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OREGON STATE UNIVERSITY

REQUEST FOR PROPOSALS

#197659

OSU-Cascades Site Reclamation CM/GC

ISSUE DATE: January 11, 2019

RFP CLOSING (DUE) DATE: February 11, 2019 at 2:00 PM, Pacific Time

NO LATE PROPOSALS WILL BE ACCEPTED

CONTRACT ADMINISTRATOR:

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I. INTRODUCTION

Oregon State University (“OSU”) is seeking “Proposals” from qualified Entities (“Offerors”) interested in providing Construction Manager/General Contractor (“CM/GC”) services to OSU by submitting a Proposal to this Request for Qualifications (“RFP”) for the OSU-Cascades Site Reclamation described below (the “Project”).

The attached “Sample CM/GC Contract” contains contract terms and conditions applicable to the Work, and will form the basis of the final CM/GC Contract (“Contract”).

The Oregon Bureau of Labor and Industries Prevailing Wage Rates applicable to this Project will be identified at the time the initial set of Construction specifications are made available and are incorporated into the CM/GC sub-bidding efforts for the first Early Work Amendment, or, if no Early Work Amendment occurs, then at the time of the Guaranteed Maximum Price (“GMP”) Amendment. Those rates will then apply throughout the Project.

All Offerors must be registered and licensed with the Oregon Construction Contractors Board and have on file with the Construction Contractors Board the required public works bond prior to submitting Proposals. Failure to be licensed and have the bond in place will be sufficient cause to reject Proposals as non-responsive.

When selected, the CM/GC will be a part of a Construction team composed of OSU, OSU-Cascades (“OSU-C”), the engineering consultant team and other Project consultants through the completion of the Project. The CM/GC must be skilled in Construction, including heavy civil Construction, developing schedules, preparing Construction estimates, performing value engineering, analyzing the constructability of alternative designs, studying labor conditions, understanding Construction methods and techniques, selecting subcontractors, coordinating gift-in-kind work and materials, coordinating Construction processes, managing Construction activities in an occupied building, and be capable of providing assistance to OSU in procuring long lead equipment and materials. The CM/GC will be expected to communicate the Construction-related aspects of the Project to all team members throughout the design and Construction phases. In addition, the CM/GC will be familiar with the local labor and sub-contracting market and be capable of working and contracting directly with sub-contractors to generate viable pricing.

OSU will require the successful CM/GC to comply with OSU Standards, policies, rules and procedures requiring good faith efforts in subcontracting with emerging small businesses, and minority and women owned businesses in the Project.

Compensation will be based upon certain fees and reimbursable costs, as set forth in the Sample CM/GC Contract attached, including use of a GMP and the form of GMP Amendment included with the Sample CM/GC Contract. The successful CM/GC will provide “Preconstruction Services.” Preconstruction Services include, but are not necessarily limited to, constructability reviews, value engineering, cost estimating, development of phasing programs and development of the GMP. Related contracting provisions, which will serve as the basis for the final agreement, are contained in Exhibits A through E as detailed in Part XX of this RFP entitled “Enclosures.”

The Sample CM/GC Contract may contain certain notes or alternative provisions. Those alternative provisions will be included at the sole discretion of OSU. OSU will use the June 30, 2017 OSU General Conditions for Public Improvement Contracts (the "**OSU General Conditions**") as the basis for the Contract. The OSU General Conditions, and the Supplemental General Conditions contained in the Enclosures, shall apply to the work of all subcontractors and to the Work of the CM/GC to the extent that they do not conflict with the Contract.

If OSU is unable to successfully agree upon a GMP or contract terms or conditions for the Project with the highest ranked Offeror, OSU may terminate discussions and enter into discussions with the next highest ranked Offeror. If for any reason the parties are not able to reach agreement on a GMP or contract terms or conditions, OSU will be entitled to obtain services from any other source available to it under the relevant contracting laws, OSU Standards and policies, including negotiating with the next highest ranked Offeror to enter into a Contract specifying a mutually agreed upon GMP.

