



April 12, 2019

SOLICITATION # 7598746PH1

SOLICITATION TITLE: Pre-Qualification Job Order Contracting (JOC) for Vertical General Construction

SUBMISSION DEADLINE: MAY 10, 2019 at 10:30 AM (Local Time)

PRE-BID/ PROPOSAL CONFERENCE: YES

MANDATORY: YES

If YES, any Vendor who intends to submit a bid proposal in response to this solicitation must have its designated representative attend the mandatory Pre-Bid/ Proposal Conference. The representative must register at the Pre-Bid/ Proposal Conference and disclose the identity of the vendor whom he/she represents. A vendor's failure to attend and register at the mandatory Pre-Bid/ Proposal Conference shall result in disqualification of the vendor's bid proposals as non-responsive to the solicitation.

DATE: April 24th, 9:00 AM

LOCATION: URI Memorial Union, Atrium #2, 50 Lower College Road, Kingston, RI 02881

Questions about this solicitation must be emailed and received by the Division of Purchases to the attention of Kathy Missell at: katherine.missell@purchasing.ri.gov no later than **4/30/2019 at 4PM** in a *Microsoft Word attachment* identified with the corresponding solicitation number. Questions, if any, and responses will be posted on the Division of Purchases website at www.purchasing.ri.gov as an addendum to this solicitation

BOND: A bonding capacity commitment letter from a bonding company authorized to conduct business in Rhode Island is required for Phase 1 participation.

RIVIP REGISTRATION: Vendors must be registered through the online Division of Purchases' Rhode Island Vendor Information Program ("RIVIP") at www.purchasing.ri.gov. To register or update information, click on "Vendor Center," then "Vendor Information" from the dropdown menu on the left.

BIDDER CERTIFICATION COVER FORM: Vendors must complete and include a Bidder Certification Cover Form with the Pre-qualification Phase 1 submission.

SAMPLE PROJECT: At the pre-qualification meeting, a sample project and Price Proposal from the Construction Task Catalog® will be provided.

**PRE-QUALIFICATION – JOB ORDER CONTRACTING SERVICES
FOR
VERTICAL GENERAL CONSTRUCTION**

User Agency: **The University of Rhode Island**

Awarding Authority: **Rhode Island Department of Administration
Division of Purchases
One Capitol Hill, 2nd Floor Providence, RI02908-5855**

The Rhode Island Department of Administration, by and through its Division of Purchases, hereby solicits statements of qualifications (“SOQ”) on behalf of the User Agency for vertical general construction in accordance with the terms and conditions of this solicitation. The selection process for the Job Order Contracts shall be a two-phase process involving Phase 1 Pre-Qualification of potential vendors followed by Phase 2 solicitation of cost proposals from the pre-qualified vendors.

Interested vendors must submit a complete SOQ application package by the Pre-Qualification Phase 1 submission deadline.

This solicitation contains, and is subject to the terms and conditions of the JOC - Phase 1, JOC checklist, SOQ form and schedules, and the RIVIP Bidder Certification Cover Form. The solicitation is available at www.purchasing.ri.gov.

The prequalification of vendors pursuant to this solicitation will be made on the basis of the evaluation factors and technical requirements set forth in this solicitation. At the time of opening of the Pre-Qualification General Contractor (PGC) - Phase 1 SOQ application packages the names of all vendors who have submitted a SOQ application package to the Division of Purchases will be announced publicly.

INSTRUCTIONS TO VENDORS

Compliance with Instructions to Vendors

These Instructions to vendors contain terms and conditions that will govern the preparation and submission of SOQ application packages.

Potential vendors must comply with each and every requirement of these Instructions to Vendors. Any failure to comply with any requirement may result in the determination of non-responsiveness of the SOQ application package and/or the rejection of the vendor’s submission

Priority of Terms and Conditions

The terms and conditions in these Instructions to Vendors *supersede* any and all inconsistent or conflicting terms and conditions in any other provision of any other document in this solicitation and govern this solicitation.

Response to Solicitation

Submission of a SOQ application package in response to this solicitation constitutes an offer to the State of Rhode Island to be considered for participation in the Phase 2 solicitation for the Job Order Contracts on the terms and conditions contained in this and the Phase 2 solicitation, the laws of the State of Rhode

Island, including all procurement statutes and regulations (available at www.purchasing.ri.gov), and applicable federal and local law, all of which are incorporated into this solicitation by reference.

