

REQUEST FOR PROPOSALS

Issue Date: February 22, 2011

RFP# MWLS - 2011

Title: A/E Services for: **Marshall-Wythe Law School East Addition Feasibility Study**Project Code: **AP-0135-001-011**

Commodity Code: PROFESSIONAL SERVICES

Issuing Agency & Address: Commonwealth of Virginia
The College of William and Mary
Facilities Planning, Design & Construction Department
Williamsburg, VA 23187-8795

Location of Work: The College of William and Mary, Williamsburg, VA

Period Of Contract: Single project services

All inquiries for information should be directed to: Facilities Planning, Design & Construction Division –
E- mail to Mark Brabham, Project Manager, at mxbrab@wm.edu.

PRE-PROPOSAL CONFERENCE: A pre-proposal conference will be held in the Tidewater B room at the Sadler Center on March 2, 2011 from 10 – 12 a.m. A 45 minute presentation will be provided followed by a walk-thru of the existing Law School facility.

PROPOSAL SUBMISION: Sealed proposals for furnishing the services described herein will be received until 4:00 p.m. local time, Thursday, March 31, 2011. ***Proposals must reach the address below by the deadline stated.***

**The College of William and Mary
Facilities Planning, Design & Construction Division
Facilities Management Complex Building
Suite C, Room 119, Grigsby Lane
Williamsburg, VA 23185
Attn: Ms. Maralyn Carr, Contract Documents Manager**

In compliance with this Request For Proposals, which includes the attached Table of Contents and all provisions and appendices attached and referenced therein, and subject to all the terms and conditions set forth herein, the undersigned offers and agrees to furnish the services described in the RFP cited above and submit this signed proposal which includes this completed and signed page, the completed and signed Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6 and other data as required by the RFP. It is understood that this proposal and the scope of services may be modified, by mutual agreement in subsequent negotiations.

Name and Address of Proposer:

Email address: _____

Date: _____

By _____

(Signature in Ink)

Typed Name: _____

_____ Zip: _____

Title: _____

FEIN/SSN#: _____

Telephone No. (____) _____

SCC ID#: _____

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I. APPLICABILITY OF THE A/E MANUAL

The Facilities Management Design and Construction Manual (the Manual) of the College of William and Mary, Version 1.0, October 2007, shall apply to the contract awarded pursuant to this RFP and is incorporated by reference herein in its entirety.

Proposer's attention is directed to the following sections of the Manual:

- Chapter 1 (Administration) – A general introduction to the Manual and the College design philosophy, and a description of the College and State organizations which will provide project oversight, review and approval.
- Chapter 2, (Terms and Definitions) - Definitions of terms used in this RFP. The terms "Agency" and "Owner" are used interchangeably in the material referenced in this RFP and mean the Rector and Board of Visitors of the College of William & Mary (CWM), the Virginia Institute of Marine Science (VIMS) and Richard Bland College (RBC) which is the owner issuing this solicitation for services and with whom the successful A/E Proposer will enter into an agreement. For purposes of clarity and uniformity in this RFP, only the term "Agency" will be used herein.
- Chapter 5A (Design Services: General Terms and Conditions) – The general terms and conditions governing professional services.

II. PURPOSE

The purpose of this RFP is to solicit proposals for entering into a contract through competitive negotiations for the professional services of an Architectural/Engineering firm, authorized to do business in the Commonwealth of Virginia, with experience in the development, planning, and design of collegiate student centers, dining/other retail facilities and administrative office space.

