



# Oregon State University

## COMPREHENSIVE RESERVE REQUEST FOR PROPOSAL (RFP) #2023-010737

### VALLEY FOOTBALL CENTER IMPROVEMENTS 2023 DESIGN

ISSUE DATE: February 20, 2023

**MANDATORY PRE-PROPOSAL CONFERENCE & SITE**

**VISIT:**

March 1, 2023 at 11:00 AM Pacific Time (PT) at  
Valley Football Center

**RFP DUE DATE/TIME:**

March 14, 2023 at 10:00 AM Pacific Time (PT) via  
electronic submission to [bids@oregonstate.edu](mailto:bids@oregonstate.edu)

QUESTION DEADLINE: March 6, 2023 at 5:00 PM Pacific Time (PT)

PROJECT NUMBER: 2450-23

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It is the Proposer's responsibility to continue to monitor the [OSU Business and Bid Opportunities](#) website for Addenda. Failure to acknowledge any Addenda in the Transmittal Letter may cause your Proposal to be considered non-responsive.

*OSU standards and policies govern this solicitation ([Procurement Thresholds and Methods, Procurement Solicitations and Contracts](#)) unless otherwise referenced or stated.*

## **1.0 INTRODUCTION**

**1.1** Oregon State University (“OSU” and/or “Owner”) is conducting a competitive **ONE OR TWO-STEP** Request for Proposals (RFP) process to retain one (1) architectural firm to provide design services to support a remodel of portions of the Valley Football Center (“VFC”) on the Oregon State University Corvallis campus (*the “Project”*).

OSU is seeking proposals only from firms accepted into OSU’s 2019-2023 Professional Consultant Reserve Contracting Program. Firms not currently in the Reserve Program can apply for entry into the program by responding to the RFQ contained at the following link: <https://bid.oregonstate.edu/>

**OSU WILL ONLY BE ACCEPTING SEALED PROPOSALS ELECTRONICALLY** - Proposals are to be submitted to [bids@oregonstate.edu](mailto:bids@oregonstate.edu) by the Due Date/Time.

**VIRTUAL MANDATORY PRE-PROPOSAL CONFERENCE & SITE VISIT-** A virtual Mandatory Pre-Proposal Conference and site visit will be held at 11:00 AM PT on March 1, 2023. Meet with the Owner at the exterior entrance to Valley Football Center, 724 SW 30th Street, Corvallis, OR. Campus Safety Policies for Face Covering and Physical Distancing requirements related to Covid-19 are located at <https://covid.oregonstate.edu/safety-policies>.

All questions shall be submitted via e-mail to [constructioncontracts@oregonstate.edu](mailto:constructioncontracts@oregonstate.edu) by the Question Deadline in order to be addressed. The email subject line should contain the Solicitation Number/Name and Firm Name.

**1.2 Background.** Oregon State University in Corvallis, Oregon is located within the traditional homelands of the Mary’s River or Ampinefu Band of Kalapuya. Following the Willamette Valley Treaty of 1855 (Kalapuya etc. Treaty), Kalapuya people were forcibly removed to reservations in Western Oregon. Today, living descendants of these people are a part of the Confederated Tribes of Grand Ronde Community of Oregon (<https://www.grandronde.org>) and the Confederated Tribes of the Siletz Indians (<https://ctsi.nsn.us>).

Founded in 1868 as Oregon’s land grant institution, OSU serves the state, the nation and the world as a premier 21st-century research university. OSU is committed to exceptional research, discovery, innovation and engagement — and to integrating its research and engagement mission with the delivery of a high-quality, globally relevant and affordable education for the people of Oregon and beyond. OSU is one of only two land, sea, space and sun grant universities in the U.S. and is the only university in Oregon to have earned both Carnegie Classifications for Very High Research Activity and Community Engagement.

The university’s 570-acre main campus is located in the city of Corvallis, a vibrant college town of nearly 58,000 in the heart of Western Oregon’s Willamette Valley. Corvallis consistently ranks among the safest, most highly educated and greenest small cities in the nation.

