

ATTACHMENT 1

SECTION 00 11 21 REQUEST FOR PROPOSAL

A. PART I - GENERAL

A1. Scope of Contract

A. Project Number: 523-400

B. Project Title: Parking Garage Minor Construction

C. Project Location: West Roxbury VAMC located at 1400 VFW Parkway West
Roxbury, Massachusetts 02132

D. Scope of Work:

See Solicitation 36E77618R0063 and all Attachments.

A2. Definitions

A.

1. Contracting Officer (CO): A person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings. The term includes certain authorized representatives of the Contracting Officer acting within the limits of their authority as delegated by the Contracting Officer. "Administrative Contracting Officer (ACO)" refers to a Contracting Officer who is administering contracts. "Termination Contracting Officer (TCO)" refers to a Contracting Officer who is settling terminated contracts. A single Contracting Officer may be responsible for duties in any or all of these areas.
2. Contracting Officer's Representative (COR): The Contracting Officer's written designation of a representative responsible for administering contracts under the immediate direction of the Contracting Officer. For the purposes of this contract the term "COR" will be used herein.
3. Technical Monitor (TM): This term, as used herein, refers to the person(s) assisting the COR in administering contracts under the immediate direction of the Contracting Officer.
4. Contractor: This term, as used herein, refers to the contractor under this contract. The contractor is solely responsible for the management (planning, supervision, and contract coordination) and construction (including all labor, equipment, materials, tools, and inspections) to meet the requirements of this contract.

ATTACHMENT 1

8. **Project Management:** The contractor shall provide an individual in the capacity of a contractor project manager. The contractor project manager shall have legal (on-site signature) authority to represent the Contractor. The Project Manager shall be the initial point of contact for coordinating with the VA.

A3. Pre-Proposal Conference & Site Walk through

The VA has scheduled the following pre-proposal site visit. See Federal Acquisition Regulation (FAR) Clause 52.236-27 of this solicitation for the date and location.

All potential Offerors, subcontractors and suppliers are strongly encouraged to attend this site visit.

A4. Selection Criteria

- A. Award will be made to the lowest priced, technically acceptable offer. Evaluation Factors include Factor 1 (Technical) and Factor 2 (Price). To receive consideration for award, a rating of Acceptable must be achieved for Factor 1 (Technical). Responsibility determination will be made in accordance with FAR 9.1, Responsible Prospective Contractors.
- B. Evaluations - All proposals shall be subject to evaluation by a team of Government personnel. The Government reserves the right to award without discussions based upon the initial evaluation of the proposals. The proposals will be evaluated in accordance with the content provided in the solicitation.

B. PART II - RESPONSIBILITIES

B1. VA Team

- A. The VA team is comprised of the VHA-PCAC Contracting Officer, the COR who will be located at the construction site and VA Medical Center staff.

B2. Use of Advisors

- A. Contractors are advised that VA contractor personnel may assist the Government during the Government's evaluation of Proposals. The persons shall be authorized access to only those portions of the proposal and discussions that are necessary to enable them to provide specific technical advice on specialized matters or on particular problems. These individuals will be required to protect the confidentiality of any specifically identified trade secrets and/or privileged or confidential commercial or financial information obtained as a result of their participation in this evaluation. They shall be expressly

ATTACHMENT 1

prohibited from scoring, ranking or recommending the selection of an Offeror.

C. PART III - PROPOSAL REQUIREMENTS

C1. General

- A. Proposals shall be based on solicitation documents issued for RFP Solicitation Number 36E77618R0063. Proposals will be in the format stipulated elsewhere in Section C2. Proposal Format.
- B. Proposals shall be received on or before the date and time specified in Block 13 of the SF 1442. There will be no public opening of the proposals.
- C. Submit proposals via email to:
 - 1. scott.elias@va.gov
 - 2. Emails are limited to five (5) MB.
- D. Submit the original of the Bid Guarantee by mail to:
 - 1. US Postal Service Deliveries:
 - Scott Elias
 - Department of Veterans Affairs
 - Program Contracting Activity Central (VA-PCAC)
 - 6150 Oaktree Blvd., Suite 300
 - Independence, OH 44131
 - 2. Commercial Delivery Services / Hand Carry (Monday- Friday, 8:00 AM to 4:30 PM (EDT))
 - Scott Elias
 - Department of Veterans Affairs
 - Program Contracting Activity Central (VA-PCAC)
 - 6150 Oaktree Blvd., Suite 300
 - Independence, OH 44131
 - 3. Failure to furnish the required bid guarantee in the proper form and amount, by the time specified in Block 13 of SF 1442, may result in rejection of the proposal. SEE FAR Provision 52.228-1, Bid Guarantee, of this Solicitation.