Comprehensive Review

Vendors are responsible for carefully reviewing all of the requirements of this solicitation prior to preparing and submitting a SOQ. Failure to submit a complete SOQ may result in rejection of the submission. Claims for additional costs or time resulting from the vendor's failure to review this solicitation carefully will not be considered.

Addenda

Responses to questions from vendors, interpretations of specifications, changes prior to the Pre-qualification Phase 1 SOQ application package submission deadline, and supplemental instructions and terms will be posted as addenda on the Division of Purchases website at www.purchasing.ri.gov, and all addenda shall be incorporated into this solicitation upon posting. Vendors are responsible for checking the website to determine the issuance of any addenda. No addenda will be posted within the 5-day period preceding the Pre-Qualification Phase 1 SOQ application package submission deadline except for an addendum withdrawing the solicitation or extending the Pre-Qualification Phase 1 submission deadline.

Costs

Vendors are responsible for all costs and expenses to develop and submit an SOQ application package in response to this solicitation.

Preparation of Submission

SOQ application packages must be submitted in accordance with the instructions in this solicitation. This solicitation contains a checklist to assist vendors in preparing an SOQ application package for submission.

Submission of Statement of Qualifications

General Instructions

Contracting firms (“Respondents”) which want to be considered for pre-qualification for the participation in the Phase 2 solicitation for the Job Order Contracts for vertical general construction are required to submit a Statement of Qualifications (“SOQ”) application package as follows:

Contents of Statement of Qualifications Application Package

The required SOQ application package consists of the following:

1. SOQ Form (attached)
2. Schedules A through H (Attachment A)
3. All supporting documentation referenced and required therein

The SOQ application package must be submitted in a separate sealed envelope or package and include: (i) one original SOQ application unbound and fastened only with binder clips, five (5) paper copies of the SOQ application unbound and fastened only with binder clips, and one electronic copy (readable only CD – ROM in PDF format) of the SOQ application; (ii) one original signed (in ink) RIVIP Bidder Certification Cover Form; and (iii) one original signed and dated (in ink) IRS Form W-9.

The SOQ application *may* include a transmittal letter signed by an authorized representative of the vendor and *must* include a table of contents, with sections separated by tabs, and be limited to thirty (30) pages, excluding exhibits and appendices. The signed original RIVIP Bidder Certification Cover Form should be included as the first tab in the original SOQ application with copies of the RIVIP Bidder Certification Cover Form in the copies of the SOQ application. The electronic copy of the SOQ application (*readable only* CD-Rom in .pdf format) must be placed inside the original SOQ application package. The IRS Form W-9 (downloadable from the Division of Purchases website at www.purchasing.ri.gov) should be included only in the original SOQ application.

Financial statements or other financial information must be placed in a *separate sealed envelope* marked “Financial Information-Confidential.”

The *outside* sealed package and the *inside* sealed envelope(s) must include the vendor’s name and address and the specific “Solicitation Number,” “Solicitation Title,” and the “Pre-qualification Phase 1 Submission Deadline” marked in the upper left-hand corner. The SOQ application package must be delivered (via mail, messenger service, or personal delivery) to the Division of Purchases and date-stamped receipted by the date and time specified for the Pre-qualification Phase 1 submission deadline.

At the designated submission deadline there shall be a public opening of all timely filed SOQ application packages and the names of the responding vendors announced. Vendors should have SOQ application packages delivered sufficiently in advance of the submission deadline to ensure timely delivery to the Division of Purchases or, when delivering a SOQ application package in person or by messenger, should allow additional time for parking and clearance through security checkpoints.

SOQ Packages must contain the Solicitation # 7598746PH1 on the outside of the package

SOQ application packages must be sent to:

**Rhode Island Department of Administration,
Division of Purchases
One Capitol Hill, 2nd Floor Providence, RI
02908-5855**

SOQ application packages that are not received by the Division of Purchases by the Pre-qualification Phase 1 submission deadline will be deemed late and not be considered. The submission time will be determined by the time clock in the Division of Purchases. Postmarks will not be considered proof of timely submission.