**1.3 Location.** Valley Football Center, located north of Reser Stadium, at 724 SW 30<sup>th</sup> St opened in 1990. The building went through renovations in 1997 and then again in 2017. The 2017 renovation consisted of a \$42 million privately funded renovation to make it one of the most modern facilities in the country. The hub of the Beaver football team has more than doubled in size to nearly 100,000 square feet (“SF”) (nearly 125,000 SF including the exterior terrace). The football program

now enjoys one of the largest locker rooms in the nation spanning the width of the field (53 yards), a new coaches' locker room, coaches' offices, and sports medicine and equipment areas. In addition, the Valley Football Center includes an upgraded players' lounge, new meeting areas, a media room, barber shop and the OSU Athletics Hall of Fame.

**1.4 Summary of Work.** OSU wants to remodel the existing VFC. OSU is anticipating to reconfigure & remodel some of its existing spaces. The Project will include the re-design of the existing approximately 24,000 SF locker/sport medicine/equipment area, remodel of about 8,000 SF players' lounge, and full re-design and remodel of dining area and kitchen that is approximately 8,000 SF. The Project will also consist of minor changes and improvements throughout the entire facility including work on the entire terrace area. The terrace work will be improving about 25,000 SF of surface area that will include waterproofing and installing traffic coating.

**1.4.1** The Project will provide a building program developed with the following goals:

**1.4.1.1** Improvements to the building envelope and deck waterproofing to stop the water penetration that currently exists.

**1.4.1.2** Create new administrative offices to better use existing space, this will include a remodel of the players' lounge. New administrative offices will in turn increase the administrative functions throughout the building.

**1.4.1.3** Full remodel of the current field level locker room to include installation of new lockers, remodel of the shower and restroom area, along with installing new graphics and finishes. Additionally, the Project will include relocating the pools in the locker room to another area in the facility.

**1.4.1.4** Full remodel of the cafeteria and kitchen area to bring the kitchen up to current codes. This could include relocation to another building.

**1.4.1.5** Update graphics and make minor improvements throughout the space.

**1.4.1.6** Other areas of VFC could also be remodeled as funding allows. Conversely, the scope may also be reduced depending on funding and current market costs.

**1.4.2** The Project is a multi-phase tenant improvement. As outlined below, some design will still be taking place during construction to meet a tight schedule and to ensure all areas are available to OSU for the Football season.

**1.4.2.1** The first phase of construction will be the scope of the locker room and terrace work. Actual construction planned to start May of 2024 and be completed by early August 2024. The locker room is critical as it will be needed by the team in preparation for the 2024/2025 Football season. Most of the design work in this area will be focused around the shower and bathroom areas, as the plan for the lockers is to proceed with Owner Furnished Contractor Installed, so these will be selected and purchased by OSU.

**1.4.2.2** The second phase will be the kitchen and players' lounge. The construction activities associated with this work is planned to be completed after football season January 2025 and completed by early August 2025.

**1.5 Scope of Services.** At minimum, the scope of services must include a kick-off meeting, existing conditions review, conceptual design studies, an order of magnitude cost estimate, design development phase deliverable, and construction document phase drawings.

**1.6 Budget.** The design budget for the work contemplated by this RFP is approximately \$500,000.00.

**1.7 Design Standards.** The design of the Project must follow [OSU's Design Standards](#), including OSU's requirements for sustainable development.

## **2.0 SCHEDULE**

Issue Date	February 20, 2023
<b>Mandatory Pre-Proposal Conference &amp; Site Visit</b> entrance to VFC	March 1, 2023 at 11:00 AM, exterior
Question Deadline	March 6, 2023 5:00 PM
Final Addendum Issuance (if necessary)	By March 8, 2023
Proposal Due Date/Time	March 14, 2023 at 10:00 AM

### **The following dates are tentative and subject to change without notice:**

Estimated notification of finalists (If Applicable)	March 21, 2023
Presentations/Interviews (If applicable)	Week of April 3, 2023
Notice of Intent to Award	By April 10, 2023
Estimated Contract execution	By May 1, 2023

OSU will make every effort to adhere to the above schedule. It is however, subject to change.

## **3.0 QUESTIONS, SOLICITATION REVISION REQUESTS, CHANGE OR MODIFICATION, APPEALS**

### **3.1 Questions.**

**3.1.1** All questions and contacts with OSU regarding any information in this RFP must be addressed in writing via email to [constructioncontracts@oregonstate.edu](mailto:constructioncontracts@oregonstate.edu) no later than the **Question Deadline** as stated in Section 2.0. If a Proposer is unclear about *any* information contained in this document or its exhibits (Project, scope, etc.), they are urged to submit those questions for formal clarification.