If OSU chooses not to continue the Contract beyond the completion of Preconstruction Services, the CM/GC's compensation will be limited to the costs of the Preconstruction Services, not exceeding the maximum not-to-exceed fee stated in the Contract.

The Offeror should note that OSU will also require as a part of CM/GC Preconstruction Services a full description of items that will be contained in the proposed GMP and the activities that make up the proposed GMP. After preparation, a complete copy of the GMP estimate will be provided to OSU.

OSU will monitor the competitive processes used to award subcontracts by the CM/GC in accordance with the Sample CM/GC Contract. The following minimum requirements will be used:

- a. The CM/GC will solicit sealed bids or quotes from subcontractors according to the terms of the Sample CM/GC Contract in a manner consistent with the open and competitive nature of public procurement, taking into account industry practice, and make award decisions based on cost or, if not cost, on another identified alternative competitive basis as approved in advance by OSU. When there are single fabricators of materials or special packaging requirements for subcontractor work other than low price, advance approval of the alternative selection criteria by OSU will be required.
- b. The CM/GC will use its best efforts to obtain at least three bids or quotes for the particular work to be subcontracted. OSU may make exceptions to this practice in advance of the procurement.

II. PROJECT DESCRIPTION

OSU-C is a branch campus of Oregon State University, in Bend, Oregon. OSU-C has acquired a total of 128 acres in southwest Bend for the OSU-C campus. The site is made up of three distinct areas: a developed 10-acre site with three buildings and associated private roads, parking lots and utilities; an adjacent 46-acre site includes forested areas and a pumice mine with excavation depths up to 100 feet; and a 72-acre site which was a former Deschutes County construction and

demolition landfill. This project is the first phase of redevelopment of the pumice mine and landfill into land that is usable for expansion of the 10-acre campus and in accordance with the OSU-C Master Plan as codified in the City of Bend Development Code (Section 2.7.3500)
<https://www.codepublishing.com/OR/Bend/?BendDC02/BendDC0207.html#2.7.3500>.

OSU-C's concept for redevelopment involves reuse of landfill material, properly blended with other materials on site to fill and regrade both the pumice mine and landfill to create a buildable site. OSU-C has already contracted for a Materials Management Pilot Study to test methodology for blending landfill material with landfill cover soil and material from the pumice mine into suitable engineered fill. OSU-C will make all findings from the Materials Management Pilot Study available to inform Construction planning and estimation.

This phase of redevelopment focuses on the pumice mine and two areas of the landfill. The Work will take expert oversight, leadership, ingenuity, and site management with an unwavering commitment to safety and productive project team relationships.

Key components of the Project include the following:

1. Reclamation of a pumice mine according to plans being developed and to be approved by Oregon Department of Geology and Mineral Industries (“**DOGAMI**”).
2. Remediation of select areas of the former Deschutes County construction and demolition landfill according to plans being developed and to be approved by Oregon Department of Environmental Quality (“**DEQ**”). Suitable landfill material will be reused in engineered fill in the pumice mine and in remediated landfill areas. Material that is unsuitable for fill will be placed in a designated landfill cell and covered. Upon completion of the Work, remediated areas of the landfill will be suitable for building.
3. Mass grading and fill in the reclaimed pumice mine and remediated landfill areas to support future Construction and as per the OSU-C Long Range Development Plan (“**LDRP**”).
4. Final design and Construction along Chandler Ave must be in accordance with Century Washington Center design guidelines, which may have to be modified to consider the change in use from pumice mine to university campus.
5. Possible installation of buried pipe loops for a centralized ground-source heat pump or geo-exchange system. If installed, these loops will be buried approximately 15-20 feet and 30-40 feet below finished grade and stubbed up in a protective enclosure or vault for future connection to a Central Utility Plant.
6. Other essential elements of Work include:
 - a. Access control and overall site safety responsibilities, including an onsite presence of qualified and experienced supervision and safety personnel whenever Construction operations are ongoing.