RIVIP Bidder Certification Cover Form

Respondents must download, complete, sign, and submit the RIVIP Bidder Certification Cover Form for this solicitation as the first document in the SOQ application package. The RIVIP Bidder Certification Cover Form is downloadable with the solicitation from the Division of Purchases website by logging in as a RIVIP vendor and clicking on the applicable "Solicitation Number."

Public Record

Each SOQ application package submitted in response to this solicitation shall be deemed to be a public record pursuant to the Rhode Island "Access to Public Records Act," R. I. Gen. Laws §§ 38-2-1, *et seq.* Each SOQ application package will be available for inspection upon request as a public record upon completion of the Pre-qualification Phase 1 and in accordance with this solicitation. Pursuant to the "Access to Public Records Act." All financial information which is of a privileged or confidential nature will not be made available to the public.

Divestiture of Investments in Iran Requirement

The Respondent must certify that it does not engage in investment activities in Iran as described in R. I. Gen. Laws § 37-2.5-2(b). In addition, the Respondent must certify that it does not appear on the list maintained by the General Treasurer pursuant to R. I. Gen. Laws § 37-2.5-3.

Withdrawal

A Respondent may withdraw its SOQ application package at any time prior to the Pre-qualification Phase 1 submission deadline.

Reservation of Rights

The Division of Purchases reserves the right, at any time, for any reason, in its sole discretion, to: Revoke, suspend, or terminate this solicitation; (ii) accept or reject any and all SOQ application package, in whole or in part; and/or (iii) waive any technical defects, irregularities, or omissions in any SOQ application package with or without cause.

Inspection

Respondents are responsible for carefully reviewing all of the requirements of this solicitation, inspecting the project location, including checking and/or verifying site conditions, any limitations, and other details, prior to preparing and submitting its SOQ application package. Claims for additional costs or time resulting from the vendor's failure to inspect and /or verify will not be considered.

Foreign Corporations

No foreign corporation or limited liability company may transact business in the State of Rhode Island until it shall have obtained a Certificate of Authority from the Rhode Island Secretary of State, and no foreign limited partnership may transact business in the State of Rhode Island until it shall have obtained a Certificate of Registration from the Rhode Island Secretary of State.

Mission and Vision of the University of Rhode Island

The University of Rhode Island is the State's public learner-centered research university. We are a community joined in a common quest for knowledge. The University is committed to enriching the lives of its students through its land, sea, and urban grant traditions.

URI is the only public institution in Rhode Island offering undergraduate, graduate, and professional students the distinctive educational opportunities of a major research university. Our undergraduate, graduate, and professional education, research, and outreach serve Rhode Island and beyond.

Students, faculty, staff, and alumni are united in one common purpose: to learn and lead together. Embracing Rhode Island's heritage of independent thought, we value:

- Creativity and Scholarship
- Diversity, Fairness, and Respect
- Engaged Learning and Civic Involvement
- Intellectual and Ethical Leadership

Our vision is to be "the institution of first choice for students and faculty with a passion for inquiry." To meet this vision, success in our recruitment and yield of students is paramount. It is well documented that the campus visit and experience is one of the main factors in helping a student choose one institution over the other. As a tuition-dependent institution, URI needs to ensure that it meets the needs of contemporary students and an important aspect of that is in providing desirable student housing and a welcoming, sustainable, and attractive campus environment.

Contract Overview

A Job Order Contract is an indefinite quantity contract pursuant to which the Contractor may perform an ongoing series of individual Projects at different locations throughout the University. The Contract Documents include a Construction Task Catalog® containing construction tasks with preset Unit Prices. All Unit Prices are based on local labor, material and equipment prices and are for the direct cost of construction.

With the Phase 2 Cost Proposal, the Contractor will bid two Adjustment Factors to be applied to the Unit Prices contained in the Construction Task Catalog®. One Adjustment Factor for performing work during Normal Working Hours and a second Adjustment Factor for performing work during Other Than Normal Working Hours. The same two Adjustment Factors shall apply to every Pre-priced Task in the Construction Task Catalog®.

