

**\*Note to Respondents:**

The State Designer Selection Board Request for Proposals document was adopted by the Board on **August 22, 2017**, last modified June 2017. Please carefully review all of the requirements of the RFP when preparing your response to ensure compliance with the RFP.

The changes include but are not limited to:

- Pay particular attention to Section I. F. Pass/Fail Requirements to ensure you've included and met all requirements referenced in this section
- The State Designer Selection Board is committed to **diversity and inclusion** in its public procurement process. The goal is to ensure that those providing goods and services to the State are representative of our communities and include businesses owned by minorities, women, veterans, and those with substantial physical disabilities. Creating broader opportunities for historically under-represented groups provides for additional options and greater competition in the marketplace, creates stronger relationships and engagement within our communities, and fosters economic development and equality.

The State Designer Selection Board encourages responders to highlight in its proposal response the prime firm's efforts for promoting diversity inclusion. Efforts may be considered as part of the evaluation process.

To further this commitment, the Department of Administration operates a program for Minnesota-based small businesses owned by minorities, women, veterans, and those with substantial physical disabilities. Businesses who may qualify can get more information to obtain certification, and proposers seeking firms owned by TG/ED/VO businesses, may contact the Department of Administration's Office of Equity in Procurement at 651-201-2402 or via email at [procurement.equity@state.mn.us](mailto:procurement.equity@state.mn.us). For additional information on this program, or to determine eligibility, please call 651-296-2600 or go to <http://www.mmd.admin.state.mn.us/mn02001.htm>.

- Projects may be required to meet the design and operational requirement of the B3 (Minnesota Sustainable Building Guidelines and Energy Standard of Sustainable Building 2030 – see Section I. C.
- Forms to be returned: Please review and complete the forms indicated in Section II. D., as well as noted on the Transmittal Form. These forms have been altered, added or deleted over time. Please note the current requirement.

# **Department of Administration, State Designer Selection Board Request for Proposals for Designer Selection for (Project 18-15) Minnesota State University –Moorhead-18 Weld Hall**

## **To Minnesota Registered Design Professionals:**

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a Design Team for the above project. Proposals from interested firms must be received by, **12:00 noon CT, Monday, January 14, 2019. Proposals received after the submission deadline will not be considered.** Submit proposals to:

Jennifer Barber, Executive Secretary  
State Designer Selection Board  
Department of Administration  
Real Estate and Construction Services  
Administration Building, Room 309  
50 Sherburne Ave.  
St. Paul, Minnesota 55155

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at 651.201.2389. Questions relating to the project are to be referred to the Project Contact(s) in Item 1.k.

## **I. PROJECT 18-15**

### **A. PROJECT DESCRIPTION:**

Minnesota State University Moorhead aims to preserve the oldest and most distinguished building on campus, Weld Hall, bringing it into the 21<sup>st</sup> century by addressing code requirements, installing energy efficient building systems, and creating state-of-the-art teaching environments. Home to the English department, three other departments teach in the building as well. The auditorium will be renovated into a multipurpose auditorium, music performance venue for use as a teaching lab, lecture hall, venue for campus film and music performances, and a space for community/workforce training events.

The project proposes to renovate approximately 33,484 square feet and adds 2,821 total square feet providing:

- 7 technologically enhanced classrooms, including 3 Learning Studios and 3 Conference/Seminar rooms
- A new accessible entry addition for a public face adjacent to the street, convenient for community events

This project also:

- Reduces the amount of office space
- Adjusts the campus's mix of classroom sizes and types to increase space utilization
- Introduces an immersive telepresence classroom to enhance online courses and promote partnering with Minnesota State institutions and community and workforce partners
- Provides flexible technology-enriched learning studios to modernize curriculum delivery and provide for activity based learning and collaboration
- Halts deterioration, addresses life safety issues, corrects accessibility deficiencies, and improves function including tuck-pointing and replacing windows and installing new fire sprinklers

The project will be designed and delivered in two Phases.

Phase 1 will design the project and prepare Construction Documents.

Phase 2 will finalize the Construction Documents and construction the work. Construction may be executed in sub-phases depending on the final design. The temporary relocation of classrooms and offices is expected to be accomplished internally with modified scheduling. At this time, the campus anticipates that the entire Weld Hall building will be vacated during construction.

This solicitation process selects the design team for both phases of the project. The project is currently funded for Design Phases only, which includes Schematic Design, Design Development and 100% Construction Documents. It is the intent, as construction funds become available, to extend the contract with the selected designer for the agreed-upon fee through Supplemental Agreements to the original contract, for minimal completion of Construction Documents for bidding, Bidding, Construction Administration, and Post-Construction phase services as required to complete this project.

