

**Department of Administration
Real Estate and Construction Services**

REQUEST FOR QUALIFICATIONS (RFQ) and Fee Schedule for Professional Services of Owner's Project Representatives and Minnesota Registered Architects, Engineers, Interior Designers, Land Surveyors, Landscape Architects, and Geoscientists.

NOTE: This RFQ requests qualifications from a new category of service titled "Owner's Project Representative". The sample tasks and services required of this new category are detailed in Attachment A to this RFQ.

PROJECT OVERVIEW AND GOALS

The State of Minnesota through its Department of Administration, Real Estate and Construction Services ("State"), requests qualifications and fee schedules for services of Owner's Project Representatives and Minnesota registered architects, engineers, interior designers, land surveyors, landscape architects, and geoscientists ("Responders"). The goal of this RFQ is to place qualified responders on its Master Roster. Qualified responders will assist the State in providing studies, predesigns, design through construction documents, construction administration, post construction services, interior design, land surveys, geoscience, and project-related professional services as needed for up to five-year period. These projects will be varied in nature and scope and will involve new construction and remodeling, which includes but is not limited to buildings, commissioning, bridges, parking structures, site and utility work, roadways, and land development.

NEW CATEGORY: The new category of Owner's Project Representative will provide project management services for turn-key delivery of projects. The Sample Tasks and services to be provided are defined in Attachment A to this RFQ.

Unless otherwise provided in Minnesota Statutes § 16B.33, the following guidelines apply when using the Master Roster:

Primary Designers for projects to construct, erect, or remodel a building that meet the following criteria will be selected by the State Designer Selection Board in accordance with *Minnesota Statutes* §16B.33:

- a. State agency construction projects having an estimated cost of construction greater than \$2,000,000.00; or a study, report, or predesign for a state agency planning project having a consultant estimated fee no greater than \$200,000.00.
- b. Higher education construction projects having an estimated cost of construction of greater than \$2,000,000.00; and a study, report or predesign for a planning project having a consultant estimated fee no greater than \$200,000.00.

The Request for Qualifications and Fee Schedule will remain open continually to enable individuals and firms not currently on the Roster to submit their qualifications and fee schedules. One year after a complete response is added to the Master Roster, the firm will be asked whether it wants to remain on the roster. If the responder wants to continue to remain on the roster it will be able to update its fee schedule, and will be required to submit updated written documents. If no response is received with 30 days of the notice, the responder's

name will be removed from the Master Roster until such time as it has re-submitted a complete response to the RFQ.

Note: Firms will be able to update the contact names, addresses, phone numbers, email addresses and the like on an as needed basis by entering into the database using their user name and password. The responder will determine their user name and password when submitting electronic qualifications.

SAMPLE TASKS

Study—Tasks may include but are not limited to the following:

- Evaluate buildings, elements of buildings, building systems, utility infrastructure, and building sites.
- Reports and logs citing applicable standards.
- Factual and analytical reports and logs.
- Cost estimating

Predesign—Tasks include but are not limited to the following:

- Provide analysis of facility needs to determine project scope, cost and schedule,
- Review how project meets state agency's strategic plan, facility's master plan, and operational program.
- Provide predesign documents in accordance with the State's Predesign Manual for Capital Budget Projects. A copy of the Manual is available on Web Site, <http://www.sao.admin.state.mn.us>, click on "Manuals & Guidelines"

Design through Construction Documents, Construction Administration and Post Construction Phase—Services may include all or a portion of the following phases and tasks:

1. Schematic Design Phase:
 - Review, analyze and evaluate preliminary program, budget and schedule.
 - Provide schematic design instruments of service.
 - Submit schematic design documents for review
2. Design Development Phase:
 - Review responses to schematic design submittal and incorporate them into the design development phase.
 - Prepare design development instruments of service.
 - Submit design development documents for review
3. Construction Documents Phase:
 - Review responses to design development submittal and incorporate them into the construction documents
 - Prepare construction document instruments of service
 - Submit construction documents for final review

- Review responses to construction document, review and incorporate them into the construction document
4. Bidding Phase:
 - Issue bid documents
 - Prepare and issue addenda with approval of State.
 - Assist State with obtaining and evaluating bid proposals.
 - Provide bidding instruments of service.
 5. Post Construction Phase:
 - Administer the contract
 - Provide the construction administration instruments of service.

Additional required sample tasks, services and deliverables may be found by clicking on the title for the Real Estate and Construction Services Basic Service Agreement Form, [Exhibit A, Scope of Services](#).

