

REQUEST FOR QUALIFICATIONS

*Construction Manager At Risk
New Laboratory Campus, Multi-Agency
Jefferson City, Missouri*

Date Issued: February 14, 2023

Project No.: O2301-01

STATE *of* MISSOURI

OFFICE *of* ADMINISTRATION
Facilities Management, Design & Construction

**REQUEST FOR QUALIFICATIONS (RFQ)
FOR CONSTRUCTION MANAGER AT RISK (CMR)
WITH GUARANTEED MAXIMUM PRICE (GMP)**

OWNER: The State of Missouri
Office of Administration,
Division of Facilities Management, Design and Construction (FMDC)
Jefferson City, Missouri

PROJECT TITLE AND NUMBER: **New Laboratory Campus, Multi-Agency**
Jefferson City, Missouri
Project No.: O2301-01

SUBMISSION OF STATEMENTS OF QUALIFICATIONS:

Until: 1:30 PM, March 10, 2023

To: State of Missouri, Office of Administration
Division of Facilities Management, Design and Construction
Attn: Becky Mitchell
301 West High Street, Room 730
Jefferson City, MO 65101

PUBLIC OPENING:

1:35 PM, March 10, 2023
State of Missouri, Office of Administration
Division of Facilities Management, Design and Construction
301 West High Street, Room 750
Jefferson City, MO 65101

POINT OF CONTACT:

Becky Mitchell, FMDC Contracts Manager
Phone: (573) 751-8884
Email: Becky.Mitchell@oa.mo.gov

Proposers must direct all contact and questions regarding this RFQ and the Project to the point of contact listed above. Proposers may not contact any other State employee or agency regarding this RFQ or the Project.

Request for Qualifications (RFQ) information and addenda may be obtained at no cost for electronic sets on the FMDC website at <https://oa.mo.gov/facilities/bid-opportunities/bid-listing-electronic-plans> or at American Document Solutions, 1400 Forum Blvd., Suite 7A, Columbia, Missouri 65203, Phone 573-446-7768, Fax 573-355-5433.

GENERAL INFORMATION:

- The State of Missouri, Office of Administration, Division of Facilities Management, Design and Construction (referred to herein as “Owner” or “FMDC”) is requesting statements of qualifications from firms interested in providing Construction Manager at Risk (“CMR”) services with a Guaranteed Maximum Price (GMP) for construction of a new multi-agency laboratory facility in Jefferson City, MO. Further project information is provided below.
- The selection of a CMR will take place in two steps, in accordance with sections 8.960 and 67.5050, of the Revised Statutes of Missouri (RSMo). Step One will consist of issuance of this Request for Qualifications, a review of submitted statements of qualifications, interviews, and selection of five or fewer firms. In Step Two, FMDC will ask the selected firms to submit cost proposals in response to FMDC’s Request for Proposals (RFP). The selection process is outlined below in this RFQ.
- Firms desiring to provide Construction Manager at Risk services for the project shall submit statements of qualifications containing the documents and information indicated herein. Failure to include all required information may result in the qualifications being rejected and not scored.

RFQ ORGANIZATION

Section 1.0 - Project Information
Section 2.0 - Construction Manager at Risk Services
Section 3.0 - Construction Manager at Risk Selection Process
Section 4.0 - Statement of Qualifications Submittal Requirements
Section 5.0 - Submittal
Section 6.0 - Notice of Legal and Contractual Requirements

Section 1.0 Project Information

1.1 Overview: The purpose of this project is to design and construct a modern, centralized laboratory campus for the State government that will enable the agencies to share information, expertise, equipment, supplies, and support services and better serve the public now and in the future.

1.2 Background Information: The State of Missouri currently has several separate laboratory facilities in Jefferson City: the Missouri Public Health Laboratory at 101 Chestnut Street; the Missouri Department of Natural Resources, Environmental Services Program Laboratory at 2710 W. Main Street; the Department of Conservation Laboratory at 2901 W. Truman Blvd.; and, Missouri State Highway Patrol, Forensic Crime Laboratory at 1510 E Elm Street.