- b. Development and enforcement of a Health and Safety Plan and input into other plans required by DEQ and being prepared by the engineering consultant team.
- c. Development and enforcement of a noise and dust control plan to minimize impacts to neighbors.
- d. Input to the design, including cost estimates, schedules and advice on feasible and economical means and methods of Work.
- e. Collaborative exploration of potential commercially saleable by-products of the remediation and reclamation process that could generate revenue to offset Project costs. Possible examples include bio-char from heat treatment of wood waste and tipping fees from acceptance of clean fill material from other Construction projects.
- f. On-going Solid Waste Permit compliance in coordination with OSU and Deschutes County Solid Waste Department, who are the co-permittees on the DEQ permit.
- g. Clearing and grubbing.
- h. Handling of swallow nesting areas and or other birds on the site during remediation.
- i. Segregation and stockpiling of top soil for future use.
- j. Segregation, recycling and disposal, as appropriate, of demolition debris that is not suitable for use in engineered fill or placement in the landfill.
- k. Identification and handling of asbestos containing material (“ACM”).
- l. Identification and handling of large quantities of tires.
- m. Handling and disposal of household appliances.
- n. Disposal of unauthorized waste that may be found onsite according to approved hazardous waste handling, shipping and disposal regulations, and in coordination with Deschutes County Solid Waste Department.
- o. Protection of designated areas of interest as directed. A rock formation near but outside the limits of the Work area has been designated by the City of Bend as an Upland Area of Special Interest (Bend Development Code Section 2.7.700).
<https://www.codepublishing.com/OR/Bend/?BendDC02/BendDC0207.html#2.7.700>
- p. Participation in outreach and coordination with the public to explain the Work and measures taken to protect the health and safety of the general public and the environment.

Key goals of the Project include:

1. Maintain a healthy and safe operation for both the construction team and the public.
2. Minimize impacts to the community from the Work.
3. Minimize imported fill material or other traffic to the site.
4. Maintain a collaborative team atmosphere amongst the owner, CM/GC and design consultants that fosters successful selection of sub-contractors.
5. Maximize the area reclaimed/remediated with the given project budget.

III. SCHEDULE

Construction may begin in the pumice mine once an initial grading and drainage permit is obtained

from the City of Bend at approximately 30% design. Construction Work in the landfill may begin once all plans are approved by DEQ. All Work is to reach Substantial Completion no later than May 29, 2020 with Final Completion expected to be July 31, 2020. Certain areas of Work will require completion by January of 2020 to support follow-on Construction.

IV. DESIGN TEAM

Maul Foster & Alongi has been selected as the project Engineering Team.

V. BUDGET

The Construction budget for this Project is \$8.9 million. This budget includes all materials and labor costs, a design estimating contingency, escalation, the CM/GC fee, general conditions costs, limited CM/GC reimbursable expenses, payment and performance bonds and the CM/GC contingency.

VI. SELECTION PROCEDURE AND TIMETABLE

A mandatory pre-Proposal information session will be held on January 24, 2019 at 11:00 AM. Offerors who wish to participate in person may meet Obsidian Hall, room 207. Remote connection via telephone or web conference software will also be available. Offerors who wish to connect remotely must request dial-in instructions from the Contract Administrator listed in this document no later than twenty-four hours **prior** to the meeting time. A representative of each Offeror's firm is required to attend either the in person option or the telephone/web conference option. The pre-Proposal information session will be the Offerors' main opportunity to discuss the Project with OSU. Proposals will not be accepted from Offerors who have not had a representative attend the mandatory pre-Proposal information session (either in person or via telephone/web conference). Attendance will be documented through a sign-in sheet prepared by OSU. Representatives of Offeror who arrive more than five (5) minutes after the start time of the meeting (as stated in this solicitation and by the Owner's Authorized Representative's watch) or after the discussion portion of the meeting (whichever comes first) shall not be permitted to sign in and will not be permitted to submit a Proposal to this RFP.