<http://www.admin.state.mn.us/recs/cs/cs-mgf.html>

Interior Design – Tasks may include but are not limited to space planning, systems furniture inventory and layout design, programming, selection of materials and finishes, preparation of documents relative to non-load bearing interior construction.

Landscape Architecture—Tasks may include but are not limited to determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic value settings, approaches or environment for structures or other improvements and the consideration of the land relating to erosion, wear and tear, blight and hazards.

Land Surveying—Tasks may include but are not limited to the following:

- Establish all size metes and bounds, easements and infrastructure.
- Establish water retention during construction and after.
- Assist in an environmental assessment of a property.

Geoscience—Tasks may include but are not limited to consultation, investigation, evaluation, planning, mapping, and inspection of geoscientific work and its responsible supervision.

Note: Master Contracts for geoscience currently in place will not be affected by this RFQ.

QUALIFICATIONS REQUIREMENTS (electronically submitted)

Responders are required to submit the following documents with their qualifications. Click on the name below to go directly to that document.

1. [Affirmative Statements page](#)

2. Required Exhibits (Submitted in writing, and signed by an authorized signer of the company. See below.)
3. Responder's Qualifications (electronically submitted)
4. Responder's Fee Schedule (submitted in writing)
5. References (electronically submitted)

AFFIRMATIVE STATEMENTS PAGE

Responders must complete and submit in writing a signed Affirmative Statements page together with the written exhibits below. When the responder signs and dates this page the responder is indicating the truthfulness and accuracy of each statement. Click on the document title [Affirmative Statements](#) to link directly to the form.

REQUIRED EXHIBITS TO RESPONDER'S PROPOSAL

The responder is required to complete and submit in writing the following list of exhibits. Click on the document title to link directly to the form.

- [Affirmative Action Certificate](#) (original signature required)
- [TG/ED Certificate](#) (if applicable to the responders' firm)
- Copy of Corporate Resolution or Bylaws establishing the corporation's authorized signers (to be completed by the responder and submitted)

CONSULTANT QUALIFICATIONS

Responders are required to submit documentation of qualifications electronically. Click on the document title [Qualifications Database](#) to link directly to the electronic database. Follow the directions given in the database to complete this section of your response. Proposals must include the information requested for each category of work for which a responder is submitting a proposal. The following categories will be maintained on the Master Roster and responders may submit qualifications for any that apply to responder.

Categories of Experience

1	Acoustical . . . means preparing reports, studies, testing, analysis, plans and specification for control and transmittance of sound.
2	Arts and Performing Arts Facilities . . . means schools that educate people in the areas of but not limited to dance, music and other artforms.
3	Audio Visual/Media . . . means preparation of plans and specifications for sound, video and other media type systems.
4	Building Restoration . . . means historic preservation, refurbishing buildings to near original condition according to Minnesota Historical Society guidelines, rules and regulations.
5	Commissioning . . . means establishing systems operational goals, confirming successful operation, documentation of operational procedures, and training of staff

6	Correctional Facilities . . .means facilities of incarceration.
7	Educational Facilities. . . means schools, classrooms, school laboratories and places of an educational nature
8	Energy Supply and Distribution . . . means High Voltage systems that convey power in various forms from generation of the power to end users of the power both on site and in buildings.
9	Engineering—Civil . . . means preparing plans and specifications to construct or repair sites associated with construction of buildings or site development and mitigation.
10	Engineering—Electrical . . . means preparing plans and specifications to construct, remodel, or repair electrical systems.
11	Engineering—Environmental. . . means preparing plans and specifications to construct or remodel environmental systems, and preparing environmental assessments and environmental impact statements.
12	Engineering—Mechanical . . . means preparing plans and specifications to construct, remodel, or repair plumbing and mechanical systems.
13	Engineering—Structural . . . means preparing plans and specifications to construct, remodel, or repair structural systems.
14	Food Service . . . means preparing plans and specifications to construct or remodel spaces used in the preparation and serving of food.
15	Geoscience services . . . means consultation, investigation, evaluation, planning, mapping, and inspection of geoscientific work and its responsible supervision; and, may include geologic investigations done by licensed geologists and soil surveys or making of soil maps done by licenses soil scientists and services provided by a licensed geological engineer
16	Health and Medical Facilities . . .means hospitals, nursing homes and infirmaries.
17	Interior Design . . . means preparing plans and specifications for finishes, systems and other furniture, fixtures, and equipment.
18	Intertechnologies and Telecommunications . . . means network and low voltage telecommunication infrastructures.
19	Landscape Architecture . . . means preparing plans and specifications to construct and improve sites.
20	Land Surveying . . . means providing legal property description and preparing surveys of property with all utilities, typography and amenities.
21	Office and Administration Facilities . . . means buildings that are used for general office workers.
22	Predesign . . . means the stage in the development of a project, prior to the design stage, during which the purpose, scope, cost, and schedule of the complete project are defined and instructions to design professionals are produced.
23	Project Administration . . . means doing selected functions as they relate to projects under construction.
24	Recreational Facilities . . . means facilities that provide services to all citizens to conduct leisure and entertaining activities.
25	Roads and Bridges . . . means horizontal construction that is used to convey people and goods.