III. BACKGROUND

The proposed project shall construct a new addition to the existing Marshall-Wythe Law School. The intent is to create additional functional space for a program that has outgrown its existing space. Focus areas (listed in priority order) are additional faculty/staff offices, additional classrooms, an expanded student lounge/gathering space and, potentially, a multi-purpose space to accommodate large gatherings up to and including the assembly of an entire law school class. The study will develop and examine options to address these space requirements through construction of new space and, if required, renovation/repurposing of existing space to ensure maximum efficiency and code compliance in order to seamlessly integrate new space with the existing facility. The exterior architecture and new construction footprint will require functional integration of the design/construction process and the ultimate building product with the adjacent States Courts Facility located to the immediate north (on land leased from the College) and with the Colonial Parkway located to the east. Planning and programming must address any required short term displacement/relocation of selected program elements during construction, and the prospect that this may be the final increment of additional construction for the Law School. As such, building system integration must be reviewed to ensure code compliance, achieve maximum operating efficiency and facilitate/ease downstream renovation of the original “core” Law School facility.

The scope of work, as defined within Section V of this RFP, shall be for a Feasibility Study. It will be the first phase of what is intended to be a multiphase design sequence by a single architect/engineer firm based on project feasibility, availability of funding, the time interval between the study and downstream design/construction and A/E performance during each phase. The College, at its sole discretion, may choose to negotiate with the successful proposer for design and construction services for the proposed addition. Downstream design, construction and warranty services will be detailed in separate contract agreements based on the criteria cited above.

IV. INFORMATION AVAILABLE

The A/E shall provide professional services for the project described in Part V of this RFP consistent with the College standards codified in the Manual (design process requirements), CWM architectural design guidelines, CWM technical standards and the latest directives issued by the Department of Facilities Management. The proposer's attention is directed to the following:

- Design Services - FM Design & Construction Manual (October, 2007), Chapters 5A – 9
- Design Guidelines – Campus Design Guidelines Report (May, 2003)
- Technical Standards – Facilities Management Technical Standards (March, 2007)

Short listed firms will be given the opportunity to call for appointments to further examine the site, the existing Marshall Wythe Law School or existing facility documents by contacting the College Project Manager. The school is currently in use on a year round basis. **ABSOLUTELY NO VISITS TO THE SITE SHALL BE ALLOWED EXCEPT AS ARRANGED THROUGH THE FACILITIES PLANNING, DESIGN AND CONSTRUCTION DIVISION PROJECT MANAGER.**

Note –All information listed is available at the Facilities Planning, Design and Construction website, <http://www.wm.edu/offices/facilities/services/fpdc/forms/index.php> .

V. SCOPE OF SERVICES:

Phase 1 – Feasibility Study

The selected A/E shall furnish all expertise, labor and resources for the complete feasibility study, in accordance with the requirements of the Manual. The following generally highlights the services that the A/E will be required to perform for this study:

- A. Investigate Existing Conditions – Evaluate the facilities and the surrounding site to include the States Courts leased property immediately adjacent to the north. Coordinate with the Project Manager to establish administration, faculty, and student and staff focus groups for consultation in order to determine the functional advantages/disadvantages of the current facilities.
- B. Facilitate Planning and Programming – Determine the required tenants/functions to be housed, conduct a space program analysis and develop a recommended space program for review and approval by the Building Committee. The analysis will determine/evaluate the following:
 - Required program
 - Adjacency requirements
 - Shared use opportunities/economies
 - Missing elements