## **B. SCOPE OF SERVICES:**

- Services for the design and construction phases in accordance with the Pre-design, “Weld Hall Renovation and Accessibility Additions Minnesota State University Moorhead” 100% Submittal dated October 31, 2018 prepared by YHR Partners.
- Prepare all design documents using computer-aided design and drafting technology in an electronic data exchange file format acceptable to Minnesota State Colleges and Universities. Utilize 3D modeling or BIM to produce 3D images that convey the overall design intent.
- Manage the project using the Minnesota State Colleges and Universities web-based enterprise project management system (EPMS), “e-Builder”. Utilize relevant process workflows and maintain the project schedule in e-Builder.
- Review the project’s pre-design and balance the program needs for this project with the budget.
- Meet with stakeholders and project partners to evaluate the optimum efficiency of the spaces and to improve overall campus space utilization.
- Evaluate existing buildings’ structural, mechanical, electrical, and telecommunications systems to determine capabilities and design capacities to support the proposed renovated building spaces.
- Include field verification of existing conditions in the project areas.
- Assist the campus in evaluating construction phasing options that minimize the disruption of the academic schedule. Clearly communicate design and cost ramifications of the schedule’s impact to allow the campus a complete understanding of the design and schedule decisions.
- Develop a project that advances the campus’s sustainability goals.
- Create vibrant, flexible, and collaborative spaces to facilitate the delivery of program services to stakeholders.
- Investigate life cycle costs during the design process. Life cycle cost considerations include but are not limited to: energy efficiency, sustainability, and the maintainability of design, materials, and equipment.
- Further investigate on-site renewable energy systems such as geothermal, solar and wind energy.
- Meet schedule deadlines, provide accurate cost estimating, and design buildings for ease of constructability. Quality control and complete, accurate and fully coordinated Contract Documents are an important element of the selected Design Team's services.
- Assist the campus in selection of an artist and support as needed for integration of art
- As the project includes renovation of a public gathering space, provide a permanent audio-amplification system with audio induction loops that provides electromagnetic signals in the gathering space for hearing aids and cochlear implants the gathering space to meet the ANSI Standard for Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools on maximum background noise level and reverberation times in the public gathering space. The gathering space shall be tested for conformance to the ANSI Standard. – Incorporated by reference and available at <https://webstore.ansi.org/FindStandards.aspx?SearchString=asa+s12.60&SearchOption=0&Page>

[Num=0&SearchTermsArray=null%7ccasa+s12.60%7cnull&source=msn&adgroup=asa&keyword=ANSI%20S12.60&utm\\_source=bing&utm\\_medium=cpc&utm\\_campaign=Product%20Listing%20Ads%201&utm\\_term=ANSI%20S12.60&utm\\_content=ASA](http://www.bing.com/search?num=0&SearchTermsArray=null%7ccasa+s12.60%7cnull&source=msn&adgroup=asa&keyword=ANSI%20S12.60&utm_source=bing&utm_medium=cpc&utm_campaign=Product%20Listing%20Ads%201&utm_term=ANSI%20S12.60&utm_content=ASA)

- Complete all reports, designs, drawings and specifications, reviews and presentations in accordance with, as a minimum:
  - a. Current Minnesota State Colleges and Universities Design Standards, available at: <http://www.minnstate.edu/system/finance/facilities/design-construction/resources.html>
  - b. All applicable building, life safety and energy codes
  - c. ADA and State of Minnesota accessibility regulations
  - d. Program requirements as defined by the State Bonding appropriation
  - e. State of Minnesota B3 Sustainable Building 2030 Energy Standards.
  - f. Mechanical & Electrical codes.

#### C. SPECIAL CONSIDERATIONS:

- The Design Team shall have an Architect as the team lead. The team lead shall have a minimum of 5 (five) years prior experience in design and construction of similar facilities and has demonstrated such in the firm's response.
- The Prime firm shall demonstrate experience sequencing portions of construction to minimize the cost and disruption caused by moving and relocating staff and classrooms.
- The Design team shall have a history of meeting schedule deadlines, accurate cost estimating, and designing within a project budget, which are important criteria for selection of a designer.
- The Design team shall have experience with modification of historic buildings, and a demonstrated awareness of schedule impacts.
- The Design team shall have experience addressing security issues both during and following construction.
- The Design Team shall provide examples of current and recent higher education projects of similar size and scope including significant interior renovations that address flexible and acoustical spaces.
- **This project is required to follow the Minnesota Sustainable Building Guidelines (B3) version 3.1 and the Sustainable Building 2030 program shall be included in the scope of work.** Training and past experience in applying the B3/SB2030 guidelines are preferred. For purposes of this RFP, a major renovation is defined as a renovation of 10,000 square feet or greater or the replacement of the mechanical, ventilation, or cooling system of the building or a section of the building). Applicable resources are:
  - Case Study Database: <http://casestudies.b3mn.org/>
  - B3 Guidelines: <http://www.b3mn.org/guidelines/index.html>
  - SB 2030: <http://www.b3mn.org/2030energystandard/index.html>