C2. Proposal Format

- A. Technical and Price sections of the Offerors proposals will be evaluated independently; therefore, the Offeror shall submit the proposal in two (2) Volumes (Volume I: Technical and Volume II: Price). In order that the Volume I Technical may be evaluated strictly on the merit of the material submitted, the contractor shall include **NO** price information in Volume I. Offeror shall separate Volumes I and II. Both

ATTACHMENT 1

Technical and Price volumes, therefore, must be labeled with the Offeror's organization, business address, and VA Solicitation Number.

- B. The Offeror shall submit Volumes I and II in electronic format as searchable PDF documents. The proposal, in its entirety, shall not exceed two emails (one email for Price proposal, and one email for Technical proposal) of 5MB each. Include page numbers and the company name in the header or footer of each page.
- C. The offer, including title page, detailed table of contents, preface, for Volume I technical shall not exceed a total of **THIRTY-FIVE (35)** pages in Microsoft Arial size 12 font. This page limit does not apply for any of the Past Performance Questionnaires that are submitted directly to the Contracting Officer. Volume II Price Proposal shall not exceed a total of **TWENTY (20)** pages in Arial size 12 font. The SF 1442, Representations and Certifications and acknowledged amendments shall all be part of Volume II and will not count against the page limitations. Use graphic presentations where such use will contribute to the compactness and clarity of the proposal.
- D. A page is defined as each face of an 8.5 X 11 inch sheet of paper containing information. Note, submission of the draft project schedule only, can be submitted by utilizing larger paper. All information (except for document numbers, page numbers, etc.) shall be provided in an image area of 7 X 9 inches. Note, this does not apply for the submission of the draft project schedule. The background color of each page of the submission shall be white or ivory stock only. Excess pages will not be evaluated. Text lines will be single-spaced. A smaller font size for any graphics presented in a proposal is permitted as long as the information is legible to the human eye. Fonts other than Arial are permissible in the presentation of graphic material only.
- E. The Offeror's responses shall clearly address each evaluation factor listed in this solicitation. Failure to submit in the format required and clearly address those factors may result in this offer being rated unacceptable.
- F. Offeror shall include all required Representations and Certifications; and acknowledge receiving amendments by filling out section 19 of the SF 1442 and returning a signed copy of the amendment(s) with the offer. The Representations and Certifications and acknowledged Amendments

ATTACHMENT 1

shall be included in Volume II of the proposal and will not count as part of the page limitations.

- G. Offeror shall include the Safety or Environmental Violations and Experience Modification Rating Information as part of Volume II, including filling out **ATTACHMENT 12**. It will not be evaluated as Price, nor will it count against the page limitations.

1. All Offerors shall submit information pertaining to their past Safety and Environmental record. The information must contain a certification that the Offeror has no more than three (3) serious, or one (1) repeat or one (1) willful OSHA or any EPA violation(s) in the past three years. If such certification cannot be made, an Offeror shall explain why and submit as much information as possible regarding the circumstances of its past safety and environmental record, including the number of EPA violations and/or the number of serious, repeat, and/or willful OSHA violations, along with a detailed description of those violations.

2. All Offerors shall submit information regarding their current Experience Modification Rate (EMR). This information shall be obtained from the Offeror's insurance carrier and be furnished on the insurance carrier's letterhead. If an Offeror's EMR is above 1.0, Offeror must submit a written explanation of the EMR from its insurance carrier furnished on the insurance carrier's letterhead, describing the reasons for the elevated EMR and the anticipated date the EMR may be reduced to 1.0 or below.