A Contract(s) for vertical general construction will be awarded in accordance with the Phase 2 Solicitation of Cost Proposal.

As projects are identified the Contractor will jointly scope the work with the University. The University will prepare a Detailed Scope of Work and issue a Request for Job Order Proposal to the Contractor. The Contractor will then prepare a Job Order Proposal for the Project including a Job Order Price Proposal, drawings and sketches, construction schedule, and other requested documentation.

The Job Order Price shall equal the value of the approved Job Order Price Proposal. The value of the Job Order Price Proposal shall be calculated by summing the total of the calculation for each Pre-priced Task (Unit Price x quantity x Adjustment Factor) plus the value of all Non Pre-priced Tasks.

If the Job Order Proposal is found to be complete and reasonable, a Job Order may be issued.

A Job Order will reference the Detailed Scope of Work and set forth the Job Order Completion Time, and the Job Order Price. The Job Order Price shall be a lump sum, fixed price for the completion of the Detailed Scope of Work. A separate Job Order will be issued for each Project. Extra work, credits, and deletions will be contained in a Supplemental Job Order.

The University will specify the MBE/WBE participation goal with each Job Order. Once the MBE/WBE goals are set, the Contractor will provide a list of subcontractors and MBE/WBE status to the University.

The Contractor is required to follow the procedure for ordering work set forth in JOC Supplemental Conditions.

Description of the Work

This Contract is for construction work and related services to be performed on sites and facilities under the jurisdiction of the University. Horizontal, civil site work projects may include, but not be limited to, facility renovations, electrical, mechanical, plumbing, painting, roofing, interior renovations, exterior building envelope improvements, data communication, audio visual, internal and external signage, flooring, etc., to all facilities and infrastructure owned or managed by the University. It is anticipated the majority of projects will be in the range of \$50,000 to \$300,000, however the University reserves the right to use Job Order Contracting for any size project.

The work of this Contract will be set forth in the Detailed Scopes of Work referenced in the individual Job Orders. The Contractor is required to complete each Detailed Scope of Work for the Job Order Price within the Job Order Completion Time.

General Project Information

Job Order Contracting for Vertical General Construction

Primarily on the Main Campus, but URI reserves the right to have the Contractors work at any location or facility under the jurisdiction of URI or DOA.

User Agency Agent: URI Office of Capital Projects
60 Tootell Road – Sherman Building Kingston, RI 02881

Contract Term

The Base Term of the Contract is September 30, 2020. There are four (4) bilateral Option Terms. Both parties must agree to extend the Contract for an Option Term. The duration of each Option Term is one year.

All Job Orders issued during the term of this Contract shall be valid and in effect notwithstanding that the Detailed Scope of Work may be performed, payments may be made, and the guarantee period may continue, after such period has expired. All terms and conditions of the Contract apply to each Job Order.

The Contractor may withdraw from the Contract on any anniversary of the Contract. In the event the Contractor elects to withdraw from the Contract and not exercise an Option Term, it must provide to the Owner (120) days written notice of its intent to withdraw. Exercising an option to withdraw shall not relieve either party from its obligations with respect to Job Orders issued prior to such withdrawal.

Contract Value

The Estimated Annual Value is \$1,000,000 per awarded Contract. The University may issue Job Orders up to or exceeding the Estimated Annual Value. Contractors are not guaranteed to receive this volume of Job Orders. It is merely an estimate.

JOC System License Fee

The Rhode Island Department of Administration selected The Gordian Group's (Gordian) Job Order Contracting (JOC) System for their JOC program. The Gordian JOC Solution includes Gordian's proprietary Gordian Cloud JOC Applications and Construction Task Catalog®, which shall be used by the Contractor to prepare and submit Job Order Proposals, subcontractor lists, and other requirements specified by the Job Order. **To obtain access to the Gordian JOC Solution, the Contractor shall be required to execute Gordian's JOC System License and Fee Agreement, and pay a 1% JOC System License Fee of all Job Orders issued.**

Scope of Work

The project scope will involve services as defined within AIA Document A101-2007 *Standard Form of Agreement Between Owner and Contractor* and AIA Document A201-2007 *General Conditions of the Contract for Construction* as modified by the RI Department of Administration Division of Purchases and the University of Rhode Island included herein under Attachment B and the JOC Supplemental Conditions included herein under Attachment C.