26	Roofing . . . means all systems and devices used to cover and protect the tops of buildings and appurtenances.
27	Security Systems . . . means systems to monitor spaces, secure passage ways, doors, entrances and exits from buildings and spaces.
28	Service and Industrial Facilities . . . means facilities that provide manufactured goods and services to authorized clients.
29	Specialty Electrical Systems ... means specialty systems and industrial control systems such as SCADA
30	Signage . . . means all way finding or information conveying devices both in buildings and outdoors.
31	Sustainable Design . . . means modeling and analysis of building systems materials in accordance with Real Estate and Construction Services Sustainability Guidelines or LEEDS
32	Temperature Control . . . means design and application of systems that control all aspects of HVAC and mechanical systems in building.
33	Water and Waste Systems . . . means water towers and sanitary sewer systems.
34	Other Categories? Explain
35	Owners Project Representativemeans services to provide turn-key project management for the delivery of design and construction projects. This role is involved in facilitating the activities of all project stakeholders from upfront planning through occupancy and warranty.

One completed project is required to support an area of experience. Submit only one project for each area of experience.

If a responder does not have access to the Qualifications Database contact:

Contracts Officer
Real Estate and Construction Services
309 Administration Building, 50 Sherburne Avenue
St. Paul, MN 55155
651-201-2550

FEE SCHEDULE

The responder is required to **submit a fee schedule in writing** for all work categories the responder is providing qualifications. Click on the title to link directly to the [Fee Structure Table template](#). Responders should use this template to complete their fee schedule. Once completed, this schedule must be submitted in writing.

Certain restrictions and limitations apply to submitted fee schedules. The responder is required to provide a fee schedule showing the hourly rate for each staff position. **A range of fees for a position is not acceptable.** The fee schedule will apply to all services provided under this RFQ and will remain in effect for one year after the date responder's qualifications are added to the Master Roster. All other expenses are to be included in the Responder's hourly rate for each staff position.

The State will not pay for travel time, travel expenses, and all other project-related expenses except as noted below.

Sub-consultant and testing services, when approved by the State's Project Manager, will be negotiated as an additional service at one (1.0) times Responder's cost.

A fee schedule may be revised once a year. However, hourly rates may not exceed a 5% increase each year.

Costs for printing plans and reports, copies of electronic files of record drawings and specifications, mail, telephone and fax charges, plan review fees and advertisements should not be included in the fee schedule. In the event a responder is chosen to contract with the state, these expenses will be negotiated at that time.

REFERENCES

Responders are required to submit documentation of references electronically. Click on the document title [Qualifications Database](#) to link directly to the electronic database. Follow the directions given in the database to complete this section of your response. Provide (1) project reference for each category for which the responder is submitting. Projects must have been completed and have been done within three years of responder's RFQ response. The responder is required to submit the following information for each reference:

- Project title, scope, and dates started and completed
- Client's company name, mailing address, and
- Client's contact person name, position title, telephone and fax numbers

SELECTION PROCESS FOR MASTER ROSTER

The State will review RFQ responses on a bi-weekly basis. Those responses that are complete and have passed the requirements of the RFQ will be added to the Master Roster within 30 days of submission. Those not meeting the requirements will be notified. The process for applying to be added to the Master Roster will be continually open. If incomplete electronic or written submissions are received, or if the two parts are not received within two weeks of each other, the incomplete submission will be destroyed after thirty days and the responder will be notified. If rejected, a responder will be required to resubmit a complete proposal before being reconsidered.