- Unnecessary elements
 - Recommended relocations within or out of the facility.
 - Required programs for any elements relocated out of the center
- C. Benchmark Peer Facilities – Nominate/obtain College suggestions for peer benchmarks. Upon developing an approved list, coordinate up to three (3) benchmark visits to review the facilities and discuss lessons learned with host institutions.
- D. Determine Renewal Concepts - The A/E will develop a minimum of three alternative renewal concepts and will provide recommended phasing and associated durations. Concepts will detail temporary and permanent relocation requirements required. Concepts considered must include:
- Construction of a new addition.
 - Construction of multiple additions
 - Addition(s) and selective demolition and replacement/expansion through a combination of renovation/infill.
- E. Develop Concept Analysis Decision Matrix - The A/E will conduct a feasibility analysis of these concepts to develop advantages/disadvantages and conceptual costs in current dollars. Analysis will be supported by a description of the analytic process, programmatic requirements, proposed facility layout/footprint, conceptual floor plans, infrastructure requirements/impacts, associated costs and advantages/disadvantages for each concept. Consider and evaluate the following as part of the analysis:
- Utility impacts
 - Traffic impact to include:
 - Circulation (vehicular and pedestrian)
 - Food services operations
 - Daily parking
 - Construction traffic
 - Swing space for displaced programs
 - Temporary
 - Permanent
 - Environmental impacts
- The analysis will be presented to the Building Committee in the form of an “Interim Report” within 120 days of the execution of the A/E Design Services Contract. The report will become the basis for facilitated discussions with the Building Committee to determine a preferred renewal concept.
- F. Present the Analysis - Assist the Building Committee with presentations to the College Design Review Board and the College Administration as required. Incorporate modifications to the analysis and supporting plans/cost estimates as required.
- G. Develop Conceptual Design/Cost Estimate for the Selected Concept - Finalize site plan, floor plans, and conceptual estimate, and develop conceptual exterior elevation sketches for the recommended concept and budget based on Building Committee guidance, Design Review Board comments and College Administration decisions. Establish total project costs.
- H. Conduct a Building Code Analysis – Conduct code research for the recommended concept and provide recommendations for the following:
- Use group classifications
 - General building limitations

- o Height
 - o Floor area
 - o Construction type
 - o Fire resistive rating of structural elements
 - Net to gross efficiency
- I. Ensure Design Concepts Enable LEED Certification - The A/E shall ensure that concepts developed will allow The College of William and Mary to achieve LEED silver certification at a minimum. The A/E project team shall promote sustainable design concepts including integration with the natural habitat, maximizing use of natural light/ventilation consistent with campus architecture, use of durable materials, maximizing energy efficiency, enhancing indoor environmental quality, minimizing future maintenance requirements and incorporating landscaping/storm water design that is compliant with emerging state standards.
- J. Document Analysis Process and Recommendation - Provide a draft final “Marshall-Wythe Law East Addition Feasibility Study” report that documents the analysis process, new addition options, and concept selection in order to create a viable addition to the existing facility and it’s established program. The draft final report will be provided within 30 days following Design Review Board and College Administration final approval of the renewal concept and budget.
- K. Provide Final Report - A final report will be provided within 30 days after receipt of final draft report comments.
- L. Provide Renderings - Provide two (2) sketch renderings of the proposed facility. These renderings will not be of the detail expected during design. They are intended to be sketches sufficient to convey architectural intent in order to ensure compliance with Campus Design Guidelines, allow the Building Committee, Design Review Board and College leadership to approve the intent and to serve as an architectural guide for design. The renderings shall be 24 inches by 36 inches in size and shall be capable of being transmitted in high resolution PDF format.

Phase 2 – Design

- A. Develop the Concept - Refine, clarify and define the selected concept to develop a project design which meets the Agency’s requirements and is within the stipulated “design-not-to-exceed” construction cost. Respond to all College of William and Mary and other agency review comments and resolve outstanding design issues at the various phases by taking appropriate action in the design of the project.
- B. Provide Architectural/Engineering Services - The project will achieve code compliance for all building systems to include structural, HVAC systems and controls, plumbing systems, electrical and emergency electrical systems; fire alarm and suppression systems; and communications/information technology system infrastructure (closets/pathways). The design will achieve full accessibility compliance. During design, the A/E will determine if program implementation can be served through phased construction operations which avoid/minimize interruption of the academic program, All options will coordinate construction operations with availability of swing space, if required.
- C. Provide Renderings - Provide two (2) renderings of the proposed new East Addition following schematic design. These renderings are to be detailed architectural perspectives (one from the north and one from the southeast - elevation of the perspectives to be determined) sufficient to convey architectural intent in order to ensure compliance with Campus Design Guidelines, allow the Building Committee, Design Review Board and College leadership to approve the design. The renderings shall

be 24 inches by 36 inches in size and shall be capable of being transmitted in high resolution pdf format.

