



University of Delaware

Request for Proposal

NIIMBL-2024-0302 - CM Services for NIIMBL BPI Lab Renovation

Issue Date	January 23, 2024
Questions Due Date	January 31, 2024, by 2:00 PM ET
Proposal Due Date	February 9, 2024, by 2:00 PM ET
Note: All dates above are subject to change at the discretion of the University of Delaware.	

Issuing Office

University of Delaware | Procurement Services

proposals@udel.edu

Issuing Contact

Sean Malone

Senior Buyer

(302) 831-2125 | spmalone@udel.edu

SECTION 1 – INFORMATION & INSTRUCTIONS FOR BIDDERS

This document provides interested bidders with sufficient information to navigate the University of Delaware Request for Proposal (RFP) process and enable them to prepare and submit proposals for consideration by the University of Delaware, hereinafter referred to as the University or 1743 Holdings, LLC.

GENERAL INFORMATION

- 1.1 University of Delaware Overview** Tracing its origins to 1743, and chartered by the state in 1833, the University of Delaware is a land-grant, sea-grant and space-grant university. The University offers an impressive collection of educational resources. Undergraduates may choose to major in any one or more of over 130 academic majors. The University's distinguished faculty includes internationally known scientists, authors and teachers, who are committed to continuing the University's tradition in providing one of the highest quality undergraduate educations available. The University enrolls over 19,000 undergraduates and over 4,100 graduate students. As a state-assisted, privately controlled institution, the University seeks to enroll students from diverse backgrounds and a wide variety of geographic regions. Currently, more than 60 percent of on campus undergraduates are nonresidents who represent nearly every state and several foreign countries. The University has a presence throughout the State of Delaware, with its main campus in Newark, an additional campus located in Lewes, and satellite locations in Wilmington, Dover, and Georgetown. For additional information, visit www.udel.edu.
- 1.2 Issuing Office** This RFP is issued by the University's Procurement Services office (Issuing Office). Procurement Services assists University departments with the purchase of goods and services in an ethical and sustainable manner. The Issuing Office is the sole point of contact for this RFP. Bidders are not permitted to speak to any University personnel, whether in person, in writing or via telephone, about the RFP, except as indicated herein. For further information regarding the Issuing Office, please visit <http://www1.udel.edu/procurement/>.
- 1.3 Key Event Dates** Please note all Important Event Dates listed on the cover sheet of this RFP and plan accordingly. Bidder assumes all risks of submitting a proposal by the Proposal Due Date and Time. University is not responsible for internet or telecommunications failures or delays. **University will not allow late submittals.** Failure to provide required information may result in disqualification.
- 1.4 Questions and Answers** Questions or requests for clarification regarding this RFP must be submitted to the Issuing Office via email. Questions should be submitted before the Questions Due Date and Time. Responses to questions will be issued via Addenda. Questions should be directly tied to the RFP and asked in consecutive order, from beginning to end, following the organization of the RFP. Each question should begin by referencing the RFP section number to which it relates.

From the Issue Date of this RFP until a determination is made regarding the selection of a Bidder, all contacts concerning this RFP must be made through the Issuing Office. If oral explanations or instructions are given to a Bidder such instructions shall not be binding on the University. Only information supplied by the Issuing Office via addenda regarding the RFP should be used in preparing proposals.

Any and all other contact or information received regarding the subject prior to the release of this RFP should be disregarded in preparing responses. Any violation of these conditions is cause for the University to reject a Bidder's proposal. If it is later discovered that any violations have occurred, the University will reject the proposal.

1.5 Statement of Work/Specifications This RFP contains instructions governing the proposals to be submitted and the material to be included therein; a description of the services and/or objectives to be provided is set forth in Section 2 of this RFP. The "Statement of Work / Specifications," as negotiated, will be incorporated into the contract.

1.6 Proposal Preparation and Submission Proposals are to be straightforward, clear, concise and specific to the information requested. In order for Proposals to be considered complete, Bidders must provide the information requested in Section 3, Proposal Requirements of the RFP.

If a Bidder intends to use a subcontractor(s), the Bidder must identify in its proposal the name(s) of the subcontractor(s) and clearly explain their participation. The University is committed to encouraging the development of minority-owned, woman-owned, veteran-owned, and/or small business enterprise. Bidder shall use commercially reasonable efforts to explore subcontracting opportunities with minority-owned, woman-owned, veteran-owned and/or small business enterprise where appropriate.