Beginning with Proposals to this RFP, the selection procedure indicated in Section X, will be used to evaluate the capabilities of Offerors to provide CM/GC services to OSU for the Project. The Proposals to this RFP will be evaluated by the selection committee, which will be comprised of representatives from OSU and other university personnel who do not score qualification statements or rank finalists and may also include members of the design team who will not score qualifications statements or rank finalists. Interviews of short-listed finalists will occur following the receipt and review of the Proposals. In addition, further investigation of references may occur following the interviews of the short listed finalists.

Oregon State University's Office of Construction Contract Administration will make the Award and present the Contract to the selected CM/GC for its signature.

Selection timetable is approximately as follows:

January 11, 2019	Issue RFP
January 24, 2019 at 11:00 AM	Mandatory Information Session --Meet in person at Obsidian Hall, room 2017, 1500 SW Chandler Ave, Bend, Oregon 97702 OR via phone/web conference
February 11, 2019 at 2:00 PM	Proposals submitted to OSU
February 21, 2019	Notification of Finalists
March 8, 2019	Selection committee interview finalists
March 11, 2019	Estimated Notice of Intent to Award
April 1, 2019	Estimated Contract execution

VII. INSTRUCTIONS TO OFFERORS

Your Proposal must be contained in a document not to exceed **thirty (30) single sided pages** including pictures, charts, graphs, tables and text you deem appropriate to be part of OSU's review of your Proposal. Resumes of key individuals proposed to be involved in this Project are exempted from the **thirty (30)** page limit and must be appended to the end of your Proposal. No supplemental information to the **thirty (30)** page Proposal will be allowed. Appended resumes of the proposed key individuals, along with a transmittal letter, table of contents, front and back covers, references required by Section IX, and blank section dividers will not be counted in the **thirty (30)** page limit.

Present information in the same order as the following evaluation criteria in Section VIII and include references required by Section IX. Your Proposal must follow the format outlined below and **be Signed by an officer of your firm with the authority to commit the firm. Make sure to include contact information including email for communication purposes.** The Proposal must be submitted in a soft-bound (no three-ring binders) format with page size of 8 ½ x 11 inches. No fold-outs other than one fold out Project schedule and one site logistics plan (not to exceed 11 x 17 inches each) may be included. The basic text information of the Proposal should be presented in standard business font size, and reasonable (no less than one-inch) margins.

OSU may reject any submittal not in compliance with all applicable OSU bidding procedures and requirements, and may cancel this solicitation or reject for good cause, all Proposals upon a finding by OSU that it is in the public interest to do so.

Note that throughout this procurement, OSU will not accept Proposals or queries that require OSU to pay the cost of production or delivery.

OSU is an AA/EEO employer.

Telephone, facsimile, or electronically transmitted submittals will not be accepted. Proposals received after the closing date and time will not be considered.

VIII. PROPOSAL REQUIREMENTS/EVALUATION CRITERIA

The following questions constitute the evaluation criteria for the selection committee to score Proposals. Respond to each criterion in numerical order. For ease in scoring the Proposals, provide tabs keyed to each of the following criteria numbers. Indicate in writing the following information about your firm's ability and desire to perform the Work.

1. Firm Background

Provide a brief description of your firm, your firm's history, and your firm's business philosophy including the fundamentals that you believe have been key to your success. List the major projects (>\$10M) currently under contract with your firm, your personnel for those projects if the personnel are also proposed for this Project and the stage of completion for those projects if they include firm personnel proposed for this Project. (Weight: 10)

2. Key Personnel

Identify the personnel in your firm that would be assigned to this Project. Provide concise descriptions of their experience that you believe will be relevant to this Project. OSU is particularly interested in experience relative to site reclamation, blending materials to create engineered fill, working in a permitted landfill environment, experience with DEQ, DOGAMI, City of Bend, and construction in Central Oregon or locations with similar climate. Use specific examples, including the role of your key proposed personnel on past projects and explain their responsibilities for this Project. Describe the team's knowledge of regional/local subcontractors/material suppliers, and how this knowledge will be beneficial to this Project. For all proposed personnel, identify the length of their employment with your firm, their responsibilities proposed for this Project, and their primary office location during the preconstruction and Construction phases of the Project. Indicate the percentage of individual personnel time commitment for this Project during the preconstruction and Construction phases. Include your proposed management organization chart for the Project. (Weight: 20)