At the Missouri Public Health Laboratory, the Department of Health and Senior Services (DHSS) provides investigative and testing services related to public health and disease (human clinical and environmental), and the Department of Agriculture (MDA) provides investigative and testing services to issues related to animal health and disease (livestock industries). The DHSS has approximately 110 full time employees (FTE) utilizing approximately 98,800 square feet (SF) of dedicated laboratory, office, and building support space. The MDA has approximately 4 FTEs utilizing approximately 5,200 SF of dedicated laboratory, office, and building support space.

The Department of Natural Resources (DNR), Environmental Services Program provides investigative and laboratory testing services related to environmental health and disease (water and air quality, hazardous waste and environmental emergency response). The Environmental Services Program laboratory currently has approximately 76 FTEs utilizing approximately 31,000 SF of dedicated laboratory, office, and building support space.

The Department of Conservation (MDC) provides investigative and laboratory testing services related to wildlife disease (necropsy testing on mammals and aquatic animals and fish for ecological health). The MDC laboratory has approximately 8 FTEs utilizing approximately 1,500 SF of dedicated laboratory, office, and building support space.

The Missouri State Highway Patrol (MSHP) Forensic Crime Laboratory provides forensic evidence testing and verification related to crimes and criminal activity for the state and over 600 local law enforcement agencies. The MSHP has approximately 60 FTEs utilizing approximately 20,000 SF of dedicated laboratory, office, and building support space.

Each of the State's current laboratory facilities is aging and becoming outdated, which hampers productivity, efficiency, and the adoption of new technologies. Furthermore, the fact that the laboratories are in different locations inhibits/prevents the effectiveness of knowledge and technological collaboration between the various agencies.

The selected location of the new laboratory campus is on the east side of Chestnut Street in Jefferson City adjacent to the existing Missouri Public Health Laboratory. The selected property was formerly part of the Missouri State Penitentiary (MSP) site (located outside of the penitentiary walls). In 2018, the State of Missouri conveyed a portion of the former MSP property to the City of Jefferson. The City has selected a "Master Developer" for the site, Chesterfield Hotels, Inc./Arcturis, which has plans to develop City-owned and leased portions of the MSP site for a potential hotel, convention center, retail establishments, residential housing and/or other uses, although development plans have not yet been finalized.

1.3 Project Description/Design Details: Based on the preliminary/conceptual analysis and design, the Owner anticipates that this project may include:

1. An approximately 225,000SF, multi-story building consisting of:
 - a. Approximately 140,000 SF for the MSHP Forensic Crime Laboratory;
 - b. Approximately 36,000 SF for the DNR Environmental Health and Disease Laboratory;
 - c. Approximately 20,000 SF for the DHSS Public Health and Disease Laboratory;
 - d. Approximately 16,500 SF for the MDA Animal Health and Disease Laboratory;
 - e. Approximately 12,500 square feet for the MDC Wildlife Disease Laboratory;
2. An approximately 15,000 SF addition/expansion – on top of or adjacent to – the existing Missouri Public Health Laboratory;
3. An elevated walkway connecting the new and existing facilities; and

4. An approximately 150,000 SF, multi-level parking facility with approximately 400 parking spaces.

However, the proposed design solution(s) are not limited to or constrained by the preliminary/conceptual analysis and design. The Designer and CMR shall be expected to review the preliminary/conceptual analysis and design to determine whether the elements identified above (a new singular, multi-story building and addition/expansion to the existing building with elevated walkway connecting) are the best means of meeting the Owner's objectives and the needs of the occupying state agencies within the available budget.

The design solution(s) shall ensure that the occupying state agencies have adequate space for existing staff and equipment as well as anticipated future growth and changes in staffing, equipment, laboratory practices, etc. Where possible, the proposed design solution(s) shall facilitate the state agencies to share space, equipment, supplies, and building support systems. The proposed design solution(s) shall integrate the existing Missouri Public Health Laboratory with the new facility (or facilities) to the extent feasible to create a consolidated laboratory campus for state government.