3. Self-insured contractors or other contractors that cannot provide their EMR rating on insurance letterhead must obtain a rating from the National Council on Compensation Insurance, Inc. (NCCI) by completing/submitting form ERM-6 and providing the rating on letterhead from NCCI. Note: Self-insured contractors or other contractors that cannot provide EMR rating on insurance letterhead from the states or territories of CA, DE, MI, NJ, ND, OH, PA, WA, WY, and PR shall obtain their EMR rating from their state run worker's compensation insurance rating bureau.

4. If the NCCI cannot issue an EMR because the Offeror lacks insurance history, Offeror shall submit a letter indicating so from its insurance carrier furnished on the insurance carrier's letterhead, and include a letter from the NCCI indicating that it has assigned Offeror a Unity Rating of 1.0.

ATTACHMENT 1

5. The above information, along with other information obtained from Government systems, such as the OSHA and EPA online inspection history databases, will be used to make an initial Determination of Responsibility.

6. This requirement is applicable to all subcontracting tiers, and prospective prime contractors are responsible for determining the responsibility of their prospective subcontractors.

*If the EMR rating for the subcontracting tiers cannot be provided at time of proposal submission, the prime contractor shall acknowledge this and provide as a submittal with the insurance and bonding requirements.

7. Failure to provide the **ATTACHMENT 12** containing the above information, may result in a determination that an Offeror is not responsible and therefore ineligible for award.

C3. Final Proposal Revisions

- A. If determined to be necessary, proposal revisions will be requested from the proposals received. The CO will identify those Offerors, whose proposals are within the competitive range, considering the selection criteria identified in this section. Discussions may be conducted with those Offerors falling within the competitive range, after which proposal revisions will be requested. Sealed proposal revisions will be submitted as per Part III.C1.C, above, except as noted below and will be due at a time and place to be determined.
- B. Offerors submitting proposal revisions will not be requested to re-submit any documents which are unchanged from their initial proposals. They should provide necessary changes to individual paragraphs, as briefly as possible, together with a table of contents, which clarifies where within the initial proposal the additional information or changed documents would be placed. Proposal revisions shall include a completed **SF 1442** that acknowledges receiving all amendments, by number. A new bid bond shall be submitted only if the final proposal revisions Offeror's price proposal is greater than its initial price proposal.

*Note this section C.3 only applies if discussions are conducted.

C4. Factor 1 Technical Proposal Requirements (Volume I)

- A. The proposal shall address the following submission requirements for Factor 1 (Technical). Evaluations will be conducted in accordance with criteria in provided in Part I, A4:

1. Volume I, Element 1, Construction Experience:

ATTACHMENT 1

Submit a minimum of one (1) and maximum of three (3) construction projects for the Offeror that best demonstrates your experience on relevant projects that are similar in size, scope, and complexity to the RFP. The projects must demonstrate an offeror's construction experience as a prime construction contractor directly responsible to the owner and managing multiple subcontractors. For purposes of this evaluation, a relevant project is further defined as a construction, alteration, or repair of completed clinical, hospital or other medical related use space similar in size and scope to this project; OR a construction or alteration of a parking garage or other large pre-cast concrete structure. Project(s) shall have a minimum value of \$2,000,000 and be 100% completed. Projects submitted for the Offeror shall be completed within the past five (5) years of the date of issuance of this RFP. Projects submitted for the Offeror shall be completed within the past five (5) years of the date of issuance of this RFP.

A project is defined as a construction project performed under a single task order or contract. For multiple award and indefinite delivery/indefinite quantity type contracts, the contract as a whole shall not be submitted as a project; rather Offerors shall submit the work performed under a task order as a project.

Offeror's submission should include at a minimum:

- Provide the Project Title and Description, Project Location (Physical Address); Contract Type (Example: Design Build, Design Bid Build).
- Provide the project owner name and telephone number of the owner's contact person.
- Provide a description of the scope of work, to include the work performed by the prime contractor.
- Provide project statistics including start and completion dates (original vs actual) and project cost (original vs actual. If original vs actual completion dates and project cost differ, please explanation as to why they differ.