3. Pacific Northwest and Central Oregon Experience

Describe your firm's experience working with higher education, corporate, or other institutional clients in Central Oregon and the greater Pacific Northwest, with reference to contracting and environmental requirements, the labor and sub-contracting market and weather impacts to Construction. Include information about the physical scale, Construction type, environmental considerations, public awareness, Construction budget, and project schedule durations from preconstruction to final completion. (Weight: 5)

4. Landfill Remediation Experience

Describe your firm's experience with landfill remediation projects. If this experience is incorporated in your team as part of a sub-contractor, consultant or an individual who gained the experience with another firm, describe how you will ensure that your team retains the experience throughout the project. (Weight: 15)

5. CM/GC Role

Describe your firm's relevant experience with construction management at risk work, including

your firm's relevant experience performing as Construction Manager (CM) or CM/GC on public projects. Describe how your firm would interact with the Owner and Owner's design team on this project, including what you would need from the Owner and Owner's design team in order to make the project successful.

(Weight: 15)

6. Cost Control/Risk Management Methods

Describe your firm's methodology and experience with preconstruction services, including value engineering, cost planning, constructability analyses, scheduling and cost and constructability risk management and risk mitigation evaluations/analyses. Identify successful experiences and any unique services you offer in these areas. Describe how your firm will work with the design team to successfully implement these processes during design development and construction document phases. Describe in detail how your firm will manage and communicate ongoing regular Construction costs and budget status with the Owner and the Owner's design team. Describe in detail your process(es) to develop a GMP budget and the specific project controls you will employ to control costs during Construction. (Weight: 25)

7. Project Management

Describe your firm's processes for managing this Project including how you will manage sub-contractors in order to ensure that the Project is completed safely, on schedule, within the Contract budget and with the high quality expected by OSU. Describe your processes for managing changes during Construction, including how you deal with differing site conditions, how you prefer to minimize and streamline Construction change orders and your preferred approach to handling disagreement with the Owner and/or design professionals during design and Construction.

Describe your firm's approach to the management and administration of on-site Construction activities for this Project. Include a site plan or diagram depicting your approach. Address mobilization, Construction staging, site access, vehicular circulation, pedestrian circulation, noise, material storage, onsite offices, trash/recycling, security, temporary toilet facilities and utilities and other related factors. Also, describe how your firm will work on the OSU-C campus to minimize the impacts of Construction on our students, faculty, staff, public, and visitors.

(Weight: 25)

8. Business Inclusion and Diversity Plan

Provide a description and identification of Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Emerging Small Business (ESB), or Disabled Service Veterans (DSV) certifications for your firm and a description of your nondiscrimination practices. Provide historical information on MBE, WBE, ESB, or DSV Joint Ventures, subcontracting or mentoring plan, and utilization history for projects completed by your firm within the past three (3) years.

Provide a narrative description of your current workforce diversity program/plan, and the plan for obtaining subcontracting, consulting, and supplier diversity for this Project. Include a description of the outreach program or plan, including a schedule of events and specific steps that will be taken to maximize broad based and inclusive participation and the plan to provide

mentoring, technical or other business development services to subcontractors needing or requesting such services.