Administration/Schedule for Prequalification Process

This solicitation is issued pursuant to R. I. Gen. Laws § 37-2-27.1, *et seq.* Vendors interested in providing contractor services for the project **MUST** submit a SOQ application package in response to this solicitation to the Rhode Island Division of Purchases. The construction management at-risk selection process for the

Project shall be a two-phase process involving Phase 1 pre-qualification of potential vendors followed by Phase 2 solicitation of cost proposals from the pre-qualified vendors.

1. Technical Review Subcommittee – The Chief Purchasing Officer shall appoint a technical review subcommittee to review and evaluate the SOQ application packages submitted by Respondents.
2. Notice To Respondents – Upon completion of the evaluation and review process, the technical review committee shall submit written recommendations to the Chief Purchasing Officer, who will determine the list of pre-qualified general construction firms. Written notice to all Respondents as to whether they have been pre-qualified will be issued by the Division of Purchases and posted on the Division of Purchases website. Only pre-qualified Respondents shall be invited to participate in the Phase 2 solicitation.

Criteria for Prequalification

SOQ application packages must be submitted on the SOQ Form and Schedules attached hereto in Attachment A. Respondents submitting an SOQ application package in any other form shall be deemed to be non-responsive to this solicitation. The technical review committee shall review and evaluate the information submitted by Respondents in accordance with the point schedule set forth herein.

1. **Management Experience** - (25 points available in this category; minimum of 20 points required in this category for prequalification approval)
 - a. **Business Owners:** Respondents **MUST COMPLETE Schedule A** and **MUST ATTACH** a resume to it providing the name, title, including a detailed description of the role and job responsibilities, scope of work and numbers of years with the firm for each of the business owner(s) of the firm. If the Respondent is a partnership, then it **MUST** provide the requested information for each general and limited partner. If the Respondent is a corporation or limited liability company, then it **MUST** provide the requested information for each officer, director and/or member. (5 points available)
 - b. **Management Personnel:** Respondents **MUST COMPLETE Schedule B** and **MUST ATTACH** to it a resume for each and every person who will have **any** management responsibility, direct or indirect, for the Contract or individual Job Orders. Provide the name, title, including a detailed description of the role and job responsibilities, scope of work, education, construction experience, years with the firm and list of all projects completed for all management personnel who will have any direct or indirect responsibility for the Contract or individual Job Orders, including but not limited to project executives, project managers, project engineers, field superintendents, field engineers, and safety engineers. (20 points available)
 - c. **Similar Project Experience:** Respondents **MUST COMPLETE Schedule C**. (45 points available)
 1. For purposes of this SOQ, a “similar project” shall mean a vertical general construction project. Depending on which Contract the Respondent is seeking to pre-qualify, submit projects whose scope of work relates to the appropriate Contract. List each project submitted on Schedule C **and** attach an additional sheet describing the project’s scope of work and the Respondent’s role in the construction process. Prime contracting experience with public agency procurement is preferred. Only submit those projects that have a final acceptance date within the past three (3) years. Respondents with less experience will be considered but will be scored accordingly.
 - i. List on Schedule C, four (4) repair or rehabilitation projects whose final value including change orders is equal to or less than \$50,000 **and** attach a one-page summary describing the scope of work. (15 points available)
 - ii. List on Schedule C, four (4) repair or rehabilitation projects whose final value including change orders is between \$50,000 and \$250,000 **and** attach a one-page summary describing the scope of work. (15 points available)
 - iii. List on Schedule C, four (4) repair or rehabilitation projects whose final value including change orders is between \$250,000 and \$500,000 **and** attach a one-page summary describing the scope of work. (15 points available)
 - d. **Terminations:** Respondents **MUST COMPLETE Schedule D**. Provide a list of any projects within the past five (5) years on which Respondent was the prime contractor or construction manager and was terminated, held in default, or failed to complete the work. Include the name of the project, the timeframe of the project and circumstances surrounding the termination or default. (up to 5 points available for favorable record)
 - e. **Legal Proceedings:** Respondents **MUST COMPLETE Schedule E**. Provide information regarding each and every legal proceeding, administrative proceeding, and arbitration pending against the Respondent. In addition, provide information regarding each and every legal proceeding, administrative proceeding, or

arbitration action concluded adversely to the Respondent within the past five (5) years, which relate to the procurement or performance of any public or private construction contract. *(up to 5 points available for favorable record)*