#### D. REQUIRED CONSULTANT TEAM:

- Architect- including construction administration, and all services related to the State of Minnesota Building Guidelines (B3), specifically required of the Guideline Leader for design and construction of the project.
- Cost estimating consultant.
- Certified Interior Designer- including furniture, fixtures, and equipment (FF&E) design; interior and exterior identification and directional wayfinding signage
- Structural engineer
- Mechanical engineer – including reduction of mechanical noise, energy modeling, and hygrothermal analysis
- Electrical engineer – including integration with the campus security, fire detection, and alarm systems
- Landscape Architect
- Telecommunications and audio-visual/Low Voltage AV
- Cost estimator – may be provided by Prime Firm
- Fire protection engineering – including evaluation of existing water source capacity and design of pump

and surge clips, if necessary

- Acoustical Engineer with experience equipping spaces with a permanent audio-amplification system with audio induction loops providing electromagnetic signals for hearing aids and cochlear implants in the public gathering space that meet the ANSI Standard for Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools on maximum background noise level and reverberation times in the public gathering space. MN Statute 16C.054, Subd. 2. (1) and (2).
- Acoustical consultant – as required for B3 compliance and for the benefit of acoustically-oriented spaces. These services may be performed by the same Acoustical Engineer if experienced with B3.
- Theater consultant – for lighting, acoustics, seating, finishes and electrical / AV for the auditorium component of the project.

**E. SERVICES PROVIDED BY OTHERS:**

The owner may contract directly for, or arrange to provide:

- Commissioning Agent (mechanical and electrical)
- Owner’s Representative
- Site survey, geo-technical, environmental and material testing programs
- Hazardous materials abatement survey, design and monitoring
- Construction testing
- Roofing consultant – familiar with Minnesota State Roof Design Standards
- Envelope Commissioning. Review roof and window design and observe construction of roof, waterproofing, masonry and doors/windows. (Required for State Agency Projects).

**F. PASS/FAIL REQUIREMENTS:**

The requirements of this section will be assessed on a pass/fail basis. Respondents must “pass” each of the requirements identified to proceed to the proposal evaluation stage.

1. The Proposal must be submitted on time at the location indicated herein.
2. A representative of the Prime Firm must have attended the mandatory meeting and shall so state in the affirmative statements.
3. Respondents shall make affirmative representations of the following on the Transmittal Form attached to this RFP:
  - A. Submittal shall bear an original signature, in ink, of a principal of the Prime Firm.
  - B. A statement that proposal contents are true and accurate to the best knowledge of signatory
  - C. A statement of commitment to enter into the work promptly, if selected, by engaging the Sub-Consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
  - D. A statement indicating that the Sub-Consultants listed have been contacted and have agreed to be a part of the team.
  - E. A statement indicating that the Prime Firm and Sub-Consultants are willing to enter into a contract using the state’s contract forms and agreeing to their terms.

**G. PROJECT BUDGET/FEEES:**

The 2018 GO bond appropriation is \$628,000 to design the renovation of Weld Hall on the Minnesota State University Moorhead campus. This appropriation includes design and project management fees. Phase 1 of the project includes Schematic Design, Design Development, and Construction Documents. Pending legislative funding in July of 2020, Phase 2 of the project is planned to include the finalization of the Construction Documents, Construction, and Closeout. The anticipated 2020 capital budget funding request is \$17,220,000. The current estimated cost of construction is \$12,112,000.

The design fee for full design services (SD-CD) is estimated to range from 5% to 5.9% of the estimated construction cost. Final total design fees are to be negotiated with the selected Design Team. The same firm is anticipated to continue the project through bidding,

construction administration and close-out procedures when the project receives construction funding, and the contract would be amended at that time. Final total design through close-out fees are estimated to range from 8% - 8.5% of the estimated construction cost and are to be negotiated with the selected Design Team.

**H. PROJECT SCHEDULE:**

<b>Phase</b>	<b>Begin</b>	<b>Complete</b>
Schematic Design	February, 2019	May, 2019
Owner review and SD Presentation	June, 2019	August, 2019
Design Development	September, 2019	December, 2019
Owner review	January, 2020	January, 2020
Construction Documents	February, 2020	June, 2020
<i>Planned project schedule pending 2020 legislative funding:</i>		
<b>Planned Phase 2</b>	<b>Planned Begin</b>	<b>Planned Complete</b>
Finalize Construction Documents	July 2020	August 2020
Bidding	August 2020	September 2020
Construction (13 months)	September 2020	November 2021
Substantial Completion	December 2021	December 2021
Commissioning and Closeout	January, 2022	January 2023

**I. PROJECT PRE-DESIGN INFORMATION:**

The Predesign Report, dated October 31, 2018 by **YHR Partners** is available for review at <http://www.mnstate.edu/vendors/index.html> under Facilities Consultant & Contractor Opportunities. A copy will be provided to the selected designer.