CONTRACTING REQUIREMENTS AND NOTICES:

The State is not obligated to complete this RFQ and the State reserves the right to cancel this solicitation if it is considered to be in its best interest. This RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to not use the Master Roster if it is considered to be in its best interest. The State reserves the right to cancel all or any part of this Master Roster Program if it is determined to be in its best interest.

The State reserves the right to reissue this RFQ, or issue a new RFQ if the State deems it necessary and/or beneficial to the State.

Disclaimer: The State may not base project fees on the hourly rates of responder's staff. All project fees will be negotiated at the time of contracting. Fees are submitted for use as a way for the State to compare responder's rates for similar categories of work.

State's Contract Formats— The State may use a number of different contract formats to secure services of individuals or firms from the Master Roster. These contract formats may be found at: <http://www.admin.state.mn.us/recs> . Click on, "Construction Services" then, click on "Manuals, Guidelines, and Forms". The State reserves the right to modify the contract language for all of the above contract formats prior to execution of a contract.

State Users—Other agencies in the State of Minnesota may use the Master Roster. If they choose to do so, they should follow the Master Roster Program. Instructions for its use are found at: <http://www.admin.state.mn.us/recs> . Click on, "Construction Services", then, "Information For Vendors" then, "Master Roster RFQ." Responders to this RFQ should familiarize themselves with the process for use of this program.

State agencies, boards and commissions are identified in *Minnesota. Statutes* 16C.02, subd. 2, and include, but are not limited to:

The Minnesota State Colleges and Universities and,
Current members of the state of Minnesota Cooperative Purchasing Venture (CPV) program.

Each of the above referenced State Users may use a contract format different from those used by the Real Estate and Construction Services. Responders are not obligated to accept any other contract format; however failure to do so may result in the State User selecting another Responder for its project.

TERMS AND CONDITIONS: Responders interested in performing State Agency work are responsible for reading and understanding the terms and conditions in the Contract Shells(Templates) and Exhibits located on Real Estate and Construction Services website at <http://www.admin.state.mn.us/recs/cs/cs-mfg.html> under "Forms". Requests For Proposals issued to firms accepted to the Master Roster and contracts for work will contain the following requirements.

1. **Licensure Requirements:** Based upon the scope of work the successful responder is required to be an Architect, Engineer, Landscape Architect, or Land Surveyor registered in the State of Minnesota under Minn. Stat. 326.02-14 if the work to be performed is within the scope of services defined in Minn. Stat. 326.02-14. A copy of Minnesota Statutes and Minnesota Rules is available at www.revisor.leg.state.mn.us
2. **Contingency Fees Prohibited**--Pursuant to Minn. Stats. § 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.
3. **Conflicts of Interest**—Responders to future RFPs must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work

that is contemplated in this RFP. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

4. **Organizational Conflict of Interest**-- Responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, a Responder is unable or potentially unable to render impartial assistance or advice to the State, or the Responder's objectivity in performing the contract work is or might be otherwise impaired, or the Responder has an unfair advantage. The Vendor agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing shall be made to the Assistant Director of the Department of Administration's Materials Management Division, 50 Sherburne Avenue, Room 112, St. Paul, MN 55155, which shall include a description of the action which the Responder has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, the State may, at its discretion, cancel the contract either with or without cause. In the event the Responder was aware of an organizational conflict of interest prior to the award of their contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause shall be included in all subcontracts for work to be performed similar to the service provided by the prime Vendor, and the terms "vendor", "contract", "contractor", and "contracting officer" modified appropriately to preserve the State's rights.

5. **Targeted Group and Economically Disadvantaged Businesses and Individuals (TG/ED):** In accordance with Minnesota Rules 1230.1810, subpart B and 1230.1830, certified Targeted Group Businesses or individuals, and certified Economically Disadvantaged Businesses or individuals, submitting proposals as prime contractors will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management Division Helpline at 651.296.2600, TTY 651.282.5799.

6. **Foreign Outsourcing of Work Prohibited**
All services under a contract shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision also applies to work performed by subcontractors/subconsultants at all tiers.

7. **Employee Status, Immigration Status Certification:**
Definition: Contractor is defined as any entity who enters into an agreement or contract with the State of Minnesota.