The proposed design solution(s) may be required to take into consideration the current and anticipated future uses and appearance of surrounding properties, as well as the history of the site. The Designer and CMR may be required, at the Owner's direction, throughout design and construction of the project to meet and/or coordinate with the City of Jefferson and its Master Developer in regards to their adjacent development.

The proposed design solution(s) for a parking structure shall ensure that there is adequate parking for any state-owned vehicles used by laboratory staff and the private vehicles of employees and visitors. The proposed design solution(s) shall also ensure that the Missouri State Highway Patrol has secured parking or its safety needs are otherwise met. The Designer and CMR may be asked by the Owner to design or provide an analysis of the feasibility of creating a larger parking structure that could be used by the City and/or public for the adjacent development.

The final design and construction of the laboratory shall meet industry standards and accreditation requirements for laboratory testing related to public health, animal health, wildlife health, environmental health and forensic/evidence, including but not limited to:

- U.S. Health and Human Services/Center for Disease Control and Prevention: Biosafety in Microbiological and Biomedical Laboratories (BMBL) 6th edition
- Clinical and Laboratory Standards Institute (CLSI), Laboratory Design
- American National Standards Institute (ANSI):
 - ANSI/American International Health Alliance (AIHA) Z9.5: Laboratory Ventilation
 - ANSI Z358.1: Emergency Eyewash and Shower Equipment
- International Standardization Organization (ISO)/International Electrotechnical Commission (IEC) 17025 – Accreditation for General Requirements for the Competence of Testing and Calibration Laboratories in the field of Forensic Testing
- National Institutes of Health (NIH): Design Policy and Guidelines
- United States Department of Labor, Occupational Safety and Health Administration: Occupational Exposure to Hazardous Chemicals in Laboratories, Code of Federal Regulations: 29 CFR, Ch. XVII., 1910.1450
- Association of Public Health Laboratories (APHL): Laboratory Facility Construction and Major Renovations Guidelines
- National Lead laboratory Accreditation Program (NLLAP) LQSR, Section 5.3
- EPA Facilities Manual
- ISO/IEC 17025 accreditation requirements for American Association of Veterinary Laboratory Diagnostics (AAVLD) and National Animal Health Laboratory Network (NAHLN)

The final design and construction of the laboratory shall comply with the most recent edition of: the International Building Codes, ASHRAE 90.1, the American with Disabilities Act – Standards for Accessibility Design, and any other applicable building, life/safety and accessibility codes and standards.

1.4 Other Project Information:

- **Total Allowable for Construction (AFC):** The “Total Allowable for Construction” for this project will be **\$151,354,523**. This is the amount budgeted by the Owner for the total cost to construct all elements of the project designed or specified by the Designer. The Total Allowable for Construction shall include the fees for all CMR services.
- **Designer:** FMDC has selected **Multistudio, Inc., 4200 Pennsylvania Avenue, Kansas City, MO 64111** as the Designer for the project.
- **Commissioning Consultant:** FMDC has selected **Henderson Engineers, 1803 Main Street, Suite 300, Kansas City, Missouri 64108** as the Commissioning Consultant for the project.
- **Current Project Status:** The Programming Phase of the project is complete. The Schematic Design Phase started February 1, 2023. The GMP is anticipated to be established after 50% Construction Document Review and approval.
- **Anticipated Construction Start:** Construction is expected to begin in the Fall of 2023.
- **Expected Project Duration and Completion Date:** This project is expected to be completed in **40-42 months**. The CMR will be required to substantially complete the project no later than **September 15, 2026** (or other date as required to ensure Final Completion of project by October 31, 2026 and final expenditure of project funds by December 31, 2026).
- **Funding:** This project is funded by the American Rescue Plan Act of 2021 (ARPA). Federal terms and conditions may apply to this CMR contract.
- **Estimated Project Timeline:**

Kickoff Meeting (Owner/Designer/CMR Team)	April/May 2023
Schematic Design Complete	April/May 2023
Design Development Complete	September 2023
50% Construction Documents Complete	TBD (dependent upon bid package or bid packages recommended by the CMR)
100% Construction Documents Complete	TBD (dependent upon bid package or bid packages recommended by the CMR)
Construction Substantially Complete	September 15, 2026
Final Completion	October 31, 2026
Final Pay Application Submitted to Owner	October 31, 2026
Expenditure of Project Funds	By December 31, 2026