### **3.2 Solicitation Process Revision Requests.**

**3.2.1** Proposers may submit a written request for change of particular solicitation process provisions to the **Construction Contracts Manager** at the address or email listed in this document. Such requests for change shall be received no later than the **Question Deadline** listed above.

**3.2.2** Such requests for change shall include the reasons for the request and any proposed changes to the solicitation process provisions.

### **3.3 Change or Modification.**

**3.3.1** Any change or modification provided by the Owner for this RFP or the documents included as exhibits to this RFP shall be made by a duly issued Addendum made available to

all firms on the [OSU Business and Bid Opportunities](#) website. It is the responsibility of each Proposer to visit the website and download any addenda. 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.

**3.3.2** OSU will not be responsible for any other explanation or interpretation of this RFP or the documents included as exhibits to this RFP.

#### **3.4. Appeals.**

**3.4.1** Appeals related to the OSU solicitation process and award decisions and actions shall be pursuant to OSU Standards ([Procurement Thresholds and Methods, Procurement Solicitations and Contracts](#)). All written appeals must be delivered to the **Construction Contracts Manager**, at the address given in this RFP.

### **4.0 PUBLIC RECORD**

**4.1** OSU will retain an electronic copy of this RFP and one electronic copy of each Proposal received, together with electronic 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.”**

**4.2** 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.”

**4.2.1** 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.

**4.3** 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 may be considered non-responsive and be rejected.

### **5.0 FORM OF AGREEMENT**

A Sample Reserve Contract Supplement is included as an exhibit and contains contract terms and conditions applicable to the work. The sample contract may contain certain notes or alternative provisions. Those alternative provisions will be included at the sole discretion of OSU.

### **6.0 RESERVED**

## **7.0 INSTRUCTIONS TO OFFERORS**

**7.1 Summary of Work.** The Work contemplated in this document shall be for OSU in connection with the Project described in Section 1.0 of this document.

### **7.2 Pre-Proposal Conference and Site Visit.**

**7.2.1** The Pre-Proposal Conference and Site Visit will be held in-person. The Proposer must attend the Mandatory Pre-Proposal Conference, which will be held on campus. Proposals will not be accepted from those firms who have not had a representative attend the Mandatory Pre-Proposal Conference and Site Visit. Attendance will be documented by signing in on a sign in sheet with the **Contract Administrator** at the beginning of the Conference. Attendance will be documented by OSU. Proposers who arrive more than five (5) minutes after start time of the meeting (as stated in the RFP and by OSU's clock) or after the discussion portion of the meeting, (whichever comes first) will not have their attendance documented and will have their Proposal rejected **if submitted**.

**7.2.2** No statement made by any officer, agent, or employee of OSU in relation to the physical conditions pertaining to the Work site will be binding on OSU, unless included in writing in the documents included as exhibits to this RFP or an Addendum.

**7.2.3** Date and Time of a Pre-Proposal Conference is located on the cover sheet of this RFP.

#### **7.2.4 RESERVED**

**7.2.5** The OSU COVID Safety & Success Policy is located here:  
<https://covid.oregonstate.edu/safety-policies>

### **7.3 Proposal Submission.**

**7.3.1** Submit **one (1) electronic version via email** to be received by the Due Date/Time listed in this document to [bids@oregonstate.edu](mailto:bids@oregonstate.edu) as stated in this RFP. **Electronic versions must be sized appropriately for transfer (under 10 mb).**

**7.3.2** All Proposals must be received by OSU before the Due Date/Time. OSU's official clock shall prevail in any time conflict. Any Proposal received after the Due Date/Time will be rejected and will be retained and made part of OSU's archive records in accordance with OSU Standards.

### **7.4 Proposal Submission Requirements.**

**7.4.1** Your Proposal must be contained in a document not to exceed Twenty (20) 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 page limit and must be appended to the end of your Proposal. No supplemental information to the page limit will be allowed. Appended resumes of the proposed key individuals, along with a Transmittal letter, table of contents, front and back

covers, references, exceptions and blank section dividers will not be counted in the page limit.