By order of the Governor's Executive Order 08-01, vendors and subcontractors MUST certify compliance with the Immigration Reform and Control Act of 1986 (8 U.S.C. 1101 et seq.) and certify use of the *E-Verify* system established by the Department of Homeland

Security. Contracts resulting from this solicitation, including any extension options, is or could be in excess of \$50,000, the Contractor must certify that it and its subcontractors:

- a. Comply with the Immigration Reform and Control Act of 1986 (U.S.C. 1101 et. seq.) in relation to all employees performing work in the United States and do not knowingly employ persons in violation of the United States' immigrations laws; and
- b. By the date of the performance of services under this contract, Contractor and all its subcontractors have implemented or are in the process of implementing the *E-Verify* program for all newly hired employees in the United States who will perform work on behalf of the State of Minnesota.

Contractor shall obtain certifications of compliance with this section from all subcontractors who will participate in the performance of this contract. Subcontractor certifications shall be maintained by Contractor and made available to the state upon request. If Contractor or its subcontractors are not in compliance with 1 or 2 above or have not begun or implemented the *E-Verify* program for all newly hired employees performing work under the contract, the state reserves the right to determine what action it may take including but not limited to, cancelling the contract and/or suspending or debaring the contractor from state purchasing.

8. **State Employees.** In compliance with Minn. Stats. § 16C.08 subd. 2(3)(b)(1), this work is open to state employees. The State will evaluate the responses of any state employee, along with other responses to this Request for Proposals.
9. **Costs:** All costs incurred in responding to RFPs will be borne by the Responder.
10. **Federal Funds:** If federal money is used and the estimated fee is greater than \$100,000, the following certifications will be required:
 - Certification Regarding Lobbying
 - Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion
 - Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transaction

DISPOSITION OF RESPONSES

All materials submitted in response to this RFQ, will become property of the State and will become public record upon completion of the evaluation process. If the Responder submits information in response to this RFQ that it believes to be trade secret material as defined by the Minnesota Government Data Practices Act, Minn. Stats. § 13.37, the Responder must:

- 1) Clearly mark all trade secret materials in its response at the time the response is submitted,

- 2) Include a statement with its response justifying the trade secret designation for each item, and
- 3) Defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the Responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the fees and fee schedule submitted by the Responder to be proprietary or trade secret materials. This information will be available on the Master Roster website.

RESPONDER'S WITH MULTIPLE OFFICE LOCATIONS

If Responder has multiple office locations provide additional information for each office location as directed in the electronic database.

SUBMISSION AND MAILING INSTRUCTIONS

Individuals and firms wishing to be considered for the RFQ services must submit one original of the following in a sealed envelope via U.S. Mail or courier:

- Affirmative Statements Page,
- Affirmative Action Certificate
- Corporate Resolution
- Fee Schedule
- TG/ED certificate (if applicable)

The envelope should clearly identify the Responder's name and address, and the following comment should be recorded in the lower left-hand corner of the envelope RFQ Response for Master Roster. Email and fax copies of original, signed documents will not be considered.

Mail or deliver the signed, original documents, including fee schedule, to the following address.

Attn: Contracts Coordinator
Real Estate and Construction Services
309 Administration Building, 50 Sherburne Ave
St. Paul, MN 55155

Note: To allow electronic communication between the State and the responder, firms using anti-virus protection software on their website should enable their websites to receive email from the following domain: "state.mn.us".

If Responder requires acknowledgement of receipt of response, Responder must fax or email a request for acknowledgment to the attention of the Contracts Coordinator at FAX 651.215.6245. [Add the email address for the roster here.](#) Include responder's return fax number.

Acknowledgements received by fax will be answered by return fax. Requests for acknowledgement by email will be answered by return email.

NONCOMPLIANT RESPONSES

Responses that do not provide the information requested may be delayed or may be considered non-compliant and rejected. It is anticipated the evaluation of responses will be completed within four weeks of submission. Qualified responders will have their information added to the Master Roster. Unqualified or disqualified responders will be notified by fax or email (See, above).

Responders are asked to check the Master Roster website four weeks after submission, to verify responder's acceptance and firm information. Responders should email to request a letter of explanation if the Responder's name does not appear on the list.

QUESTIONS REGARDING RFQ

Questions may be faxed to the attention of, "Master Roster Qualifications" at 651.215.6245 or emailed to [Add the email address for the roster here](#). Questions may also be submitted in writing to the Contracts Coordinator at the above-referenced address. When faxing or emailing questions, please include a subject line "RFQ Question from (your firm name)". This is only person authorized to respond to questions regarding this RFQ. Answers to questions will be posted on [\(Include location and link\)](#) in the "Frequently Asked Questions" section of the RFQ.