**J. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):**

A mandatory informational meeting will be held on, Friday, January 4, 2019, at **1:30 pm CT** at the Minnesota State University Moorhead campus, Weld Hall, **1201 6<sup>th</sup> Avenue South, Moorhead, MN 56563**, in Glasrud Auditorium. The meeting will include a tour of the proposed project areas and a review of the scope of work.

**K. QUESTIONS REGARDING THIS PROJECT**

Questions regarding this RFP must be received by Monday, January 7, 2019 no later than **12:00 Noon CT**. Only Prime Firms responding to this RFP should send inquiries on behalf of themselves and of their Sub-consultants.

There is only one person authorized to respond to questions regarding this RFP. Questions concerning the project RFP should be referred to **Jean Hollaar**. **Submit questions by e-mail only to:** [Jean.Hollaar@mnstate.edu](mailto:Jean.Hollaar@mnstate.edu). When emailing questions, please include the subject line, "RFP questions from (firm name)".

Agency anticipates posting answers to such questions no later than 12:00 Noon CT, Wednesday, January 9, 2019. All questions and answers will be posted at <http://www.mnstate.edu/vendors/index.html>. Note that questions will be posted verbatim as submitted.

Addenda and Supplementary Information: All prospective Respondents shall be responsible for information regarding this Project and RFP posted to the web page, including any addenda to this RFP and for answers to submitted questions.

No representatives of Prime Firms responding to this RFP nor its Sub-consultants shall have discussions regarding this RFP nor regarding the Project with any member of the Requesting Agency or its local employees other than the prescribed communications provisions set forth in this RFP from the date of the publication of the RFP in the State Register until after the completion of Consultant Selection for this Project. Proposals may be rejected or disqualified by the State Designer Selection Board if prohibited discussions occur with the Requesting Agency.

**L. STATE DESIGNER SELECTION BOARD CONTACT**

Questions concerning State Designer Selection Board procedures should be referred to:  
Jennifer Barber, Executive Secretary 651.201.2389 [jennifer.barber@state.mn.us](mailto:jennifer.barber@state.mn.us)

**M. STATE DESIGNER SELECTION BOARD SCHEDULE:**

Mandatory Pre-Proposal Project Information

Meeting and/or Site Visit:	Friday, January 4, 2019, 1:30pm CT
Questions Due:	Monday, January 7, 2019, 12:00 noon CT
<b>Project Proposals Due:</b>	<b>Monday, January 14, 2019</b> , by 12:00 noon CT
Project Shortlist:	Tuesday, January 29, 2019 (Afternoon)
Project Interviews:	Tuesday, February 12, 2019 (Morning)

**N. TEAM CHANGES**

Firms selected for interview may not submit any additional materials to the Board beyond their original proposal with the exception of the following:

- New Design Team member consultant firm or firm member: An addendum to the original proposal regarding a new Design Team member, consultant firm or firm member may be submitted under the following conditions:
  - If the team has been awarded another major project since the Request For Proposal due date and the team member is working on the project awarded, resulting in a conflict;
  - If a team member has left one of the submitting firms since the Request For Proposal due date;
  - If a team member must be removed due to cause

In such cases, the addendum should include a cover letter of no more than one page explaining cause and attach a resume of no more than one page.

**O. INTERVIEWS AND INTERVIEW MATERIALS**

Respondents who are short-listed for interviews will be notified in writing by email.

- Firms selected for interview may not submit any additional materials to the Board that was not part of their original proposal.
- Interview Presentation Materials: During the interview, Respondent's presentation materials may be distributed, such as a PowerPoint presentation or presentation boards. Such materials should include only materials to be referenced by the Team during the interview.
- Only team members listed in the proposal are allowed to participate in interviews with the exception of the Team Changes listed in section N.

**P. SAMPLE CONTRACT:**

The successful Respondent will be required to execute the Minnesota State's AIA B103-CMr-2007 Standard Form of Agreement between Owner and Architect, which contains the agency's standard contract terms and conditions, and includes insurance requirements and compliance with Designer Procedures outlined in the e-Manual and Design Standards. Copies are available on the Minnesota State website: [http://www.minnstate.edu/system/finance/facilities/design-construction/AIA\\_documents/index.html](http://www.minnstate.edu/system/finance/facilities/design-construction/AIA_documents/index.html)

## II. PROPOSAL FORMAT

- A. 11 paper copies [7 copies (including the original) for the SDSB + 4 for agency's requirement]
- B. **Two (2)** electronic copies on **two (2) flash drives in 'pdf' format**. The file size should be 2-3 MB or less. Use the reduce file size feature if necessary to accomplish this. The document should be password secured against copying of text, images and other content.
- C. 8 ½ x 11, binding only stapled, in vertical 'portrait' format, no plastic dividers or covers
- D. Maximum 20 faces –numbered from 1 to 20.
  - Excludes faces of the cover letter, front and back covers, blank dividers, Proposal Transmittal Form and its required attachments and additional pages of Fee Chart if more than one page is necessary to list fees. The Fee Chart must start on or before page 20.
- E. Font size no smaller than 10 point (this does not apply to the Fee Chart referenced in Section III).
- F. Respondents are highly encouraged to follow the order of proposal contents found in Section III of this RFP.

