of Texas component within the immediate twelve (12) months prior to your RFQ response. All such disclosures will be subject to administrative review and approval prior to the Owner entering into any contract with Respondent.

By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ. (ref. Section 2155.004 Texas Government Code).

- 3.11.11 Respondent represents and warrants that all articles and services quoted in response to this RFQ meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.
- 3.11.12 By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- 3.11.13 By signature hereon, Respondent agrees to defend, indemnify, and hold harmless the State of Texas, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of Respondent or any agent, employee, subcontractor, or supplier of Respondent in the execution or performance of any agreements or other contractual arrangements which may result from the submission of Respondent's Qualifications.
- 3.11.14 By signature hereon, Respondent agrees that any payments that may become due under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications, will be applied towards any debt including, but not limited to, delinquent taxes and child support that is owed to the State of Texas.
- 3.11.15 By signature hereon, Respondent certifies that no member of the Board of Regents of The University of Texas System, or the Executive Officers of the University of Texas System or its component institutions, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract.

[Balance of page intentionally left blank. Signature page follows.]

EXECUTION OF OFFER: RFQ No. 160331905

The Respondent must complete, sign and return this Execution of Offer as part of its submittal response. The Respondent's company official(s) who is (are) authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

Respondent's Name: \_\_\_\_\_

Respondent's State of Texas Tax Account No: \_\_\_\_\_  
(This 11 digit number is mandatory)

If a Corporation:

Respondent's State of Incorporation: \_\_\_\_\_

Respondent's Charter No: \_\_\_\_\_

Identify each person who owns at least 25% of the Respondent's business entity by name:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

Submitted and Certified By:

\_\_\_\_\_  
(Respondent's Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Email Address)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Date)

## **SECTION 4 – FORMAT FOR STATEMENT OF QUALIFICATIONS**

### **4.1 GENERAL INSTRUCTIONS**

- 4.1.1 Qualifications shall be prepared **SIMPLY AND ECONOMICALLY**, providing a straightforward, **CONCISE** description of the respondent's ability to meet the requirements set forth in this RFQ. Emphasis shall be on the **QUALITY**, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 4.1.2 Qualifications shall be a **MAXIMUM OF FIFTY (50) PRINTED PAGES**. The cover, table of contents, divider sheets, Letter of HUB Commitment (Section 1.13), 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
  - **CRITERION ONE: RESPONDENT'S STATEMENT OF QUALIFICATIONS AND AVAILABILITY TO UNDERTAKE THE PROJECT**
  - **CRITERION TWO: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES**
  - **CRITERION THREE: QUALIFICATION'S OF THE CONSTRUCTION MANAGER AT RISK TEAM**
  - **CRITERION FOUR: RESPONDENT'S PERFORMANCE PAST PERFORMANCE ON REPRESENTATIVE CMAR PROJECTS**
  - **CRITERION FIVE: RESPONDENT'S PAST PERFORMANCE ON U.T. SYSTEM PROJECTS**
  - **CRITERION SIX: RESPONDENT'S ABILITY TO MANAGE CONSTRUCTION SAFETY RISKS**
  - **CRITERION SEVEN: REPENDENT'S ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS ON PAST PROJECTS**
  - **CRITERION EIGHT: RESPONDENT'S ABILITY TO MEET SCHEDULES ON PAST PROJECTS**
  - **CRITERION NINE: RESPONDENT'S KNOWLEDGE OF CURRENT CONSTRCUTION METHODOLOGIES, TECHNOLOGIES, BEST PRACTICES**
  - **CRITERION TEN: RESPONDENT'S ABILITY TO IDENTIFY AND RESOLVE PROBLEMS ON PAST PROJECTS**
  - **CRITERION ELEVEN: EXECUTION OF OFFER**
  - **LETTER OF HUB COMMITMENT** – The Letter of HUB Commitment must be submitted at the same time as the sealed Qualifications. The envelope containing the Letter of HUB Commitment must be in a separate attachment apart from the submittal of qualifications. The envelope must be sealed, must be clearly labeled "Letter of HUB Commitment", and must be clearly marked with the project name and the correct RFQ number.
- 4.1.3 Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection.
- 4.1.4 Qualifications and any other information submitted by respondents in response to this RFQ shall become the property of the Owner.
- 4.1.5 Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ 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 RFQ, or subsequent RFP. The Owner reserves the right to accept or reject any or all Qualifications, waive any formalities or minor technical inconsistencies, or delete any item or requirements from this RFQ when deemed to be in Owner's best interest.

4.1.7 Qualifications shall consist of answers to questions identified in Section 3 of the RFQ. Respondent shall separate each section of the Qualifications by use of a divider sheet with an integral tab for ready reference. The tabs shall be identified 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 Qualifications may result in the rejection of the Qualifications.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

4.2.1 Qualifications 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 Qualifications. Only the responses provided by the respondent to the questions identified in Section 3 of this RFQ will be used by the Owner for evaluation.

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:

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

**SECTION 5 - ATTACHMENTS TO THE RFQ**

5.1 Attachment A – Draft Agreement Between Owner and Construction Manager at Risk

5.2 Attachment B – Request for Information Form

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