All proposals must be submitted electronically in PDF format to the Issuing Office via email to proposals@udel.edu no later than the Due Date and Time. All supplemental information must be submitted as requested in Section 3 of the RFP and clearly labeled with Bidder's name and content.

TERMS AND CONDITIONS OF THE RFP PROCESS

1.7 Contract Term

The Contract awarded as a result of this RFP will be a one-time purchase order with the terms and conditions of the AIA contracts and supplements in effect (see Sections 3.10 and 3.11).

1.8 Addenda The University reserves the right to modify this RFP for any reason, in part or in its entirety. The University may issue a change or clarification to requirements by means of an Addendum. Any Addenda will be issued to all Bidders for this RFP. Since all Addenda become a part of the requirements of the proposal, all Addenda must be acknowledged by the Bidder in the proposal. Failure to affirmatively acknowledge all Addenda may be grounds for rejection of the proposal.

1.9 Cost Liability The University is not liable for any cost incurred by Bidders prior to the issuance of a contract.

1.10 Right to Cancel The University reserves the right to cancel this RFP without any obligation and for any reason, in part or in its entirety. The University shall notify all responsive Bidders for this RFP via Addenda, of a decision to cancel the RFP.

1.11 Validity of Proposal Proposals submitted shall be valid for a period of one hundred and eighty (180) days. No work shall be performed until a contract has been fully executed and a Purchase Order has been issued.

1.12 Agreement to Requirements, Terms and Conditions By submission, Bidder agrees that it has thoroughly examined and fully understands all of the requirements, terms and conditions contained in this RFP; that it has carefully reviewed and fully supports the accuracy of its proposal; and that the University shall not be responsible for any errors or omissions on the part of the Bidder in preparing the proposal.

1.13 Proposal Withdrawal Bidders may change or withdraw a proposal at any time prior to the Proposal Due Date and Time. If during a bid evaluation process an obvious pricing error made by a Bidder is

found, the University may issue a written notice to the Bidder. The Bidder shall have five (5) days after the notice to confirm its pricing. If the Bidder fails to respond, its proposal shall be considered withdrawn, and no further consideration shall be given to it.

- 1.14 Selection Committee** All proposals received from Bidders will be reviewed and evaluated by a committee of qualified University personnel. This committee will recommend for selection the proposal which most closely meets the requirements of the RFP and satisfies University needs, based on cost and other relevant factors. The Selection Committee may choose to make use of the expertise of an outside bidder in an advisory role.
- 1.15 University Right to Seek and Consider Additional Information** The University reserves the right to seek clarification and additional information on any point in connection with this RFP from any or all Bidders if it is in the University's best interest to do so. The University reserves the right to check Bidder's financial stability and ability to successfully undertake and provide the services required by this RFP. The University reserves the right to consider evidence of formal or other complaints against any Bidder(s) by the University for contracts held in the past or present by the Bidder.
- 1.16 Evaluation Committee and Criteria** Proposals may be evaluated by an Evaluation Committee composed of members including but not limited to representative(s) from University Procurement Services, departments that will utilize the Contract, and members of the University community including students, staff and board members. The Evaluation Committee may choose to make use of the expertise of an outside consultant in an advisory role.

The following evaluation criteria will be used to evaluate Proposals. The categories are not listed in any order of significance and may be used to develop more detailed evaluation criteria to be used in the evaluation process.

Evaluation Criteria
Bidder's Financial Response
Quality & Thoroughness of Proposal
Reputation of Supplier/ References
Value Added Services

- 1.17 Negotiations** After evaluating proposals and prior to award of a Contract, the University may, at its sole discretion, enter negotiations with one or more Bidders. The primary purpose of negotiations is to maximize the University's ability to obtain the best value based on the mandatory requirements, evaluation criteria such as quality, service, innovation, and cost. Multiple rounds of negotiations may, at the University's sole discretion, be held with one or more bidders throughout the sourcing process. No Bidder has a right to participate in the negotiation process. Negotiations shall be structured by university to safeguard information and ensure that all Bidders are treated fairly.
- 1.18 Site Visit** The University reserves the right to conduct site inspections of any facility(s) used by Bidder or any sub-contractor to the bidder that would be used to perform the services outlined in this RFP. This right extends to all facilities that the University is aware of or becomes aware of, whether or not the facility is listed in the Bidder's proposal.
- 1.19 Oral Presentations** Bidders should be prepared to discuss, demonstrate, and substantiate any area of their proposal, Bidder's own qualifications for services, and any other area of university interest relative to Bidder's proposal. The Issuing Office shall notify Bidder(s) if oral presentations are required. If Bidder fails to provide such a presentation when requested, the University may reject the Bidder's

proposal in its sole discretion. The University will be entitled to rely on all representations Bidder may make during such presentation. No comments about other bids are permitted during oral presentations. Bidders may not attend presentations made by their competitors.