## III. PROPOSAL CONTENTS

### A. TRANSMITTAL COVER:

Prime Firms are required to submit one (1) original Transmittal Form with their responses. The required Transmittal Form is attached and also available on the SDSB website at <http://mn.gov/admin/government/construction-projects/sdsb/>, click on "Forms," and then on "Proposal Transmittal Form". Please attach the following to the Transmittal Form:

- 1. Targeted Group/ Economically Disadvantaged/Veteran-Owned Subcontracting Form
- 2. Affidavit of Non-collusion Form
- 3. Work Force Certificate
- 4. Equal Pay Certificate Form
- 5. Organizational Conflict of Interest Form
- 6. Certification Regarding Lobbying
- 7. Resident Vendor Form (*if applicable*)

### B. COVER LETTER:

Single face cover letter, including a brief overview of proposal

### C. RESPONDENT'S PROPOSAL (BY SECTION):

#### 1. INFORMATION ON FIRM (S)

For Prime Firm and each Consultant Firm provide brief description including:

- a. Name and location
- b. Year established
- c. Legal status
- d. Ownership
- e. Total staff, staffing by discipline, and how many employees are located in Minnesota
- f. For each firm with multiple offices, briefly summarize which office will be the primary firm location, which office will do what parts of the project and how many employees in each office will be working on the project.
- g. Identify if certified as a Targeted Group/ Economically Disadvantaged/Veteran-Owned firm

#### 2. PROJECT TEAM

- a. Brief statement of the Team's past or present working relationships
- b. For each team personnel member provide:
  - 1) Name and position in firm, include name of firm
  - 2) Home base (if in multi-office firm)



- 3) Responsibility on this project
- 4) Years of experience
- 5) Relevant recent experience (if with another firm, so note)
- 6) Registration – List Minnesota Registration numbers for licensed professionals (include specialty if Professional Engineer)
- 7) Specifically address the availability of appropriate personnel and their capacity to accomplish the work within the time constraints.

### 3. TEAM ORGANIZATION

This section shall explain the cohesiveness and compatibility of the team. The proposal shall demonstrate and explain the team leadership, structure and integration of its members. This may be done using an organizational chart, matrix or other means. This section should identify team leaders and the day-to-day contact(s), the degree of their involvement and an understanding of the stakeholders and commitment to assignments/project phases. If planning or design consultants are a part of the team, explain how they will be utilized (e.g. major role during design, absent during construction, etc.)

### 4. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, please provide examples of relevant projects recently completed or in progress including:

- a. Photographs, sketches and/or plans
- b. Name and location
- c. Brief description (e.g. size, cost, relevance)
- d. Firm of Record
- e. Indicate the role of each proposed team member on each relevant project.
- f. Completion date or current status

For engineering or technical firms, provide examples of relevant projects recently completed or in progress, including items a-f above. Photographs, sketches and/or plans should represent only that portion of the work for which firm was responsible. For example, if the firm designed the mechanical system, then a photo of the mechanical system is appropriate, not an exterior building image (unless relevant to the system design).

Project experience that highlights creative renovations of older, existing buildings is strongly preferred. Provide “before” and “after” photographs of relevant work.

### 5. APPROACH/METHODOLOGY

- a. Describe the Team’s understanding of the project, significant issues to be addressed and the Team’s *specific* approach to the planning, design and construction process for *this* project. Address perceived constraints that may affect this proposed project.
- b. Describe the Team’s understanding of, and experience with, applying the Minnesota Sustainable Building Guidelines (B3) and the Sustainable Building (SB) 2030 Program to your design approach. Address the Energy Use Intensity (EUI) of past projects by comparing the SB2030 Energy Standard to the design model and actual building energy use (if actuals are available). Provide print-outs from the SB 2030 Case Studies Data Base that demonstrates this information. If the design team does not have past experience in applying B3 and SB2030 to projects, describe any SB 2030 training received by any of the team members or experience and results of energy modeling on past projects prior to SB2030 Standards.
- c. Describe the Team’s process of assessing client needs and producing customized design options.
- d. Describe the Team’s ability to translate faculty and administrative teaching methods into learning environments.

**6. FEE CHART**

List all State of Minnesota, Minnesota State Colleges and Universities (MN State) and University of Minnesota current and past projects and studies awarded to the Prime Firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal (whether your firm was the Prime Firm or a Sub-consultant working on projects and studies). Four years shall be from the date the contracts were originally executed.

Projects and studies shall be defined as those projects and studies (1) funded by the state legislature, by state/user agencies, MN State or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies, MN State or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies, MN State or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems, including owner’s representative fees.