If the Offeror is a Joint Venture (JV), relevant project experience should be submitted for projects completed by the Joint Venture entity. If the Joint Venture does not have shared experience, projects shall be submitted for each Joint Venture partner.

ATTACHMENT 1

Offerors who fail to submit experience for all Joint Venture partners may be rated lower.

2. Volume I, Element 2, Project Execution:

Provide a Draft Project Schedule:

Prepare and submit a practicable construction schedule showing all necessary work elements to complete the project identified under this solicitation. The schedule must be in the form of a progress chart of suitable scale to indicate appropriately the percentage of work scheduled for completion by any given date during the performance period. The submitted schedule must be developed using project scheduling software such as MS Project, Primavera, or any other comparable form.

Each Offeror's construction schedule must address the following:

- Order of work elements to include project phasing
- Number of days for each work element
- Identification of long lead time materials
- Identification of separate work elements

The proposed schedule must include the activities which are consistent with those described within the project specifications and drawings and must not exceed the Government's maximum allowable performance period, as noted in Block 11 of the SF 1442. The project will start at the issuance of the Notice to Proceed. For scheduling purposes, assume the Notice to Proceed will be issued thirty (30) calendar days after the award date. (Note that there is no guarantee the Notice to Proceed will be issued within this timeframe.)

*The schedule submitted with the offer should not be construed as the agreed upon schedule as per FAR 52.236-15, the contractor shall, within five (5) days after receiving the Notice to Proceed, submit a revised schedule which will supersede the proposed schedule. The revised schedule will be subject to VA approval and must show the project being accomplished within the time frame specified on the SF 1442.

Provide Narrative for Project Challenges:

Describe in a written narrative, the challenges identified for this project and a plan for addressing these challenges. This plan shall include how to minimize the disruption of patient care to the greatest extent possible.

ATTACHMENT 1

3. Volume I, Element 3, Key Personnel Experience:

The Offeror shall provide a resume for each of the following key personnel members, to include the Project Manager, On-Site Superintendent, designated Competent Person (as defined by OSHA)/Safety Point of Contact, and all of the identified or known Major Subcontractors. (It is recognized that not all subcontractors may be identified by the time of proposal submission.) For each resume, include name of company, name of individual, relevant listing of experience, qualifications for each person such as specialized training, education, experience. (For the subcontractors identified, provide a resume of that company and identify any key personnel that would be involved with this project and any of their relevant experience.) Please delineate approximate % of work the prime contractor will perform on this job and the approximate % of work the subcontractors (collectively) will perform on this job.

4. Volume I, Element 4, Past Performance:

Each proposal shall provide current and relevant information regarding an Offeror's actions under previously awarded contracts referenced under Factor 1, Construction Experience. If a completed past performance evaluation is available in PPIRS, it shall be submitted with the proposal for each project referenced in Factor 1, Construction Experience. If there is not a completed past performance evaluation available in PPIRS, then the Offeror shall submit Past Performance Questionnaires (PPQ (reference **ATTACHMENT 11**)) for each project referenced in Factor 1, Construction Experience. The Offeror shall notify their client that they PPQ shall be submitted via email to the Government's point of contact scott.elias@va.gov. If the Offeror is unable to obtain a completed PPQ from a client for a project(s) before proposal closing date, the Offeror shall complete and submit with the proposal the first page of the PPQ, which will provide contract and client information for the respective project(s). The Government may make reasonable attempts to contact the client noted for that project(s) to obtain the PPQ information. However, Offerors should follow-up with clients/references to help ensure timely submittal of questionnaires.

The Government reserves the right to contact references for verification or additional information.