**7.4.2 Your Proposal must follow the format outlined below and include a Transmittal/Cover Letter signed by an officer of your firm(s) with the authority to commit the firm(s) and must also acknowledge receipt of all addenda. Include an email address for communication purposes.**

#### **7.4.3 RESERVED**

**7.4.4** The electronic Proposal should be **should be sized appropriately for transfer (under 10 MB)** and formatted with page size of **8 ½ x 11 inches** with no fold-outs (except for any large format documents required by evaluation criteria). The basic text information of the Proposal should be presented in standard business font size, and reasonable margins.

**7.4.5** OSU may reject any Proposal not in compliance with all applicable OSU solicitation 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.

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

**7.4.7** Telephone and facsimile transmitted **Proposals will not be accepted**. Proposals received *after* the Due Date/Time **will not be considered**.

**7.4.8** Each Proposal shall be emailed to [bids@oregonstate.edu](mailto:bids@oregonstate.edu). Proposals must be received by the date/time and in the format specified herein. The email line should contain the Solicitation Number/Name and Firm Name. Only those Proposals received at this email address by the Proposal Due Date/Time shall be considered responsive. Proposals submitted directly to the **Contract Administrator** will NOT be considered responsive. It is highly recommended that the Proposer confirms receipt of the email with the **Contract Administrator or designee**. The **Contract Administrator** or designee may open the email to confirm receipt but will NOT verify the integrity of the attachment(s), answer questions related to the content of the Proposal, or address the overall responsiveness of the Proposal.

### **7.5 Acceptance or Rejection of Solicitation Responses by OSU.**

**7.5.1** The procedures for Contract awards shall be in compliance with the provisions of OSU standards and policies adopted by OSU.

**7.5.2** OSU reserves the right to reject any or all Proposals and to waive minor informalities in compliance with the provisions of OSU standards and policies adopted by OSU.

### **7.6 Withdrawal of Solicitation Response.**

**7.6.1** At any time prior to the Due Date/Time, a Proposer may withdraw its Proposal in accordance with OSU Standards. This will not preclude the submission of another Proposal by such Proposer prior to the Due Date/Time.

**7.6.2** After the Due Date/Time, Proposers are prohibited from withdrawing their Proposal, except as provided by OSU Standards.

## **7.7 Evaluation Process.**

The written response to this RFP is the first in a **potential** two-step process in the selection of a firm for this Project. The Proposals received in response to this RFP will be evaluated by a selection committee with the top scoring firms being invited to advance to further evaluation steps that include Interviews should the committee determine they are necessary.

Interviews will include a **Twenty (20) minute** presentation period, immediately followed by a separate **Twenty-five (25) minute** Q&A session.

After all of the Presentations/Interviews are completed, the members of the selection committee will discuss the strengths and weaknesses of the finalists. The members of the selection committee will then score the finalists based on all information received, presented and heard during the Presentations/Interviews. Reference Checks may also be undertaken to aid in final scoring. Upon completion of final scoring, negotiations may commence with all Proposers submitting responsive proposals or all Proposers in the competitive threshold.

Final scoring of the Interviews and Reference checks, if applicable, will be **cumulative**, added to the Step 1 scoring.

**7.8 Evaluation Criteria.** The following items constitute the evaluation criteria for the selection committee to score Proposals. For ease in reviewing, provide tabs keyed to each of the following criteria:

### **7.8.1 Firm Background and Experience – 10 points**

Describe your firm's history. Include information identifying the firm's annual volume and speak to the firm's stability in the market place. Explain relevant experience particularly with working on projects of similar scope for public entities. Information identifying the firm's strengths and weaknesses along with special capabilities that may be appropriate to this Project will assist in the evaluation. On all projects identified in this section, list the relevance to the key personnel provided as a part of 7.8.2 below. Proposers do not need to list team members no longer employed with Proposer, or that will not be a part of this Project.

### **7.8.2 Key Personnel (25 Points)**

Provide the names of the project team that will be committed to this Project. Outline their roles and responsibilities and the experience they have working on a project of this scope and size. Provide project experience specific to athletics facilities. Identify their length of employment with your firm and, if less than three years, provide some background of what they did prior to joining your firm.

### **7.8.3 Project Approach (15 Points)**

Provide a narrative on how you plan to approach this project with the Owner team to make sure milestones and critical dates are met. How will you partner with OSU and lead this project to a completion that works for the end user?



#### **7.8.4 Proposed Project Schedule (15 Points)**

Prepare a proposed Project schedule that identifies milestones and duration for each proposed activity that shows how you will be able to meet the project constraints as outlined in the Scope of Work section of this document.