The Prime Firm(s) shall list and total all Gross Fees contracted for the above projects and studies, whether the fees have been received or are anticipated. In addition, the Prime Firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The Prime Firm(s) shall subtract Consultant Fees from Gross Fees to determine total Net Fees using the format below. The fairness factor will be based on Net Fees of the Prime Firm divided by the number of Minnesota employees of the Prime firm.

PROJECT NAME	(A) Gross Fee	(B) Sub-consultant Portion	(C) Net Total Project Fee
	<b>Total column A</b>	<b>Total column B</b>	<b>Total A -Total B = C</b>

**7. ADDITIONAL FORMS**

Please attach the following to the Transmittal Form. These forms may be found and down-loaded from <https://mn.gov/admin/government/construction-projects/sdsb/forms/>. One (1) copy of the following forms must be included with the proposal submitted:

- a. **Targeted Group/ Economically Disadvantaged/Veteran-Owned** Subcontracting Form is completed.
- b. **Workforce Certificate** is completed and signed.
- c. **Equal Pay Certificate form** is completed and signed.
- d. **Affidavit of Non-collusion** form is completed, signed, and **notarized**.
- e. **Certification Regarding Lobbying** form is completed and signed.
- f. **Organizational Conflicts of Interest form is completed and signed.**
- g. *If applicable*, **Resident Vendor** form is completed.
- h. *If applicable*, **Veteran Owned Preference** form is completed.

**IV. SELECTION CRITERIA**

In making its selection of designers the Board considers the criteria stated in Section I, Project Description and the following, which are derived in part from Minnesota Statutes 16B.33 Subd. 4(a) and Minnesota Rules Chapter 3200.0700. The order of the criteria does not imply priority, nor are they necessarily weighted equally.

- A. **Primary: Qualifications and technical competence** in the required field of design and **prior performance** of the Team on projects for the state and others. This is demonstrated by experience of the proposed Team on similar projects and by the proposed Team's discussion in the proposal and in the

interview. [Note: Unsatisfactory performance must be documented in writing from the Commissioner of Administration, the University of Minnesota or Minnesota State Colleges and Universities based on criteria set forth in Minnesota Statutes 16B.33 Subd 4(f).]

- B. **Primary: Leadership, integration and cohesiveness of the proposed Team, compatibility** between the proposed Team and the project stakeholders, and **availability** of appropriate personnel and capacity to accomplish the work within the required constraints. This is demonstrated by:
1. The organization of the project Team and commitment to assign and support the team members proposed.
  2. The team dynamics, previous experience of the team working together, and leadership style shown in the interview.
  3. The stakeholders' perception of the style demonstrated at the interview as well as previous positive working relationships.
- C. **Primary: Ability to deal with aesthetic factors**, including the level of design your firm brings into the spaces both interior and exterior. This is demonstrated by experience of proposed team on similar projects.
- D. **Primary: The proposed team's project understanding, the approach/methodology** as it applies to this project, and the constraints and issues affecting this proposed project. This is demonstrated by the team's proposal and discussion in the interview.
- E. **Primary: The proposed team's understanding, experience and approach to sustainability and energy efficiency**, specifically related to The Minnesota Sustainable Building Guidelines (B3) and the Minnesota Sustainable Building (SB) 2030 Energy Standard. This is demonstrated by the content in the Approach/Methodology, experience of the proposed team on past projects, and discussion in the interview.
- F. **The following 'fairness' factors are also considered:**
1. If certified as a Targeted Group/ Economically Disadvantaged/Veteran-Owned firm. For information regarding certification, contact the Office of Equity in Procurement at 651.201.2402, or [Procurement.equity@state.mn.us](mailto:Procurement.equity@state.mn.us). For TTY/TDD communications, contact the Helpline through the Minnesota Relay Services at 1.800.627.3529.
  2. If certified by the U.S. Department of Veterans Affairs prior to the solicitation opening date and time as a Veteran-owned firm. Information regarding certification by the United States Department of Veterans Affairs may be found at <http://www.vip.vetbiz.gov>.
  3. Geographic relationship of the Prime Firm's base to the project site. This is demonstrated by the location of the Prime Firm and/or its consultants with respect to the project site.
  4. Awards previously made to the Prime Firm by the state. This is in the interest of equitable distribution of commissions. Consideration is given to all state work awarded (by executed contract) to the Prime Firm during the past four years prorated based on the number of employees in the Minnesota office(s) of the Prime Firm.

## V. RIGHTS RESERVED

Notwithstanding anything to the contrary, the State reserves the right to:

- A. Reject any and all Proposals received in response to this RFP.
- B. Disqualify any Respondent whose conduct or Proposal fails to conform to the requirements of this RFP.
- C. Have unlimited rights to duplicate all materials submitted for purposes of RFP evaluation, and

- D. duplicate all public information in response to data requests regarding the Proposal.
- D. Select for contract or for negotiations a Proposal other than that with the lowest cost or the highest evaluation score.
- E. At its sole discretion, to waive any non-material deviations from the requirements and procedures of this RFP and to waive irregularities contained in the RFP.
- F. Negotiate as to any aspect of the Proposal with the selected Respondent including asking for a Respondent's "Best and Final" offer.
- G. Extend the contract for up to an additional three years, in increments determined by the State, not to exceed a total contract term of five (5) years.
- H. Cancel the Request for Proposal at any time with no cost or penalty to the State.