- D. Provide Construction Contract Drawings - Provide complete documents using Building Information Management (BIM) with professional seals and signatures in accordance with the procedures of the Manual. BIM will focus on clash detection/resolution during design/construction and will support downstream operations and maintenance utilization of building systems. Building construction contract documents must be complete and ready for bidding no later than a date to be determined based on Architect/Engineer performance during Phase I and availability of funding. Assure that the construction contract documents are in conformance with generally accepted architectural and engineering practices and comply fully with all applicable codes and regulations including, but not limited to, the Virginia Uniform Statewide Building Code, the Americans with Disabilities Act Architectural Guidelines and the College Technical Standards.
- E. Incorporate Project Phasing - Assure that the construction documents incorporate project phasing, as necessary, to coordinate demolition and preservation of existing building assets to be retained and to support any interim uses that may be ongoing.
- F. Incorporate Sustainable Design - The A/E shall ensure that design allows The College of William and Mary to achieve LEED silver certification. The A/E project team shall promote integrated design practices incorporating sustainable design concepts including energy efficiency, enhanced indoor environmental quality, minimization of future maintenance requirements, and evaluation of alternatives on a life cycle cost basis. The design objectives also include, but are not limited to, minimizing the quantities of waste construction and demolition materials going to landfills, maximizing the use of sustainable materials and resources, and the specification of earth friendly products, and post-consumer products. The design shall encourage adaptive re-use, encourage flexibility, be integrated with the natural habitat, make maximum use of natural light/ventilation consistent with campus architecture, use durable materials, and incorporate landscaping/storm water design as applicable. The A/E shall provide an investigation of the cost benefits for these “green building” certification measures and discuss these with CWM’s representatives to ensure an informed decision to be made concerning the certification options to be pursued.
- G. Utilize Practical Products/Materials - Provide specifications that reflect current requirements, standards, product availability and downstream supportability. Wherever possible, specify products made in the United States and, when available, in Virginia.
- H. Develop Erosion and Sediment Control and Storm Water Management Plans - Obtain approvals from required Agencies. The College will provide an Environmental Impact Report (EIR) for use with this project.
- I. Design Utility Connections - Coordinate with local utility providers and obtain necessary approvals. Agency will pay filing fees and connections charges, as required.
- J. Develop Staging Area Plan - Consult with CWM’s representatives to develop the staging area plans. The plan shall show limits of construction and contractor access, and shall describe the allowed use of the existing facilities by the Contractor for the performance of the work. The A/E shall also include in the Contract Documents a description of coordination requirements relative to the phasing of construction, coordination with CWM operations, and coordination with other contractors or vendors doing business with CWM.