#### **7.8.5 Firm Experience with Sustainable Construction Processes (15 Points)**

Describe your firm's experience with innovative sustainable design and construction practices as related to remodel of existing buildings. Demonstrate experience with Living Buildings, Net Zero Buildings or other advanced sustainable construction protocols. Provide examples of how your firm plans to reduce environmental impacts during construction and while operating on campus.

#### **7.8.6 Equity and Diversity Plan (15 Points)**

List MWESB (Minority, Woman-Owned, Emerging Small Business or Disabled Service Veterans) State Certification numbers for yourself or any MWESB subconsultants or partners that you will utilize on this Project team. Please include their specific role on the Project and the anticipated contract value. Substitutions of these subconsultants after award of the contract shall require OSU approval.

**7.8.6.1** What are your methods to reach out to or provide opportunities to MWESB firms?

**7.8.6.2** What does your firm do to increase diversity in your company and with your subconsultants?

**7.8.6.3** List any other community programs, membership or outreach your firm is involved in.

#### **7.8.7 Compensation Proposal (10 Points)**

Compensation will be based on a total not-to-exceed (NTE) amount for services and reimbursable expenses with a NTE maximum for the services required. Provide a compensation proposal showing a breakdown of services by design phase as indicated below.

The breakdown of the costs per design phase must include a listing of the types of personnel participating in the work, an estimate of their hours for each design phase, and the total cost for each phase based on the proposed scope listed in **Section 1.0**. It is anticipated the scope will be better defined after the notice of intent to award has been posted, therefore the exact amount of compensation will be negotiated with the Apparent Successful Proposer.

The proposed Fee *must be submitted in a separate document* from the remainder of the RFP Response. Do not include the proposed Fee in the same document as the responses to the evaluation criteria 7.8.1 through 7.8.6 above.

**Note:** Fee to be evaluated with 10 points to the lowest fee and all others to be reduced by 2 points each as the fee increase. However, no Proposer will earn less than zero points. In other words, if the formula results in a negative number, the Proposer will receive zero points.

#### **7.8.8 References (Not evaluated in Step 1)**

In addition to responding to the evaluation criteria above, all Proposers (not just finalists) **must** provide the names, addresses, phone numbers and e-mail addresses of three (3)

references. Do not include references from any firms or individuals included in your consulting team for this Proposal or any OSU personnel.

## 7.9 Step 1 Point Summary Table.

Criteria	Point Value
Firm Background and Experience	10 Points
Key Personnel	25 Points
Project Approach	15 Points
Proposed Project Schedule	15 Points
Firm Experience with LEED and Sustainable Construction Processes	15 Points
Equity and Diversity Plan	15 Points
Proposed Fee	10 Points

## 7.10 Optional Interview and Reference Checks (10 Points).

### 7.10.1 Interviews (5 Points)

Presentations/Interviews *may* be conducted to aid in determining the Apparent Successful Proposer. Information regarding the Presentations/Interviews will be provided to the short-listed firms following the initial review and scoring. Final scoring of the Presentations/Interviews will be **cumulative**, added to the Step 1 scoring.

### 7.10.2 Reference Checks (5 Points)

OSU *may* check with the references required by **Section 7.8.8** above or other references associated with past work of your firm. Scoring of Reference Checks, if applicable, will be cumulative, added to the Step 1 scoring.

### 7.10.3 Step 2 Point Summary Table

Criteria	Point Value
Interview	5 Points
Reference Checks	5 Points

**7.11 Equity Contracting.** OSU will require the successful Proposer to comply with OSU Standards, policies, rules and procedures requiring good faith efforts in subcontracting with minority, women, emerging small business or service-disabled veteran owned business enterprises.

## 7.12 Negotiations.

**7.12.1** OSU may commence General and/or Best and Final Offer (BAFO) Negotiations in accordance with OSU Standards ([Procurement Thresholds and Methods, Procurement Solicitations and Contracts](#)) following final scoring under either a one or two-step process.

**7.12.2 RESERVED**

**7.12.3 RESERVED**

#### **7.12.4 RESERVED**

**7.12.5** If OSU and the Apparent Successful Proposer are unable to reach agreement on contract terms and conditions, OSU may cease negotiations with the Apparent Successful Proposer and enter negotiations with the next highest scoring Proposer, etc.