The CM/GC will perform the Work and the Contract with respect to diversity according to the means and methods described in the workforce plan described in the Proposal, unless changes are requested and approved in writing in advance by OSU or are required by applicable laws, ordinances, codes, regulations, rules or standards. (Weight: 20)

9. Work Plan/Schedule

Describe your firm's planning, scheduling, phasing, and project monitoring skills and processes, including how the Project schedule will be monitored and time optimized for this Project. Describe your firm's planned approach to the pre-construction services, procurement and Construction for this Project. Include a one page (10-20 activities) proposed Project schedule indicating procurement, mobilization, Construction, and completion by December 31, 2019. Identify various bid packages or pre-purchase packages that would be required to accomplish the proposed schedule. (Weight: 20)

10. Company Safety Record and Safety Plan

Provide the safety record information listed below. If your firm is a division or subsidiary of a larger corporation, your Proposal must include the information for the division/subsidiary separately, and information for the parent corporation may be included if desired and relevant.

- a) Experience Modification Rate (EMR) for each of the last five years.
- b) Lost Time and Recordable Incident Rates for each of the last five years.
- c) OSHA fines for each of the last five years (including any fines initially imposed, but later rescinded). Include a brief summary and amount of each fine.
- d) Your corporate safety philosophy and approach including a description of how this philosophy is implemented from senior management to all building trades workers.

(Weight: 10)

11. Recent Project Safety Record

Provide the safety record information listed below for a project within the last three years that had elements of work similar to this project.

- a) Lost Time and Recordable Incident Rates for the duration of the project.
- c) OSHA fines on the project (including any fines initially imposed, but later rescinded). Include a brief summary and amount of each fine.
- d) Near misses or other non-recordable mishaps observed on the project and what your project team learned from analysis of the near miss.
- d) Specific examples of how your corporate safety philosophy was implemented on the project.

(Weight: 5)

12. CM/GC Fee/Preconstruction Services Fee

Provide your firm's **CM/GC Fee as a percentage of the Estimated Cost of the Work** for

this Project.

This fee shall cover, at a minimum, the Construction Management elements and Costs Excluded from Cost of the Work, as specified in the Contract and specifically identified in the Direct Costs/ General Conditions Work Costs Matrix at Exhibit C (“**Matrix**”). Items identified in the Matrix as applicable to the CM/GC Fee shall not be reimbursed as General Conditions Work (“**GC Work**”). GC Work means (i) that portion of the Work required to support Construction operations that is not included within overhead or general expense but is specifically identified as GC Work as identified in the Matrix, and (ii) any other specific categories of Work approved in writing by OSU as forming a part of the GC Work. See the attached Sample CM/GC Contract for details.

The Matrix is included in the RFP as guidance to respondents in developing the CM/GC Fee and understanding which items will be considered a direct cost of the Work or GC Work costs and which items are not reimbursable, but which will be recovered through the CM/GC Fee. After Contract Award and prior to Construction Work being performed under the first Early Work Amendment or the GMP Amendment, as applicable, the maximum not-to-exceed amount for General Conditions Work items for the Project will be established and set forth in the applicable amendment.

Provide a **separate fee proposal for Preconstruction Services** on a time and materials cost reimbursement basis up to a maximum not-to-exceed amount. (Weight: 10)

IX. REFERENCES

In addition to responding to the evaluation criteria above, provide current contact information for references for each of the *key personnel* you propose for this Project. The references must represent at least one of each of the following: owners, subcontractors, and architects/engineers. These references must relate to projects of a size, scope and/or complexity comparable to this Project. The references identified must have had direct contact with your team member.

Also, provide current contact information for three owners, three sub-consultants, and three contractors to be used as references for your firm for this Project. Verify that the individuals identified have had direct contact with the referenced project. Do not include references from any firms or individuals included in your team for this Project or any references of OSU personnel.

OSU may check with these references or other references associated with past work of your firm.

X. PROPOSAL EVALUATION

OSU will utilize this RFP process to obtain information to enable selection of the most qualified Offeror through evaluation of:

- a. The Offerors’ Proposals to evaluation criteria in section VIII of this document;
- b. Information obtained during an interview of the Offerors by the selection committee; and
- c. The results of discussions with the Offeror’ references and others.