ATTACHMENT 1

C5. Factor 2 Price Proposal Requirements (Volume II)

Volume II: Price:

- A. Carefully follow "Instructions, Conditions, and Notices to Offerors". **Standard form (SF) 1442 Solicitation, Offer and Award** (Construction, Alteration, or Repair) and the pricing schedule located on PAGE 6 when submitting price offers. Submit a bid guarantee as stipulated in the Section "Instructions, Conditions, and Notices to Offerors".
- B. In addition to the pricing schedule, Offerors shall submit a complete Breakdown of the Division Pricing for CLIN 0001.
- C. The prices shall be Firm Fixed Price. The Offeror shall take care not to include remarks that take exception to the Government's Specifications/Drawings or pricing requirements or otherwise preclude the Government from evaluating the offer or render the offer as unacceptable.
- D. If the Offeror communicates in its proposal any qualifications, exceptions, exclusions, or conditions to the proposed prices not provided for in the Offerors proposal documents, the Contracting Officer may reject the proposal and exclude the Offeror from further discussions.

C6 Evaluation of Offers

The evaluation of Offerors will be conducted in accordance with Part I, A4, Selection Criteria.

A. Factor 1, Technical:

Offerors will be required to submit the information on Construction Experience, Project Execution, Key Personnel Experience and Past Performance. Information submitted will be reviewed to determine if the offeror's technical rating is ACCEPTABLE or UNACCEPTABLE.

Acceptable is defined as the Offeror demonstrated the ability to meet all of the Government's minimum requirements as identified in the solicitation. Unacceptable is defined as the Offeror failed to demonstrate the ability to meet all of the Government's minimum requirements as identified in the solicitation.

Minimum requirements are defined as the offeror's experience, methods and approach have adequately and completely considered, defined and satisfied the requirements of the solicitation.

ATTACHMENT 1

Factor 2, Price:

The total evaluated price will be determined by the Offeror's price for CLIN 0001, Base Bid, and the Deduct Alternates (in order of priority listed in the Pricing Schedule providing the most features of the work within the funds determined by the Government to be available. Below is the process for determining the total evaluated price for each offer received:

The VA will review CLIN 0001 (Base Bid). If CLIN 0001 is within the funds determined by the Government to be available, the VA will stop pricing review and not move on to deducts. If CLIN 0001 is over the funds determined to be available by the Government, the VA will move on to CLIN 0002 (Deduct 1). The VA will review CLIN 0002. If CLIN 0002 is within the funds determined by the Government to be available, the VA will stop pricing review. If CLIN 0002 is over the funds determined to be available by the Government, the VA will move on to CLIN 0003 (Deduct 1 and Deduct 2). The VA will review CLIN 0003. If CLIN 0003 is within the funds determined by the Government to be available, the VA will stop pricing review. If CLIN 0003 is over the funds determined to be available by the Government, the VA will move on to CLIN 0004 (Deduct 1, Deduct 2 and Deduct 3). If CLIN 0004 is within the funds determined by the Government to be available, the VA will stop pricing review. If CLIN 0004 is over the funds determined to be available by the Government, the VA will move on to CLIN 0005 (Deduct 1, Deduct 2, Deduct 3 and Deduct 4). If CLIN 0005 is within the funds determined by the Government to be available, the VA will stop pricing review. If CLIN 0005 is over the funds determined to be available by the Government, the VA will move on to CLIN 0006 (Deduct 1, Deduct 2, Deduct 3, Deduct 4 and Deduct 5). If CLIN 0006 is within the funds determined by the Government to be available, the VA will stop pricing review. If CLIN 0006 is over the funds determined to be available by the Government, the VA will move on to CLIN 0007 (Deduct 1, Deduct 2, Deduct 3, Deduct 4, Deduct 5 and Deduct 6). If CLIN 0007 is within the funds determined by the Government to be available, the VA will stop pricing review. If CLIN 0007 is over the funds determined to be available by the Government, the VA will move on to CLIN 0008 (Deduct 1, Deduct 2, Deduct 3, Deduct 4, Deduct 5, Deduct 6 and Deduct 7). If CLIN 0008 is within the funds determined by the Government to be available, the VA will stop pricing review. If CLIN 0008 is over the

ATTACHMENT 1

funds determined to be available by the Government, the VA will move on to CLIN 0009 (Deduct 1, Deduct 2, Deduct 3, Deduct 4, Deduct 5, Deduct 6, De-duct 7 and Deduct 8).

The offeror who provides the most features for the lowest price will be determined to be the lowest priced Offeror.

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