All costs incurred in responding to this RFP will be borne by the Respondent. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if, in its sole discretion, it is considered to be in the State's best interest.

## **VI. CONTRACT REQUIREMENTS**

### **A. AFFIDAVIT OF NONCOLLUSION**

Each Respondent must complete the attached Affidavit of Non-collusion. This form is available at <http://mn.gov/admin/government/construction-projects/sdsb/>, click on "Forms".

### **B. CONFLICTS OF INTEREST**

Respondent 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 request for proposals by completing the Organizational Conflict of Interest Form available at <https://mn.gov/admin/government/construction-projects/sdsb/forms/>. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

### **C. ORGANIZATIONAL CONFLICTS OF INTEREST**

The Respondent must include in their proposal a statement warranting that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances which could give rise to organizational conflicts of interest by completing the Organizational Conflict of Interest Form available at <https://mn.gov/admin/government/construction-projects/sdsb/forms/>.

An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the Respondent is unable or potentially unable to render impartial assistance or advice to the State, or the Respondent's objectivity in performing the contract work is or might be otherwise impaired, or the Respondent has an unfair competitive advantage.

The Respondent agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Office of State Procurement ("OSP"), 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the Consultant has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract.

In the event the Respondent was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to OSP, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime Consultant, and the terms "contract," "Consultant," and "contracting officer" modified appropriately to preserve the State's rights.

**D. DISPOSITION OF RESPONSES**

All materials submitted in response to this RFP will become the property of the State and will become public record in accordance with Minnesota Statutes 13.591 after the evaluation process is completed. Pursuant to the statute, completion of the evaluation process occurs when the government entity has completed negotiating the contract with the selected vendor. If the Respondent submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, Minn. Stat. § 13.37, the Respondent must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- 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 Respondent agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider prices submitted by the Respondent to be proprietary or trade secret materials.

Notwithstanding the above, if the State contracting party is a part of the judicial branch, the release of data shall be in accordance with the Rules of Public Access to Records of the Judicial Branch promulgated by the Minnesota Supreme Court as the same may be amended from time to time.

**E. CONTINGENCY FEES PROHIBITED**

Pursuant to Minnesota Statutes Section 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.

**F. WORK FORCE CERTIFICATION REQUIREMENT**

For all contracts estimated to be in excess of \$100,000, Respondents are required to complete the Affirmative Action Data page and return it with the response. The form is available on the State Designer Selection Board website <http://mn.gov/admin/government/construction-projects/sdsb/>, click on "Forms". As required by Minn. R. 5000.3600, "It is hereby agreed between the parties that Minn. Stat. § 363A.36 and Minn. R.5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it. A copy of Minn. Stat. § 363.36 and Minn. R.5000.3400 - 5000.3600 are available upon request from the contracting agency."

**G. EQUAL PAY CERTIFICATION**

If the Response to this solicitation could be in excess of \$500,000, the Responder must obtain an Equal Pay Certificate from the Minnesota Department of Human Rights (MDHR) or claim an exemption prior to contract execution. A responder is exempt if it has not employed more than 40 full-time employees on any single working day in one state during the previous 12 months. Please contact MDHR with questions at: 651-539-1095 (metro), 1-800-657-3704 (toll free), 711 or 1-800-627-3529 (MN Relay) or at [compliance.MDHR@state.mn.us](mailto:compliance.MDHR@state.mn.us).

**H. WORKERS' COMPENSATION AND OTHER INSURANCE**

By submission of a proposal, Respondent certifies that it is in compliance with all insurance requirements specified in the State's Basic Services Agreement available on the RECS website at <https://mn.gov/admin/business/vendor-info/construction-projects/manuals-guidelines-forms/forms/>, titled "BSA-DC".

**I. VETERAN-OWNED PREFERENCE**

In accordance with Minnesota Statute §16C.16, subd. 6a, veteran-owned businesses with their principal place of business in Minnesota and verified as eligible by the United States Department of Veterans

Affairs' Center for Veteran Enterprises (CVE Verified) (prior to the solicitation opening date and time) will receive a preference in the evaluation of its proposal (consistent with RFP Section IV., Selection Criteria). Eligible veteran-owned small businesses include CVE verified, certified small businesses that are majority-owned and operated by veterans (pursuant to Minnesota Statute §16C.16, subd. 6a). Information regarding CVE verification may be found at <http://www.vip.vetbiz.gov>.