### **8.0 MISCELLANEOUS**

#### **8.1 Financial Responsibility.**

**8.1.1** OSU reserves the right to investigate, at any time prior to execution of the contract, the Proposers financial responsibility to perform the anticipated services. Submission of a Proposal will constitute approval for OSU to obtain any credit report information OSU deems necessary to conduct the evaluation. OSU will notify Proposers, 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.

**8.1.2** OSU may postpone the selection of finalists or execution of a contract 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.

#### **8.2 Project Termination.**

**8.2.1** OSU reserves the right to terminate the Project or contract during any phase in the Project.

**8.3 Insurance Provisions.** During the term of the resulting contract, the awardee will be required to maintain in full force, at its own expense, from insurance companies authorized to transact the business of insurance in the state of Oregon, each insurance coverage/policy as set forth in the contract.

**8.4 Nondiscrimination.** By submission of a Proposal, the Proposer certifies under penalty of perjury that the Proposer will not discriminate against minority, women, emerging small business or service-disabled veteran owned business enterprises in obtaining any required subcontracts.

**8.5 AA/EEO Employer.** OSU is an AA/EEO employer.

**8.6 Compliance with Applicable Law.** Proposer agrees to comply with all federal, state, county, and local laws, ordinances, and regulations as well as all applicable OSU Standards and Policies while on campus.

**8.6.1 Smoke and Tobacco Free Campus.** Owner's grounds and premises are smoke and tobacco free. Contractor and Contractor's employees, agents, Subcontractors, if any, agree not to smoke or use tobacco products while on Owner property.

**8.6.2 Sexual Misconduct Policy.** OSU has policies that prohibit sexual misconduct against members of the university community and in keeping with those policies Contractor and Contractor's employees, agents, and Subcontractors are prohibited from engaging in sexual misconduct against members of the university community.

**8.6.3 Firearms Policy.** The Owner has adopted a policy that prohibits Contractor and Contractor's employees, agents and Subcontractors from possessing firearms on Owner's property.

**8.7 Reservation of OSU's Rights.** In connection with this procurement process, including the receipt and evaluation of Proposals and award of the Agreement, OSU reserves to itself (at its sole discretion) all rights available to it under applicable law, including without limitation, with or without cause and with or without notice, the right to:

- 8.7.1** Cancel, withdraw, postpone, or extend this RFP, in whole or in part, at any time prior to the execution of the Agreement, without incurring any obligations or liabilities.
- 8.7.2** Modify the procurement schedule.
- 8.7.3** Waive deficiencies, informalities, and irregularities in a Proposal and accept and review a non-conforming Proposal.
- 8.7.4** Suspend and terminate the procurement process or terminate evaluations of Proposals received.
- 8.7.5** Permit corrections to data submitted with any Proposal.
- 8.7.6** Hold meetings and interviews, and conduct discussions and correspondence, with one or more of the Proposers to seek an improved understanding of any information contained in a Proposal.
- 8.7.7** Seek or obtain, from any source, data that has the potential to improve the understanding and evaluation of the Proposals.
- 8.7.8** Seek clarification from any Proposer to fully understand information provided in the Proposal and to help evaluate and rank the Proposers.
- 8.7.9** Reject a Proposal containing exceptions, additions, qualifications, or conditions not called for in the RFP or otherwise not acceptable to OSU.
- 8.7.10** Conduct an independent investigation of any information, including prior experience, included in a Proposal by contacting project references, accessing public information, contacting independent parties, or any other means.
- 8.7.11** Request additional information from a Proposer during the evaluation of its Proposal.
- 8.7.12** Negotiate with one or more Proposers regarding any particular or all aspects of the Agreement as determined by OSU in its sole discretion. However, OSU does not have to negotiate with any Proposer. The successful Proposer may be required to sign the Agreement with OSU without negotiation of any terms or conditions.

**8.8 Execution of Agreement.**

**8.8.1** The Proposer shall be required to execute the Contract as provided, within any time period provided in an award notification. The Contract Documents shall be delivered to OSU in the manner stated in an award notification.

**8.8.2 Work/Services Commencement.** Work/Services shall not commence until execution of a Contract and subsequent issuance of a notice to proceed letter with the selected

Proposer.

**9.0 EXHIBITS**

Exhibit 1 – Sample Reserve Contract Supplement

**END OF RFP**