- f. **Safety Record:** Respondents **MUST COMPLETE** **Schedule F**. Provide the three (3) year history of the Respondent's workers' compensation experience modifier. In addition, provide documentation from the Respondent's insurance carrier supporting the rating history provided. *(up to 10 points available for favorable record)*
 - g. **MBE/WBE and Workforce Compliance Record:** Respondents **MUST COMPLETE** **Schedule G**. Provide information and evidence of the Respondent's compliance record with respect to Minority Business Enterprise and Women Business Enterprise goals and workforce inclusion goals for all projects completed which had such goals within the past three years. In addition, Respondents **MUST ATTACH** documentation supporting the actual participation and inclusion amounts reported in **Schedule G**. Respondents must complete the bottom portion of **Schedule G** acknowledging and agreeing that MBE/WBE participation will be identified with each Job Order. *(up to 10 points available for favorable record)*
2. **References** - (20 points available in this category; minimum of 10 points required in this category for prequalification approval)
- a. **Project References:** Respondents **MUST COMPLETE** **Schedule H**. Provide contact information for owners and architects for each and every project listed. Information provided shall include project name and the names of the owners and architects, with current address, current telephone, email address and fax numbers, and contact person for each. Note: The Technical Review Subcommittee Committee may also consider project reference information provided in response to *Subsection 1(c)* herein. *(10 points available)*
3. **Financial Capacity to Complete Projects** - (Pass / Fail in this category)
- a. **Audited Financial Statement:** Respondents **MUST** submit an audited financial statement for the most recent fiscal year in a separate sealed envelope; label the envelope "Audited Financial Statement." The financial information submitted shall remain confidential and shall not be a public record. The financial information will be reviewed by the Bureau of Audits on a pass/fail basis. (Note: whether submitted in a sealed envelope or not, such audited financial statements shall not be considered public records).
4. **Mandatory Requirements** - (no points assigned)
- a. **Performance and Payment Bond:** Respondents **MUST** provide a commitment letter (from a surety company licensed to do business in the State of Rhode Island and whose name appears on the United States Treasury Department Circular 570) for payment and performance bonds in excess of \$1 million. Respondents must also acknowledge and agree to provide a performance and payment bond with each Job Order. A payment and performance bond will be required for all Job Orders greater than \$50,000. If required for a Job Order, the Contractor shall deliver a payment and performance Bond in the amount equal to the Job Order Price. The bond must be received before the Notice to Proceed will be issued. The Contractor shall be compensated for the cost of the bonds up to 2% of the Job Order Price through the reimbursable work task in the Construction Task Catalog®.

7598746PH1

SOLICITATION TITLE: Pre-qualification Job Order Contracting for Vertical General Construction

STATEMENT OF QUALIFICATION (SOQ) FORM

The State of Rhode Island Department of Administration Division of Purchases,
2nd Floor
One Capitol Hill, Providence, RI 02908-5855

ndor:

Legal name of entity _____

Address (street/city/state/zip)

Contact name Contact email Contact

telephone Contact fax

- **Bond**

A bonding capacity commitment letter from a bonding company authorized to conduct business in Rhode Island is required for Phase 1 participation.

7598746PH1

SOLICITATION TITLE: Pre-qualification Job Order Contracting for Vertical General Construction

Addenda

The vendor has examined the entire solicitation including the following addenda.

All addenda must be acknowledged.

Addendum No. 1 dated: Addendum No. _____

2 dated: Addendum No. 3 dated: _____

7598746PH1

SOLICITATION TITLE: Pre-qualification Job Order Contracting for Vertical General Construction

The person signing below certifies that he or she has been duly authorized to execute and submit this Statement of Qualification and accompanied schedules on behalf of the vendor.

VENDOR

Date: _____
Name of Vendor

Signature in ink

Printed name and title of person signing on behalf of Vendor

Vendor's Contractor Registration Number

Dunn & Bradstreet Number

End