The written Proposal to this RFP is the first step in a two-step process in the selection of a CM/GC for this Project. The Proposals to this RFP will be evaluated by the selection committee, which will be comprised of representatives from OSU who score qualification statements and rank finalists and other university personnel who serve as advisors but do not score qualifications statements or rank finalists and may also include members of the design team who will not score qualification statements or rank finalists.

Each criterion in the first step of the evaluation process has been assigned a weight between five (5) and twenty-five (25). Scoring members of the selection committee will rate each Offeror in each criterion between one (1) and five (5) (five being the highest), and multiply that number by the weight assigned to the criterion. The scoring members of the selection committee will then total the weighted score from all of the criteria to obtain the total score. The result of this total score will be used to rank all Offerors. The top ranked three (3) to five (5) Offerors will be invited to participate in on-site interviews.

The RFP Proposals will be used in preparation for interviews of the finalists.

Interviews will include a sixty (60)-minute presentation period, immediately followed by a separate thirty (30)-minute Q&A session. Finalists should be prepared to address the following:

- A summary of key information in your Proposal to the RFP that sets you apart as the best choice as CM/GC for this project.
- Specific challenges you anticipate for this project based on past experience and knowledge of this site.
- Lessons learned from previous projects that you will incorporate to keep this project moving forward.
- Describe your firm's philosophy on the CM/GC approach and your past experience working with design teams to develop project budgets and schedules.
- Describe your firm's approach to interactions with members of the public that express interest in your project (either positive or negative) and neighbors of your project sites.

After all of the interviews are completed, the ranking members of the selection committee will discuss the strengths and weaknesses of the interviewed finalists. The ranking members of the selection committee will then rank the interviewed finalists in order of preference based on all information received, presented and heard during the interviews. Final ranking will be based on finalist's Proposal to questions during the interview stage, and through that Proposal, how well each firm can meet the Project and University needs. The Offeror that has the highest overall ranking will be deemed the Apparent Successful Offeror.

If, during the discussion, the selection committee determines the interviewed firms are too close to rank, the university has no recent experience working with an Offeror, or if the consolidated ranking indicates a tie, the committee will check the references provided by the Offeror as required in section IX of this RFP. Information obtained from references may alter the committee's final ranking of firms.

Any alteration of final ranking will be based on committee's understanding of how well each firm can meet the needs of the Project and University.

XI. FINANCIAL RESPONSIBILITY

OSU reserves the right to investigate and evaluate, at any time prior to Award and execution of the Contract, the Offeror's financial responsibility to perform the anticipated Contract. Submission of a Signed Proposal will constitute approval for OSU to obtain any credit report information OSU deems necessary to conduct the evaluation. OSU will notify the Offerors, in writing, of any other documentation required, which may include, but need not be limited to: recent profit-and-loss history; current balance statements; assets-to-liabilities ratio, including number and amount of secured versus unsecured creditor claims; availability of short and long-term financing; bonding capacity and credit information. Failure to promptly provide this information may result in rejection of the Proposal.

OSU may postpone the Award or execution of Contract or selection of finalists in order to complete its investigation and evaluation. Failure of a firm to demonstrate financial responsibility may render it non-responsible and constitute grounds for Proposal rejection.

XII. SUBMISSION

Submit **One (1)** Sealed copy of your written Proposal, along with an electronic version on a thumb drive, to be received by the closing date and time listed in this document to the **Contract Administrator** as stated in this RFP.

Telephone, facsimile, or electronically transmitted submittals will not be accepted.

Pursuant to OSU Standard, Offeror must appropriately identify its Proposal. OSU will not be responsible to handling Proposals not identified appropriately.

The electronic Proposal must be sized appropriately for transfer (under 8 mb).

Proposals received after the closing date and time will not be considered.

XIII. QUESTIONS

All questions and contacts with OSU regarding any information in this RFP must be addressed either in writing, fax, or email to the **Contract Administrator** stated in this RFP no later than January 31, 2019 at 5:00 PM. If you are unclear about any information contained in this document or its exhibits (Project, scope, Proposal format, agreement terms, etc.), you are urged to submit those questions for formal clarification.