- K. Prepare Cost Estimates - Prepare A/E cost estimates per Chapter 8A and 8B of the Manual.
- L. Represent the College - Present necessary oral and/or graphic presentations to State and/or College agencies and entities such as the Building Committee, Design Review Board, Art and Architectural Review Board, The College of William & Mary Code Review Team, or any other group having interest in the project.
- M. Support Construction Management Project Delivery – Construction Management-at-Risk (CM-at-Risk) project delivery will be employed. CM selection will occur during Schematic Design. CM pre-construction responsibilities will include constructability reviews, value engineering and cost estimating at each design phase.
- N. Incorporate Commissioning - Provide for coordination and integration of 3rd party commissioning agent of the building systems, including but not limited to acoustics, audio/visual instruction and performance systems, HVAC Systems, fire detection, alarms and suppression systems, electrical systems. The commissioning requirements shall be developed from nationally recognized protocols and shall be approved per CWM. The A/E Project Manager will coordinate the commissioning schedule in conjunction with the selected commissioning agent and construction manager. Design engineers will be present for all commissioning services for the system for which they are responsible.
- O. Provide Construction Administration Services - Provide services for the construction phase, as required by the Manual for the administration of the contract.
- P. Provide Record Drawings and Specifications – BIM record documents shall be submitted to the College for review prior to submitting final record documents. Drawings for this submittal may be submitted on paper. Upon acceptance, final Record Drawings and Specifications shall be sealed, signed and dated. Final record drawings shall be printed and submitted on one (1) final paper copy n BIM(Revit) and four (4) electronic copies on CDs of both record drawings (in AutoCAD format (1) and PDF(3)) and specifications (in Word format). Provide “Record Documents” in accordance with the Manual, except as clarified below:
 - 1. State Grid Incorporation - Civil drawings incorporated as part of the record drawings shall incorporate the state grid system and the same layering and detail configuration as The College’s GIS based utility mapping.
 - 2. Documentation of Work Below Ground - All features installed below ground shall be located in three dimensions to a survey level of accuracy to include modifications made by change order.
 - 3. Single Line Drawings - Provide 11” x 17” “single line” dimensional floor plans of all facilities designed annotated with the building code utilized, construction type, fire walls and barriers, and room numbering in accordance with the College Technical Standards (which will be incorporated in bid documents).
 - 4. F-1 Report - Prepare a State Council for Higher Education “F-1” report to document the building program for new construction and program changes due to renovation. The report serves to document space to include size, capacity (beds, seats, work stations, etc), use, accessibility and condition. The report is used by the State Council to determine compliance with state guidelines for space availability and utilization. The report format will be provided to the A/E by the CWM Project Manager.

- Q. Expedite Project Close-Out - Complete all forms and documents in formats required by the Manual; process in accordance with the Agency's instructions within 90 days after final completion.

VI. Project Schedule

• Advertisement	Feb 20, 2011
• Proposal issued (via eVa)	Feb 22, 2011
• Pre-Proposal Conference	Mar 2, 2011
• Proposal Submission	Mar 31, 2011
• Short List	Apr 15, 2011
• Interviews (tentative)	Apr 28/29, 2011
• Contract Execution (tentative)	May 27, 2011
• Interim Report Submission (tentative)	Sept 30, 2011
• Concept Approval (tentative)	Oct 28, 2011
• Final Draft Submission (tentative)	Dec 2, 2011
• Final Report Submission (tentative)	Jan 13, 2012

VII. SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES:

A. POLICY ON SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES:

It is the policy of the Commonwealth of Virginia to contribute to the establishment, preservation and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in state procurement activities. The Commonwealth encourages contractors to provide for the participation of small businesses and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past efforts to utilize the goods and services of such businesses required with any proposal for A/E services where the total A/E contract amount may exceed \$100,000. Proposer must provide information on its past utilization of Small, Women, and Minority Owned disadvantaged businesses, and must also state any plans to utilize such businesses and the manner in which they may be utilized under this Contract. Electronic copies of the "Small Businesses and Businesses Owned by Women & Minorities" Data Forms are available for download at the <http://www.dgs.state.va.us/> website.

B. SWaM REQUIREMENTS

The College of William and Mary has adopted an annual SWaM Procurement Plan effective April 1, 2005 that specifies goals for SWaM procurement by Prime Contractors (A/E or Construction) in support of Governor Warner's initiative for increasing state procurement from small, women-owned, and minority-owned (SWaM) businesses. It requires reporting the use of SWaM certified subcontractors and suppliers, and reporting of payments made to these firms. Upon award of contract, a Prime Contractor is required to create and certify a SWaM subcontracting plan to meet SWaM goals when submitting their list of sub-contractors for approval. Prime contractors are then required to submit reports of payments made to SWaM sub-contractors and direct suppliers with each invoice or Schedule of Values (CO-12) submitted. The CO-12 has been updated to include fields for SWaM information and can be downloaded from the College of William and Mary FPDC website, <http://www.wm.edu/offices/facilities/services/fpdc/forms/index.php>. The SWaM subcontractor reporting formats which must also be included with each invoice or Schedule of Values can be also downloaded from the same FPDC website. Monthly invoices or Schedules of Values will not be

accepted unless SWaM information is included. Final payment under the contract in question shall be withheld until certification of SWaM compliance is received and confirmed by the agency. The bottom line is that SWaM reporting is a Prime contractor responsibility that must be submitted to receive progress payments.