Section 2.0 Construction Manager at Risk Services

The Construction Manager at Risk will provide Preconstruction, Bidding, Construction, and Post-Construction Phase services for the duration of the project. Below is a brief, non-exhaustive description of the services that the CMR shall be expected to provide. A draft contract containing detailed, comprehensive terms and conditions will be issued with the RFP. To the extent that there is any conflict between the terms in this RFQ and the contract or RFP, the terms of the contract and/or RFP will govern.

2.1 Preconstruction Phase:

- Provide a minimum of two (2) staff members with decision-making authority that are experienced in all aspects of preconstruction services to work with the Designer during the Schematic Design, Design Development, and Construction Document phases.
- Participate in all phases of project development providing real-time input and assistance in phasing, planning and design decision-making.

Meeting Attendance and Documentation:

- Attend all project meetings from execution of the CMR contract until the start of construction.
- Document all meetings by taking minutes

Estimating:

- Prepare and update/maintain a cash flow projection through completion of the work.
- Provide ongoing detailed estimates throughout the development of the project design phases.
- Provide detailed estimates for each early bid package(s) issued prior to establishment of the GMP.
- Provide estimates of various design options contemplated by the Designer.
- Provide value analysis/value engineering services and offer alternative solutions to ensure cost effective design.
- Identify and assist in developing bid alternates for consideration by the Owner during the Schematic Design Phase and Design Development Phase.
- Identify and assist in developing alternates for late acceptance (as CMR contingency funds become available) by the Owner.

Constructability Review:

- Provide a detailed constructability review at the completion of the Design Development Phase and throughout the development of the Construction Documents, providing the Owner a written report of the following:
 - Site and civil including site planning, phasing, staging and logistics in ensuring vehicular and pedestrian traffic is maintained;
 - Comprehensive plan with detailed procedures for managing the site, and access in and around the site;
 - Comprehensive construction activity impact/risk analysis to adjacent buildings, spaces, and occupants;
 - Structural review and value engineering;
 - Building enclosure review and value engineering;
 - Mechanical/Electrical/Plumbing/Fire Protection review and value engineering;
 - Interior Finishes review and value engineering;
 - Overall completeness and coordination of specifications and drawings and drawing sections, details and coordination between design disciplines to avoid conflicts and minimize change orders and scope gaps.

Scheduling:

- Provide a procurement schedule for all materials and equipment with lead times projected to exceed ninety days or lead times on items deemed schedule critical by the CMR.
- Provide a bid schedule depicting anticipated bid packages and their projected issuance for bid dates. Such bid schedule shall conform to the design schedule and shall be adjusted and updated as the design phase progresses.
- Provide and maintain detailed construction schedules utilizing Critical Path Method scheduling techniques published by the Associated General Contractors of America (AGC).

2.2 Bidding:

- Publicly advertise for bids or proposals for all trade package work in accordance with sections 67.5050 and 8.250, RSMo.
 - Only minor work included in the general conditions is not subject to public bid.
 - The CMR will be allowed to self-perform trade package work only if they are the successful bidder or proposer as determined by the Owner and only after public advertisement. Under no circumstances may the CMR create any bid package that may provide them with an advantage in the bidding process.
- Review all trade package bids and proposals received in consultation with the Owner and Designer and select those that provide the best value to the Owner.
- Provide the Owner with a Guaranteed Maximum Price (GMP), detailing any contingencies and allowances included.
 - The GMP shall be established by the CMR only after the Owner, the Designer and the CMR agree that the development of the Construction Documents have progressed to an acceptable level.
 - The CMR shall assume all responsibility for all costs of construction in excess of the GMP executed in the amendment establishing the GMP. If the cost of construction is less than the GMP, then the difference will be refunded in full to the Owner.
- Provide performance and payment bonds on the Owner's form for the full amount of the cost of work for early bid packages and for the value equal to the GMP.