Eligible veteran-owned small businesses should complete and **sign the Veteran-Owned Preference Form** found at <http://mn.gov/admin/government/construction-projects/sdsb/>, click on "Forms". Only eligible, CVE verified, veteran-owned small businesses that provide the required documentation per the form, will be given the preference.

**J. TARGETED GROUP (TG) /ECONOMICALLY DISADVANTAGED (ED) PREFERENCE**

In accordance with Minnesota Rules, part 1230.1810, subpart B and Minnesota Rules, part 1230.1830, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall will receive a preference in the evaluation of its proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors will receive a preference in the evaluation of their proposal. Eligible TG or ED businesses must be currently certified by the Materials Management Division prior to the solicitation opening date and time. For information regarding certification, contact the Materials Management Helpline at 651.296.2600, or you may reach the Helpline by email at [mmdhelp.line@state.mn.us](mailto:mmdhelp.line@state.mn.us). For TTY/TDD communications, contact the Helpline through the Minnesota Relay Services at 1.800.627.3529. Include a copy of the letter of certification or a screen print of the appropriate website showing certification as part of the RFP response submittal.”

**K. CERTIFICATION OF NONDISCRIMINATION (In accordance with Minn. Stat. § 16C.053)**

The following term applies to any contract for which the value, including all extensions, is \$50,000 or more: Contractor certifies it does not engage in and has no present plans to engage in discrimination against Israel, or against persons or entities doing business in Israel, when making decisions related to the operation of the vendor's business. For purposes of this section, "discrimination" includes but is not limited to engaging in refusals to deal, terminating business activities, or other actions that are intended to limit commercial relations with Israel, or persons or entities doing business in Israel, when such actions are taken in a manner that in any way discriminates on the basis of nationality or national origin and is not based on a valid business reason.

**[Project Name & #]  
Transmittal Form [company name]**

**Date:**

Prime Firm Name:  
Prime Firm Address:  
Phone Number:  
Fax Number:

Contact Person:  
Direct Phone:  
Email Address of Contact Person:  
Company Email address:

**Response includes:**

**Transmittal Sheet - this page with the following attached to it:**

- |   |   |
|---|---|
| <input type="checkbox"/> Affidavit of Non-Collusion   | <input type="checkbox"/> Resident Vendor Form ( <i>if applicable</i> )          |
| <input type="checkbox"/> Organizational Conflict of Interest Form   | <input type="checkbox"/> Veteran Owned/Service Disabled                         |
| <input type="checkbox"/> Workforce Certificate  | <input type="checkbox"/> Veteran Owned Preference Form ( <i>if applicable</i> ) |
| <input type="checkbox"/> Equal Pay Certification  |   |
| <input type="checkbox"/> Certification Regarding Lobbying   |   |
| <input type="checkbox"/> Targeted Group Subcontracting Form w/TG Cert proof attached ( <i>if applicable</i> ) |   |

**Cover Letter (no more than one page and included with each proposal copy)**

**(XXX) Copies of Proposal: (each proposal is no more than twenty pages and includes:)**

- |   |   |
|---|---|
| <input type="checkbox"/> Cover Letter   | <input type="checkbox"/> Project Approach/Methodology       |
| <input type="checkbox"/> Information on Firms   | <input type="checkbox"/> Pages are numbered                 |
| <input type="checkbox"/> Project Team   | <input type="checkbox"/> Portrait format and <b>stapled</b> |
| <input type="checkbox"/> Team Organization  | <input type="checkbox"/> No plastic dividers or covers      |
| <input type="checkbox"/> Project Experience   |   |
| <input type="checkbox"/> Fee Chart (or statement of no fees in last four years)                                 |   |
| <input type="checkbox"/> Does not exceed 20 faces (excluding cover letter, blank dividers, front & back covers) |   |

- Respondent certifies that no member of the proposing firm or its sub-consultants has discussed this Request for Proposal (RFP) or the project with any member of the requesting agency from the date of publication of this RFP in the State Register, other than the prescribed communication provisions set forth in the RFP.
- Respondent further certifies that no member of the proposing firm or its Sub-consultants will have any discussions regarding this RFP or project with any member of the requesting agency until after the completion of interviews for this project.
- Respondent understands that its proposal may be disqualified if discussions occur with the requesting agency outside the prescribed communications provisions set forth in the RFP.
- Respondent acknowledges that one or more representatives of the Prime Firm attended the mandatory project informational meeting.

By signing below, (Name of Firm) agrees:

1. The proposal contents are accurate to the best knowledge of the undersigned.
2. (Name of Firm) is committed to entering into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet the requirements of the work.
3. The consultants listed in this proposal have been contacted and have agreed to be part of the team.
4. The undersigned has read and agrees to the terms of the (State's/MN State's/U of M's) contract terms, and is willing to sign the contract should it be offered to our firm.
5. Respondent confirms that a representative of the Prime Firm attended the mandatory meeting.
6. Respondent has completed the required Targeted Group Subcontracting Form (*if applicable*).

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Dated: