

## 2.2 TECHNICAL PROPOSAL (Revised)

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| <b>PROPOSER NAME: &lt;Name&gt;</b>  |   |
| <b>TECHNICAL PROPOSAL SECTION A:<br/>MANDATORY REQUIREMENTS</b><br>Owner Evaluation for Each Requirement: Pass or Fail  | <b>Proposal Page<br/>Number<br/>(By Proposer)</b> |
| <b>A.1</b> Provide a completed Certification Statement, in the format provided herein.  |   |
| <b>A.2</b> Provide a Drug-Free Workplace Affidavit in the format provided herein.   |   |
| <b>A.3</b> Provide a letter(s) from an insurance and/or surety agency stating Proposer’s capability to provide insurance and bonding for the project in accordance with the GMP Target listed in RFP Section 2.5, Project Narrative and Documentation, and the General Conditions of the Contract for Construction.                                   |   |
| <b>A.4</b> Describe Proposer’s form of business (e.g., corporation, partnership, limited liability company) and the U.S. state in which it is established.  |   |
| <b>A.5</b> Provide a statement of whether there have been mergers, acquisitions, or sales of Proposer within the last five years, and if so, an explanation providing relevant details.   |   |
| <b>A.6</b> Provide a statement that discloses pending litigation against Proposer. The Owner reserves the right to request an opinion of Proposer’s counsel as to whether pending litigation will impair performance in a contract under this RFP.  |   |
| <b>A.7</b> Provide a statement declaring whether, in the last ten years, the Proposer has filed, or had filed against it, bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors, and if so, an explanation providing relevant details. |   |
| <b>A.8</b> Identify Proposer’s primary contact person for the Owner including mailing address, telephone number, and e-mail address.  |   |
| <b>A.9</b> Provide a statement declaring Proposer does not have a prohibition for proposing as stated in RFP Section 1.4.E.9 and an explanation of potential conflict.  |   |

**CERTIFICATION STATEMENT** (In response to Technical Proposal Section A.1.)

**Proposer Legal Entity Name:** \_\_\_\_\_

**Proposer Tennessee Contractor License Information:**

License Number: \_\_\_\_\_ License Classification applicable to project: \_\_\_\_\_

License expiration date: \_\_\_\_\_ Dollar Limit: \$ \_\_\_\_\_

**The Proposer hereby acknowledges, attests, certifies, warrants, and assures that:**

1. This proposal constitutes (a) a commitment to provide all services as defined in the Section 1.6, Pro Forma Master Contract (MC) Between Owner and CM/GC, and Section 1.7, Scope of Services, for the total contract period and (b) confirmation that the Proposer shall comply with all of the provisions in this Request for Proposal and shall accept all terms and conditions set out in the MC.
2. The information detailed in the proposal submitted herewith in response to the subject RFP is truthful, accurate and complete.
3. The proposal submitted herewith in response to the subject RFP shall remain valid for at least 60 days subsequent to the date of the Cost Proposal opening and thereafter in accordance with a contract pursuant to the RFP.
4. The Proposer shall not utilize the services of a contractor or subcontractor disqualified from participating in State Building Commission projects.
5. The Proposer shall not knowingly utilize the services of an illegal immigrant in the performance of the MC and shall not knowingly utilize the services of a subcontractor, sub-subcontractor, or consultant who utilizes the services of an illegal immigrant in the performance of the Work.
6. As applicable to the proposed MC, the Proposer shall comply with:
  - a. the laws of the State of Tennessee;
  - b. Title VI of the federal Civil Rights Act of 1964;
  - c. Title IX of the federal Education Amendments Act of 1972;
  - d. the Equal Employment Opportunity Act and the regulations issued there under by the federal government;
  - e. the Americans with Disabilities Act of 1990 and the regulations issued there under by the federal government;
  - f. the condition that the submitted proposal was independently arrived at, without collusion, under penalty of perjury;
  - g. the condition that no amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Proposer in connection with the Procurement under this RFP; and,
  - h. the condition that in compliance with the Iran Divestment Act the Proposer is not on the list created pursuant to Tennessee Code Annotated (TCA) § 12-12-106 and shall not utilize a subcontractor on that list.
  - i. TCA § 12-4-119, Contractors currently engaged in a boycott of Israel or who intend to engage in a boycott of Israel should not bid.
7. The following statement is (mark the one that is applicable)  **True**  **False**:  
The Proposer and/or any of the Proposer's employees, agents, independent contractors and/or proposed Subcontractors have been convicted of, pled guilty to, or pled nolo contendere to a contract crime involving a public contract.
8. The person who signs this certification on behalf of the Proposer is legally empowered to bind the Proposer to the provisions of this RFP and a resulting contract.
9. The Proposer acknowledges receipt of Addendum:

Addendum number(s) and date(s): \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

END OF CERTIFICATION STATEMENT

**DRUG-FREE WORKPLACE AFFIDAVIT** (In response to Technical Proposal Section A.2.)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The undersigned, principal officer of \_\_\_\_\_, the Contractor, an employer of five or more employees contracting with \_\_\_\_\_, the Owner, to provide construction services, hereby states under oath as follows:

1. The undersigned is a principal officer of the Contractor and is duly authorized to execute this Affidavit on behalf of the Contractor.
2. The Contractor submits this Affidavit pursuant to Tennessee Code Annotated (TCA) § 50-9-113, which requires each employer with five or more employees receiving pay who contracts with the state to provide construction services to submit an affidavit stating that such employer has a drug-free workplace program that complies with TCA Title 50, Chapter 9.
3. The Company is in compliance with TCA § 50-9-113.

Further affiant saith not.

\_\_\_\_\_  
Principal Officer

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Before me personally appeared \_\_\_\_\_, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person executed the foregoing affidavit for the purposes therein contained.

Witness my hand and seal at office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

END OF AFFIDAVIT

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| <b>PROPOSER NAME: &lt;Name&gt;</b>  |   |
| <b>TECHNICAL PROPOSAL SECTION B:<br/>QUALIFICATIONS AND EXPERIENCE</b>  | <b>Proposal Page<br/>Number<br/>(By Proposer)</b> |
| <b>B.1</b> Provide a brief statement indicating Proposer’s credentials to deliver the services required by this RFP. Name the office location(s) providing services and number of employees in each. Provide Proposer’s insurance experience modification rate for the last three years.<br><br>5 points  |   |
| <b>B.2</b> Provide summary information for each of no more than three projects of similar scope and complexity constructed in the past ten years or is being constructed by Proposer. Format information as shown after this Section B on no more than one page for each project.<br><br>15 points  |   |
| <b>B.3</b> List contracts with the State of Tennessee including current contracts and contracts completed within the past five years.<br><br>5 points   |   |
| <b>B.4</b> Provide resumes of no more than one page each for key personnel. Include title/position, education, professional license or registration, general employment history, and relevant project experience and project roles. Key personnel shall include, at a minimum, the project executive, project manager(s), superintendent(s), and pre-construction phase cost estimator(s). The project manager must be assigned to both the pre-construction phase and the construction phase. Provide two references for the project manager(s) and superintendent(s) with names and contact information.<br><br>15 points |   |
| <b>B.5</b> Provide a table identifying the personnel named in B.4 assigned to projects named in B.2 and their job titles for those projects.<br><br>10 points   |   |
| <b>B.6</b> Provide a table identifying the estimated amount of time in hours per week that each of the key personnel identified in B.4 will be committed to this project during the pre-construction and construction phase. Designate in the table the personnel to be included in the Cost Proposal monthly general conditions for Contract Time and Construction Close-Out.<br><br>10 points   |   |
| Section B: 60 points  |   |

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| <b>PROPOSER NAME: &lt;Name&gt;</b>  |
| <b>SIMILAR PROJECT INFORMATION</b> (In response to Technical Proposal Section B.2.) |
| Project Title:<br>Client:<br>Project City, State:                                   |
| Client Contact and Title:<br>Client Contact Telephone and Email:                    |
| Project Construction Start Date:<br>Project Construction Completion Date:           |
| Project Square Footage:<br>Dollar Value of Project Construction:                    |
| Project Executive:<br>Project Manager:<br>Construction Superintendent:              |

Describe the project including the scope of the work and the services provided by Proposer. Relate the work in this project to the scope and services contained in the RFP.

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| <b>PROPOSER NAME: &lt;Name&gt;</b>   |   |
| <b>TECHNICAL PROPOSAL SECTION C (C.1 through C.4):<br/>TECHNICAL APPROACH</b>  | <b>Proposal Page<br/>Number<br/>(By Proposer)</b> |
| <p><b>C.1</b> Provide a statement indicating how Proposer will deliver the pre-construction and construction management services required by this RFP. Include a project organizational chart designating the lines of authority.</p> <p>10 points</p>   |   |
| <p><b>C.2</b> Describe the methods to be used for the following pre-construction phase services as applied to this project:</p> <ul style="list-style-type: none"> <li>a. Schedule development and implementation of early release packages for long lead items.</li> <li>b. Cost model – Describe in detail both the method and typical schedule of pre-construction cost model preparation at each phase of delivery: concept, schematic, and design development.</li> <li>c. Constructability</li> <li>d. Value engineering</li> <li>e. Strategy for using internal and external resources for a, b, c, and d.</li> <li>f. Measures to be taken, in addition to that described in Section I of RFP Section 1.7.1, Pre-Construction Phase Services, for the process for subcontractor qualification and requesting information from potential subcontractors</li> </ul> <p>15 points</p> |   |
| <p><b>C.3</b> Describe the methods to be used for the following construction phase services as applied to this project.</p> <ul style="list-style-type: none"> <li>a. Tracking and reporting construction progress, schedule, conflict resolution, and accounting information</li> <li>b. Quality control program for construction</li> <li>c. Safety program for construction</li> <li>d. Project close-out procedures</li> </ul> <p>10 points</p>  |   |
| <p><b>C.4</b> Describe Proposer’s experience implementing criteria for sustainable design and construction such as State of Tennessee Sustainable Design Guidelines, High Performance Building Requirements, LEED, Green Globes or Energy Star.</p> <p>5 points</p>  |   |
| Section C: 40 points   |   |

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| <b>PROPOSER NAME: &lt;Name&gt;</b>  |   |
| <b>TECHNICAL PROPOSAL SECTION D:<br/>INFORMATION ONLY</b>   | <b>Proposal Page<br/>Number<br/>(By Proposer)</b> |
| <p><b>D.1</b> Provide the following:</p> <p>(a) A description of the Proposer’s existing programs and procedures designed to encourage and foster commerce with business enterprises owned by minorities, women, persons with a disability and small business enterprises;</p> <p>(b) A listing of the Proposer’s current contracts with business enterprises owned by minorities, women, persons with a disability and small business enterprises;</p> <p>(c) An estimate of the level of participation by business enterprises owned by minorities, women, persons with a disability and small business enterprises in a contract awarded to the Proposer pursuant to this RFP;<br/>and</p> <p>(d) The percent of the Proposer’s current employees listed by gender, noting ethnicity and disability.</p> |   |

END