2.3 Construction Phase:

- Provide all services as described in the Request for Proposal, the contract, early release orders (if applicable) and the amendment establishing the GMP.

2.4 Post-Construction Phase:

- Provide all services related to warranty and guarantees during the entire Guarantee Period.

Section 3.0 CMR Selection Process

The Construction Manager at Risk will be selected using a two-step process:

3.1 Step One – Request for Qualifications (RFQ): The first step in the selection process shall consist of the review and ranking of each firm’s qualifications and responses to the selection criteria in this RFQ and interviews. **Statement of Qualifications submissions shall not include fees or prices, and no cost information will be evaluated at this stage.** This shall be a competitive process with points awarded for each category of the selection criteria, as set forth below. The Owner will utilize an evaluation committee to evaluate the offerings and establish a preliminary ranking of the firms. Five or fewer firms with the highest preliminary ranking based on the firm’s responses to the selection criteria will be selected to interview. Following interviews, final scores for Step One will be established, and the Owner will choose five or fewer firms that will be invited to participate in Step Two.

3.2 Step Two - Request for Proposals (RFP): In the second step, the RFP documents will be issued to the firms selected as most qualified based on evaluation of Statements of Qualifications and interviews. The selected firms shall submit their cost proposal in a sealed envelope. The cost proposal shall include the firm’s Preconstruction Phase fee, Construction Phase percentage fee, lump sum cost for fulfilling the general conditions, cost of insurance, and cost of performance and payment bonds, as set forth in the RFP. Within 45 days after the date of opening of cost proposals, the Owner shall evaluate and rank each proposal submitted.

Scoring results for Step 1 and Step 2 will be made available after the Owner has executed a contract with the successful Proposer or all Proposals are rejected.

3.3 Evaluation and Scoring:

Available Points: The final evaluation and selection of the CMR will be based on a 250 total point system, broken down as follows:

- **Qualifications: Fifty percent (50%) (125 points)** – Up to 125 points will be awarded by the evaluation committee based on their evaluation of each firm’s qualifications, responses to the Owner’s selection criteria, references, and interviews. The Qualifications Points will be broken down/awarded as follows:
 - Project Experience (15 points)
 - Project Management (Design)/Preconstruction Services (25 points)
 - Construction Management/Construction Administration (25 points)
 - Team Organization/Team Involvement (15 points)
 - Team Experience (20 points)
 - Safety Program (15 points)
 - Financial Stability (10 points)
- **Cost: Fifty percent (50%) (125 points)** – Up to 125 points will be awarded based on the sum total of the Preconstruction Phase fee, Construction Phase fee, the lump sum for fulfilling the general conditions, and the cost of insurance and performance and payment bonds. For evaluation purposes, the Construction Phase percentage fee will be multiplied by the anticipated construction budget to establish the overhead and profit component of the price. The lowest total price submission will receive 125 points. Ascending price submission totals from other firms will be awarded price points on a pro rata basis.
- **SDVE Bonus Points - (3 points)** - Three (3) bonus points will be added to the final score of a Proposer that is a Service Disabled Veteran Business Enterprise doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business in accordance with section 34.074, RSMo. The bonus points are available only to an SDVE firm that is proposing to directly contract with the Owner as a CMR, not for use of an SDVE subcontractor or supplier.

Scoring and Interviews: Following receipt and opening of Statements of Qualifications, the evaluation committee will score and establish a preliminary ranking of firms based on their written responses to the selection criteria outlined in this RFQ. At least two but no more than five firms with the highest preliminary rankings will be invited to interview with the evaluation committee. Detailed times and locations will be communicated to the Proposers who are shortlisted and invited to interview with the evaluation committee. Each interview will consist of a one-hour presentation by the Proposer and a question and answer period with the evaluation committee of up to fifteen (15) additional minutes. Following interviews, the evaluation committee will establish final scoring for Step One. At least two but no more than five of the highest scoring Proposers will be selected to receive and respond to the Request for Proposals in Step Two. The Owner may choose not to include all firms that were invited to interview in Step Two.

Best Value: The Owner will select the firm that offers the best value based on the published selection criteria and evaluation. The firm with the highest point total (Qualifications + Cost points) following Step One and Step Two will be deemed to provide the best value and will be the apparent successful firm.

Contract Negotiation: The Owner will engage in negotiations with the apparent successful firm to establish final contract terms. If the Owner is unable to negotiate a satisfactory contract with the apparent successful firm, negotiations will cease, and the Owner will negotiate with the next highest ranked firm and so on until an acceptable contract is reached or negotiations end. The Owner will make the determination as to when negotiations are at a stalemate and are no longer productive.

3.4 Selection Schedule: The Owner's anticipated schedule for the selection process is as follows (subject to change):

RFQ Release	February 14, 2023
Deadline for Questions	February 28, 2023
Distribute Final Addendum	March 3, 2023
Statements of Qualifications Due	March 10, 2023
Notify Shortlisted Firms of Interview Schedule	March 14, 2023
Interviews Schedule	March 22-23, 2023
Issue Request for Proposals	March 24, 2023
Receive Proposals	March 31, 2023
Apparent Successful CMR Notification	April 3, 2023

Section 4.0 Statement of Qualifications Requirements

Each firm shall provide the following information, at a minimum, in its Statement of Qualifications:

4.1 Cover Letter of Interest, including the following certification:

The text of the following certification must be included in the Cover Letter:

I certify that I am authorized to represent the CMR named below and that the statements contained in these qualifications are true and correct:

Date:

Name of Firm:

Address:

Authorized Person (printed)

Title/Position:

Signature:

Telephone:

E-mail:

Name, Telephone and E-mail of Primary Point of Contact regarding this RFQ:

4.2 Tab 1 - Project Experience

- Identify and summarize the firm's four (4) most recent CMR projects of a similar size, type, and degree of complexity as this project.
 - For each project, include a general description, GMP amounts, schedules, and contact information of the Architect/Engineer and Owner (names, addresses, email addresses and telephone numbers).

4.3 Tab 2 - Project Management (Design)/Preconstruction Services

- Provide a summary of the firm's methodology and practices that will be utilized in managing and executing this project in the preconstruction phase, including cost estimating capabilities and scheduling techniques.
- Describe how the firm, as CMR, will interact with the Designer, including integration of an individual into the Designer's structure to provide input and support during design.
- Provide a detailed list of all Preconstruction Phase services that the firm will provide.
- Describe any unique management strategies, services, and value that the proper will bring to the project.
- Describe the critical issues anticipated during the Preconstruction Phase for this project.

4.4 Tab 3 - Construction Management/Construction Administration

- Provide a summary of the proper's methodology, practices, and proposed Construction Management Plan, to include the quality management approach and safety management elements that will be utilized in managing this project during the construction phase.
- Include a detailed list of all construction phase services that the firm will provide as CMR.
- Describe the firm's ability and desire to self-perform work on this project.
- List the critical construction issues that need to be addressed for this project to be successful.
- Describe the quality control and commissioning procedures to be utilized on this project.
- Describe how the firm will establish bid packages for this project.
- Describe how the firm will update the Owner and the Designer of closeout phase progress and manage warranty work required for one year following completion.

4.5 Tab 4 - Team Organization/Team Involvement

- Provide an organizational chart illustrating the organizational structure to be utilized on this project and briefly describe the duties of each individual.
- Include a bar chart illustrating the timing, duration, and percent Full Time Employee (FTE) involvement of each individual.

4.6 Tab 5 - Team Experience

- Provide resumes, qualifications, and experience of key personnel to be assigned to this project and describe their specific roles and responsibilities.
- Include the last four (4) CMR projects each individual has been involved with and their roles and responsibilities on those projects.
- Provide additional resumes of alternate personnel and explanation of the firm's capacity to substitute key positions in the event of unavoidable personnel changes.

4.7 Tab 6 - Safety Program

- Provide the firm's worker's compensation insurance experience modification rate and incidence rate for the most recent three (3) years.
- Provide a summary of the safety program to be utilized on this project.

4.8 Tab 7 - Financial Stability

- Provide the firm's latest audited financial statements in a separate sealed envelope.
- If the firm is a subsidiary of another company, provide the latest audited financial statements for the parent company as well.
- Provide a letter from the firm's surety detailing available bonding capacity.

Note: A fee matrix detailing services to be included in each category of work will be issued in the RFP documents. All information submitted by the Proposer in its Statement of Qualification with respect to project specific organizational structure, staffing, and other selection criteria, in addition to the RFP/Step Two documents, shall be utilized to establish the basis for the Step Two Proposal pricing. Following contract award, the Successful Proposer shall be required to provide, at a minimum, all staffing and services detailed in the firm's Statement of Qualifications and as otherwise required by the contract documents.

Section 5.0 Submittal:

5.1 Format: Each firm shall submit one electronic copy on a flash drive and 5 spiral bound hard copies consisting of a maximum of twenty (20) one-sided 8 ½ x 11 pages, not including the organizational chart and bar chart, personnel resumes/qualifications, and financial statements. Each hard copy submission shall be spiral bound with hard stock covers front and back arranged in the order of the RFQ selection criteria as stated below. Tab dividers separating selection criteria items 1 through 7, shall be included and shall be clearly labeled to indicate the material following. Covers and dividers shall not count toward the twenty (20) page maximum.

5.2 Due Date: Statements of Qualifications shall be delivered to the address provided on the first page of this RFQ by the date and time specified. Late proposals will not be considered. The Proposer is solely responsible for submitting a response on time. It is the responsibility of the Proposer to ensure that submissions are received by the deadline.

5.3 Responsibility of Proposer to Provide Clear Information: It is the sole responsibility of the Proposer to provide clear and complete answers and descriptions of the requested information. The Proposer's qualifications shall be evaluated based solely on the information and materials provided by the Proposer in response to this RFQ and in an interview. Failure to provide all information requested or to provide clear answers may result in a proposal being rejected or may result in lower scoring.

5.4 Questions and Communications: Questions, requests for clarification or requests for modification of the RFQ should be submitted in writing to Becky Mitchell at Becky.Mitchell@oa.mo.gov no later than the date specified in the Selection Schedule. At its option, FMDC may issue addenda to modify or clarify the RFQ in response to submitted questions or comments. No verbal interpretation made to any Proposer regarding the meaning of the RFQ shall be binding on FMDC.

Proposers must restrict all contact and questions regarding this RFQ to the contact listed in this RFQ. Proposers are prohibited from directly or indirectly communicating about this RFQ or the Project with any other State employee or agency or the Designer, with the exception of communication initiated by FMDC in order to obtain information or clarification needed to evaluate a response. Any violation of this provision may result in disqualification of the Proposer from the selection process.

5.6 Confidentiality of Submittals: FMDC is a public governmental body. The Missouri Sunshine Law (Ch. 610, RSMo) provides that all records of a public governmental body are open unless they may be closed or are closed as otherwise provided by law. All materials submitted by the Proposer in conjunction with the RFQ becomes the property of FMDC, and are subject to disclosure pursuant to the Missouri Sunshine Law. The Proposer may mark submitted material as containing confidential trade secrets; however, such label is not binding on FMDC. Only information expressly permitted to be closed pursuant to the provisions of Missouri law, as determined by OA-FMDC's legal counsel or as required by a court, will be treated as a closed record by FMDC and withheld from any public request for records. The Proposer should presume information provided to FMDC in a proposal will be public following the award of the contract or after rejection of all proposals, and will be made available upon request in accordance with the provisions of state law.

5.7 State's Rights Reserved:

- FMDC reserves the right to reject any and all submissions, and the right to reissue this RFQ if the submissions received are not acceptable to FMDC.
- FMDC reserves the right to waive technical defects in this RFQ or any submission.
- FMDC reserves the right to request additional information and data from any Proposer. Any request for information by FMDC to the Proposer is solely for the purpose of evaluating statement of qualifications understanding its terms. Such a request shall not be considered to constitute a binding agreement or commitment by FMDC in any manner.

5.8 Addenda:

This RFQ is subject to revision after the date of issuance via written addenda only. Any addenda will be posted on FMDC's website at <https://oa.mo.gov/facilities/bid-opportunities/bid-listing-electronic-plans> and at American Document Solutions at <https://www.oafmdcplanroom.com/jobs/public>. It is the responsibility of each Proposer to check for any RFQ addenda prior to submitting its Statement of Qualifications.

Section 6.0 Notice of Legal and Contractual Requirements:

6.1 Business Registration: In order to be awarded a contract, any Proposer that operates as a legal entity in the State of Missouri must be appropriately registered with the Missouri Secretary of State's office, and such registration must be active and in good standing. If the successful Proposer is doing business in the State of Missouri under a fictitious name, the Proposer must have a current Registration of Fictitious Name. If the Proposer is an entity formed in another State, the Proposer must have a Certificate of Authority to do business in Missouri. The Owner will typically ascertain the Proposer's standing with the Missouri Secretary of State from the information available on the Secretary of State's website. However, the Owner may, at its discretion, request proof of compliance with this paragraph from the selected Proposer prior to award of a contract. The Proposer shall provide a certified copy of its Certificate of Good Standing, Certificate of Authority and/or Registration of Fictitious name to the Owner upon request. If the Proposer fails to provide such information upon request, the Owner shall not award a contract to the Proposer, and the Owner will not be under any further obligation to the Proposer.

6.2 Transient Employers: Transient employers subject to sections 285.230 and 285.234, RSMo (out-of-state employers who temporarily transact any business in the State of Missouri) may be required to file a bond with the Missouri Department of Revenue. The Owner may require the Proposer to certify that it has complied with all applicable provisions of sections 285.230 and 285.234, RSMo before awarding a contract.

6.3 Work Authorization: Sections 285.525 and 285.530, RSMo require business entities to enroll and participate in a federal work authorization program in order to be awarded a contract in excess of \$5,000 with the State of Missouri. Proposers must submit an Affidavit of Work Authorization prior to being awarded a contract. Proposers must also submit an E-Verify Memorandum before the Owner may award a contract to the Proposer. Information regarding E-Verify is located at <https://www.uscis.gov/e-verify/>. The Proposer shall be responsible for ensuring that its subcontractors or subconsultants enroll in E-Verify.

6.4 Anti-Discrimination Against Israel Act: If selected, the Proposer will be expected to provide a certification before being awarded a contract as follows:

- If the CMR meets the definition of a company as defined in section 34.600, RSMo, and has ten or more employees, the CMR shall not engage in a boycott of goods or services from the State of Israel; from companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or from persons or entities doing business in the State of Israel as defined in section 34.600, RSMo.
- If, at any time during the life of this Agreement, the CMR meets the definition of a company as defined in section 34.600, RSMo, and the CMR company's employees increases to ten or more OR the CMR's business status changes to become a company as defined in section 34.600, RSMo, and the CMR company has ten or more employees, then the CMR shall submit to the Division of Facilities Management, Design and Construction a completed Box C of the exhibit titled "Anti-Discrimination Against Israel Act Certification, and shall comply with the requirements of Box C.

6.5 Background checks and Photo ID: If awarded a contract, the CMR's employees, and the employees of all subcontractors and suppliers who perform work on the project, may be required to undergo a background check and obtain a State of Missouri identification badge prior to beginning work, as set forth further in the Site Security and Health Requirements outlined in the Request for Proposal.

6.6 MBE/WBE/SDVE Participation Goals: This project shall have participation goals of ten percent (10%) for Minority Business Enterprises (MBE), ten percent (10%) for Women's Business Enterprises (WBE), and three percent (3%) for Service Disabled Veteran Enterprises (SDVE). The CMR will be expected to contract with MBE, WBE, and SDVE subcontractors and suppliers certified by the Missouri Office of Equal Opportunity to meet these goals or to make a good faith effort to do so. Further information about the MBE/WBE/SDVE participation goals and process will be provided in the Request for Proposals and accompanying documents.