XIV. SOLICITATION REVISION

Offerors may submit a written request for change of particular solicitation provisions, Specifications,

and or Contract terms and conditions (including comments on any Specifications that a firm believes limits competition) to Hanna Emerson, Construction Contracts Manager, at the address stated above or email at hanna.emerson@oregonstate.edu. Such requests for change shall be received no later than January 16, 2019 at 5:00 PM. Such requests for change shall include the reasons for the request and any proposed changes to the solicitation provisions, Specifications and or Contract terms and conditions.

XV. CHANGE OR MODIFICATION

Any change or modification to the specifications or the procurement process will be in the form of an Addendum to the RFP and will be made available to all Offerors by publication on the OSU Bid and Business Opportunity web site (<https://bid.oregonstate.edu>). It is the responsibility of each Offeror to visit the website and download any Addenda to this RFP. No information received in any manner different than as described herein shall serve to change the RFP in any way, regardless of the source of the information.

XVI. APPEALS

Appeals shall be pursuant to OSU Standards. Any Offeror to this RFP who claims to have been adversely affected or aggrieved by the Contract Award of a competing Offeror will have seven Days after issuance of the notice of intent to Award to deliver a written appeal of the Contract Award to Hanna Emerson, Construction Contract Manager, at the address listed in this RFP. Any such appeals must be received by Ms. Emerson no later than seven Days after the Contract Award has been made. Pursuant to OSU Standard, appeal must be clearly marked as an appeal and identify the Solicitation, Contract and Award at issue.

XVII. PROPRIETARY INFORMATION

OSU will retain this RFP and one copy of each original Proposal received, together with copies of all documents pertaining to the Award of a Contract. These documents will be made a part of a file or record, which shall be open to public inspection after OSU has announced its intent to Award a Contract. If a Proposal contains any information that is considered a trade secret under ORS 192.345(2), you must mark each trade secret with the following legend: **“This data constitutes a trade secret under ORS 192.345(2), and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS Chapter 192.”**

The Oregon Public Records Law exempts from disclosure only bona fide trade secrets, and the exemption from disclosure applies only “unless the public interest requires disclosure in the particular instance.”

Therefore, non-disclosure of documents or any portion of a document submitted as part of a Proposal may depend upon official or judicial determination made pursuant to the Public Records Law.

In order to facilitate public inspection of the non-confidential portion of the Proposal, material designated as confidential shall accompany the Proposal, but shall be readily separable from it. Prices,

makes, model or catalog numbers of items offered, scheduled delivery dates, and terms of payment shall be publicly available regardless of any designation to the contrary. Any Proposal marked as a trade secret in its entirety shall be considered non-responsive and shall be rejected.

XVIII. PROJECT TERMINATION

OSU is seeking to Award a Contract to a CM/GC for the Preconstruction and all Construction phases; however, OSU reserves the right to terminate the Project or Contract during any phase in the Project.

XIX. CERTIFICATION OF NONDISCRIMINATION

By submission of the Proposal, the undersigned hereby certifies under penalty of perjury that the undersigned is authorized to act on behalf of CM/GC, and, that CM/GC, as part of its Proposal, has not discriminated against minority, women or emerging small business enterprises in obtaining any required subcontracts.

XX. ENCLOSURES

Sample CM/GC Agreement Form including the following:

Exhibit A – OSU General Conditions

Exhibit B – Form of GMP Amendment

Exhibit C – Direct Costs/General Conditions Work Costs Matrix

Exhibit D – Supplemental General Conditions

Exhibit E - Reimbursable Travel and Per Diem Expenses

Attachment 1 - Sample Performance Bond

Attachment 2 - Sample Payment Bond

OSU-C LDRP:

https://osucascades.edu/sites/osucascades.edu/files/osu-cascades_lrdp_report.pdf

Draft Preliminary Health and Safety Plan

Draft Remedial Action Work Plan

END OF RFP