The College of William and Mary SWaM subcontracting goals are as follows:

	<u>Small</u>	<u>Woman-owned</u>	<u>Minority-owned</u>	<u>Total SWaM Goal</u>
A&E, and Professional Services	41%	5.5%	3.5%	50%

VIII. PROPOSAL REQUIREMENTS:

- A. The Respondent's proposal shall include: the completed and signed RFP cover page 1; the completed and signed Forms AE-1, AE-2, AE-3, AE-4, AE-5, and AE-6; and the completed "Small Businesses and Businesses Owned by Women & Minorities" Data. Proposals shall be signed by an authorized representative of the A/E. By submitting a proposal, the proposer certifies that all information provided in response to this RFP is true and accurate. The proposal shall be signed by an authorized representative of the A/E. By submitting a proposal, the proposer certifies that all information provided in response to this RFP is true and accurate. Failure to provide information required by this RFP will ultimately result in rejection of the proposal.
- B. Proposals should be prepared simply and economically, providing a straightforward, concise description of the A/E's capabilities for satisfying the requirements of the RFP. Emphasis should be on completeness and clarity of content.
- C. **One (1) manually signed original** and twelve **(15) copies of the proposal** shall be submitted to the Agency. Each copy of the proposal shall be bound in a single volume where practical.
- D. All documentation submitted with the proposal shall be included in that single bound volume. Elaborate brochures and other representations beyond those sufficient for presenting a complete and effective proposal are neither required nor desired.
- E. Any information thought to be relevant, but not specifically applicable to the enumerated scope of Work, may be provided as an appendix to the proposal. If publications are supplied by the proposer to respond to a requirement, the response should include reference to the document number and page number. Publications provided without such reference will not be considered relevant to the RFP.
- F. To reduce the effort and expense of responding to RFP's, provide uniformity in the type information requested, and enhance the review and evaluation process, the standard Forms **AE-1 through AE-6, ARCHITECTURAL/ENGINEERING FIRM DATA**, shall be used by A/E's responding to State agency RFP's. Supplemental information shall be shown on form AE-6.
- G. Descriptions of these forms and instructions for completing them are available for download on the <http://www.dgs.state.va.us/> Website.

IX. EVALUATION AND AWARD OF CONTRACTS:

The College will evaluate Proposals and select an A/E whose proposal conforms to the RFP and will be most advantageous to the University. All firms will be evaluated equally on the basis of the following evaluation factors:

A. Personnel/Consultant Expertise/Experience	= 35%
▪ Primary design personnel experience and qualifications (10%)	
▪ Consultant experience and qualifications (10%)	
▪ PM experience and qualifications (10%)	
▪ Previous project experience with consultants (3%)	
▪ Size of firm versus size of project (2%)	
1. Personnel/Consultant Expertise/Experience	= 35%
▪ Primary design personnel experience and qualifications (10%)	
▪ Consultant experience and qualifications (10%)	
▪ PM experience and qualifications (10%)	
▪ Previous project experience with consultants (3%)	
▪ Size of firm versus size of project (2%)	
2. Design Expertise/Experience	= 25%
▪ Design Team experience on similar projects (15%)	
▪ Sustainability experience and qualifications (5%)	
▪ Integrated Project Delivery Experience (CM-at-Risk) (5%)	
3. Budget Expertise/Experience	= 10%
▪ Experience (last 5 years) - meeting "Design-not-to-exceed" budget (5%)	
▪ Experience (last 5 years) - cost estimates vs. actual bid prices (5%)	
4. SWAM utilization plan (M= 3.5% + W = 5.5% + S = 40% = 50% total)	= 20%
5. Financial responsibility	= 5%
▪ Liability insurance (3%)	
▪ Financial report (2%)	
6. Other	= 5%
▪ Impact of current and projected workload (3%)	
▪ Geographic location/responsiveness (1%)	
▪ DCM/CPSM Experience (1%).	
Total = 100%	

Generally, the selection committee will consider the A/E's overall suitability to provide the required services within the project's time, budget and operational constraints, and it will consider the comments and/or recommendations of the A/E's previous clients, as well as other references.

- B. AWARD OF CONTRACT: After evaluation of the Proposals received in response to the RFP, the Agency shall engage in individual discussions and interviews with two or more proposers deemed fully qualified, responsible and suitable on the basis of initial responses, and with professional competence to provide the required services. Repetitive informal interviews are permitted. Proposers

shall be encouraged to elaborate on their qualifications, performance data, and staff expertise relevant to the proposed contract. Proposers may also propose alternate concepts or methodology. Proprietary information from competing proposers (including any data on estimated man hours or rates and the plan for accomplishing the scope of work) will not be disclosed to the public or to competitors, provided such information is duly marked as "Proprietary Information" by the Proposer and the designation is justified as required by Section 2.2-4342, Code of Virginia, as revised. At the conclusion of the informal interviews and on the basis of evaluation factors set forth in Section VIII and the information provided and developed in the selection process to this point, the Agency shall rank, in the order of preference, the interviewed proposers whose professional qualifications and proposed services are deemed most meritorious. Negotiations shall then be conducted with the Proposer ranked first. If a contract satisfactory and advantageous to the Agency can be negotiated at a fee considered fair and reasonable, the award shall be made to that Proposer. Otherwise, negotiations with the Proposer ranked first shall be formally terminated and negotiations conducted with the Proposer ranked second, and so on, until such a contract can be negotiated at a fair and reasonable fee. Should the Agency determine in writing and in its sole discretion that only one Proposer is fully qualified, or that one offer is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that Proposer.

X. FEES:

A. The fee for services shall be negotiated on a lump sum basis considering the Scope of Services required, the estimated man-hours required for each level/discipline and the typical labor rates for the various skill levels required for the work. The Memorandum of Understanding prepared by the Agency will document the negotiated acceptable labor rates for the various levels/disciplines and these rates will be used for any hourly rate work of the A/E that is authorized by the Agency.

B. **eVA BUSINESS TO GOVERNMENT VENDOR REGISTRATION:** The eVA Internet electronic procurement solution, web site portal <http://www.eva.virginia.gov/>, streamlines and automates government purchasing activities in the Commonwealth. The portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide goods and/or services to the Commonwealth shall participate in the eVA Internet e-procurement solution either through the eVA Basic Vendor Registration Service or eVA Premium Vendor Registration Service. All bidders or offerors must register in the eVA prior to the award of a contract for construction or architectural/engineering services; failure to register will result in the bid/proposal being "not responsive" and a contract not awarded to the bidder/offeror. Bidder or offeror must include the cost of the eVA transaction fee in its bid. The eVA transaction fee will be assessed approximately 30 days after each purchase order is issued.

XII. ATTACHMENTS by reference.

Attachment A: A/E Firm Data Forms, AE-1 thru AE-6, DGS-30-004 (available for download on the <http://www.dgs.state.va.us/> website)

Attachment B: "Small Businesses and Businesses Owned by Women and Minorities Participation Data" Forms, DGS-30-360 available for download on the <http://www.dgs.state.va.us/> website.

Attachment C: RFP Question Submission Form available for download on the eVA website <http://www.eva.virginia.gov/> as part of the project RFP announcement.