- 1.20 Rejection of Proposals** The University has the right to reject any or all proposals, wholly or in part, for any reason.
- 1.21 Bidder Selection and Award** The University may make an award on the basis of the proposals submitted, without discussion, clarification or modification, or on the basis of negotiation with any or all of the Bidders. The University is not required to select a proposal or contract with a Bidder. At its sole option and discretion, the University may (i) waive any technicalities, informalities, or irregularities in any proposal; (ii) award a contract in whole or in part; or (iii) award multiple contracts to multiple bidders. If the University awards a contract, it will award the contract to the Bidder or Bidders whose proposal(s) is (are) the most advantageous to the University as determined by the University in its sole discretion.
- 1.22 Notice of Award** The University will issue a Notice of Intent to Award once a selection has been made. This notice will require the completion and compliance of the documents outlined in **Attachment A** of this RFP. The University reserves the right to cancel this Notice at any time prior to completing a contract.
- 1.23 Bid Protest Procedures** If a bidder wishes to protest an award made by the Issuing Office, the bidder must communicate in writing and address the protest letter to:

University of Delaware Procurement Services
550 South College Ave
Newark, DE 19716
ATTN: Chief Procurement Officer

The protest letter must be received no later than five (5) business days of the award notice being issued. Protests received by the University after this date will be returned to the sender. Failure to timely file the bid protest shall constitute grounds for the University to deny the bid protest without further consideration. The protest letter must contain the following information:

- Bidder Name and contact information
- RFP # and Title
- Detailed reason for the protest
- Documentation or information to support the bidder's protest.

The filing of a protest does not hold the contract award in abeyance pending completion of the protest determination unless the Chief Procurement Officer (CPO) determines that it is in the best interest of the University to keep the contract award pending the determination on the protest.

The CPO will have thirty (30) business days to review the protest letter and RFP file and make a decision on the protest. The CPO, at the CPO's sole discretion, may request a meeting with the bidder to ascertain additional information about the protest. The CPO's findings will be documented in a Protest Decision Letter and mailed to the bidder. All decisions of the CPO are final. The University is not required to meet with a bidder as part of the protest process or after a decision is made.

- 1.24 Proposals Shall Belong to University** All information submitted in response to this RFP becomes the property of the University of Delaware and may become a part of any resulting contract. Award or rejection of a response does not affect this right.
- 1.25 Code of Conduct and Fair Competition** It is the responsibility of the Bidder to notify the Issuing Office in writing of any possible conflict of interest as set forth herein. The University will investigate the matter and determine if an actual conflict of interest exists. The University reserves the right to cancel the award if, in its sole discretion, it determines that any interest disclosed from any source could give the appearance of a conflict or cause speculation as to the objectivity of the program to be developed by the Bidder. The University's determination regarding any questions of conflict of interest shall be final.
- 1.26 Contract Transition**
In the event services end by either contract expiration or termination, it shall be incumbent upon the Bidder to continue services, if requested by the University, until new services can be completely operational. The Bidder acknowledges its responsibility to fully cooperate with the University and the replacement Contractor to ensure a smooth and timely transition. Such transitional period shall not exceed more than ninety (90) days beyond the expiration date of the contract, or any extension thereof. The Bidder(s) will be paid for services during the transitional period at the rate in effect when the transitional period is invoked by the University.
- 1.27 Additional Work and/or Special Projects**
The resulting Contract is set out for the scope of work and final response contained herein. The Bidder is not authorized to perform any additional work or special projects without first obtaining written approval and Purchase Order from University Procurement Services.
- In the event the Bidder proceeds with additional work and/or special projects without the written approval of the University, it shall be at the Bidder's sole risk. UD shall be under no obligation to pay for work done without the University Procurement Service's written approval.
- 1.28 Option to Reduce or Increase Scope of Work Projects**
The University has the option, in its sole discretion, to reduce or increase the scope of work for any task or subtask called for under this Contract. In such an event, the University Procurement Services shall provide advanced, written notice to the successful Bidder.
- Upon receipt of such written notice, the successful Bidder will submit, within five (5) working days to University Procurement Services, an itemization of the work effort already completed by task or subtasks. The successful Bidder shall be compensated for such work effort according to the applicable portions of its cost proposal.
- 1.29 Suspension of Work Projects**
University Procurement Services may, for valid reason, issue a stop order directing the successful Bidder to suspend work under the Contract for a specific time. The successful Bidder shall be paid until the effective date of the stop order. Work shall resume upon the date specified in the stop order or upon such other date as University Procurement Services may thereafter direct in writing. The period of suspension shall be deemed added to the approved schedule of performance. Both parties shall negotiate an equitable adjustment, if any, to the contract price.
- 1.30 News Releases** News releases pertaining to this project will not be made without prior University approval, and then only in coordination with the Issuing Office.

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SECTION 2 – SCOPE OF WORK

Introduction / Overview

The University of Delaware's primary objective is to solicit proposals for Construction Management services to prepare pre-construction and construction for a new greenfield Good Manufacturing Practices (GMP) facility on University of Delaware's STAR Campus for the purpose of a GMP viral vector production lab renovation at the Ammon Pinizzotto Biopharmaceutical Innovation Center (BPI) located at 590 Avenue 1743, Newark, DE 19713.

Requirements

This project will involve construction efforts for a lab renovation of Rooms 656 and 658 within BPI to house a new filling machine and robotic visual inspection machine. The construction management firm will provide services to renovate the lab based on the design provide by Perkins Eastman and BR+A. Estimated total construction budget including construction management is \$1,000,000.00.

Physical Location

The labs are LAB-656, and LAB-658 on the sixth floor of the University of Delaware's Ammon Pinizzotto Biopharmaceutical Innovation Center (BPI).

Scope of Work

The project's scope includes demolition and construction to provide a fully functional and code-compliant lab, that will be used as a small test production training space.

- Mechanical / Electrical / Plumbing / Fire Protection
 - Supply utilities to a new pharmaceutical filling line with accompanying isolator and inspection machine. The systems require 480V 60 Hz power, nitrogen, and clean compressed air.
 - Modify MEP and fire protection to raise the drop ceiling two (2) feet in room 658
- Architectural
 - Renovation of the lab will require demoing half of an existing wall separating Labs 656 and 658.
 - Widening the doors to allow equipment to enter the labs.
 - Raising the existing drop ceiling two (2) in room 658.

Additional Requirements

- eBuilder – The University uses eBuilder, a project management platform.
 - Consultant will be required to provide their services utilizing the eBuilder platform from project procurement through occupancy. This includes all contract documents, RFIs, submittals, etc.
- Asset Management – The University maintains an asset management system. This system is best implemented beginning at the design stage. Items include naming and tagging conventions of valves, pumps, drives, etc. UD will provide Consultant with the Asset Management Data Collection system information prior to kick-off. Consultant will be responsible for all design-related asset management tasks.
- Project Closeout – Architect will be responsible for assistance with compiling closeout documents including, but not limited to, project closeout checklist, as-builts, asset management data collection sheet, etc.
- All work shall consider the following:
 - University of Delaware Design Standards, outlined here: <http://sites.udel.edu/freas-ppd>
 - University of Delaware Environmental Health and Safety rules and regulation as outlined here: <http://sites.udel.edu/freas-ppd>
 - American with Disabilities Act (ADA)
 - Delaware State Fire Prevention Regulations, NFPA, and International Fire Code
 - NFPA 70 National Electric Code

Project Specific Requirements

The selected firm will be responsible for managing all aspects of the construction process from design development to final completion, ensuring that the project is completed on time, within budget and to the required quality standards.

The scope of work for the construction management services shall include, but not be limited to, the following:

- **Pre-Construction Phase**
 - Provide input into the design development process and review design documents.
 - Develop and manage the project construction schedule (including shutdown schedule) and budget.
 - Assist with the selection of contractors and subcontractors.
 - Develop and implement a comprehensive safety plan.
 - Issuance of permits and discussions with City of Newark (AHJ)
- **Construction Phase**
 - Serve as the primary point of contact for the project team, contractors, and subcontractors.
 - Oversee and manage the construction process to ensure compliance with project plans and specifications, budget, and schedule.
 - Monitor and report project progress and budget status to the owner on a regular basis.
 - Coordinate and manage project activities, including logistics, scheduling, and quality control.
 - Conduct regular on-site safety meetings and inspections to ensure compliance with safety regulations and best practices.
 - Ensure that all required permits and approvals are obtained.
- **Post-Construction Phase**
 - Conduct final inspections and ensure that all punch list items are completed.
 - Manage the close-out process, including the preparation of all required documentation.
 - Provide post-construction support as needed.
- **Deliverables**
 - The selected construction management firm shall be responsible for providing the following deliverables:
 - Construction estimates at each design stage
 - Constructability review
 - A comprehensive project plan that includes the project schedule, budget, and quality standards.
 - Regular progress reports that include status updates on budget, schedule, and quality.
 - Close-out documentation that includes all required as-built drawings, permits, approvals, and certificates.
- **Selection Criteria**
 - The following criteria will be used to evaluate proposals:
 - Relevant experience in construction management of similar projects.
 - Demonstrated ability to manage complex construction projects on time and within budget.
 - Strong track record of safety and quality management.
 - Availability of key personnel to support the project.
 - Competitive pricing.
- **Submission Requirements**
 - Interested firms should submit a proposal that includes the following:
 - Company overview and qualifications.
 - Project team members and their qualifications.
 - Description of relevant experience and project examples.
 - Proposed project plan and budget.
 - References from previous clients.

Instructions for Submitters

The following outline contains specifics not detailed in the standard Proposal Response Requirements that are outlined in Section 3. These are listed here to assist bidders in completing their proposals and presentations (if applicable) with details for which our project team will be looking. Submissions will be reviewed by the project team and selected bidders will be invited to participate in further reviews, which may include de-scope meetings.

Provide information on the following in a complete and transparent manner:

- All items included in Section 3, EXCEPT for 3.2, 3.3, 3.4, and 3.9.
- A sealed fee proposal, which will include but not be limited to:
 - Project Approach & Schedule
 - Prepare a written or visual narrative which clearly demonstrates the CM's understanding of the specific needs of the University of Delaware and which presents an approach to executing the work as outlined in the schedule provided. The submitted schedule shall address significant milestones, and in sufficient detail, to indicate to the University that the Construction Manager has a well thought out plan to implement this project. Clearly indicate durations of the preconstruction and construction of each phase, overview of approaches to utility shutdowns and temporary support required and include procurement of long lead time items.
 - Forms
 - Reference the three (3) following documents provided in the attachments:
 1. Division of Project Cost Elements.
 2. Staff Work Effort Analysis – Complete the form for both pre-construction and construction phases. Include proposed staff names and titles.
 3. Cost Matrix – Complete the matrix with supporting assumptions and calculations of how cost was determined for General Conditions as referenced on the matrix.

Miscellaneous Notes

- The award of a contract and purchase order to the successful Submitter will be based upon a comprehensive review and, at the University's discretion, an interview.
- The University reserves the right to conduct on-site visits to any Submitter's facilities.
- A PDF of the materials presented during the Selection Committee interview shall be submitted digitally by e-mail at the conclusion of the interview / de-scope meeting. The PDF must be read-only and password-protected from any possible editing.
- Any models, presentation boards, etc., presented during the Selection Committee interview / de-scope meeting shall be submitted to Procurement at the conclusion of the interview. If the construction management firm wishes to receive these materials at the end of the Selection Process, the firm will provide for all shipping costs (packaging and transport).
- Submission of electronic proposals in PDF format only, shall be emailed to proposals@udel.edu.

Project Milestones

January 2024	Design / Pre-Construction Phase
February 2024	Sub-Contractor Bid Period Complete & GMP Approval
May 2024	Construction Complete
June 2024	Commissioning, FF&E, Move-In, and Close-Out Complete

Timetable

Project Deadline Highlights	
Event	Target Date
RFP Issued	Tuesday, January 23, 2024
Pre-Bid Site Visit	Monday, January 29, 2024 at 11:00 AM at the Ammon Pinizzotto Biopharmaceutical Innovation Center at 590 Avenue 1743 on the STAR Campus
RFP Questions Due	Wednesday, January 31, 2024, at 2:00 PM ET
Responses to Questions Issued	Friday, February 2, 2024
Proposals Due	Friday, February 9, 2024, at 2:00 PM ET
De-Scope Interviews	Week of February 12, 2024

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SECTION 3 – PROPOSAL RESPONSE REQUIREMENTS

Bidder's proposal must be submitted in the format outlined below. To be considered, the proposal must respond to all requirements in this part of the Request for Proposal (RFP). If a Bidder intends to use a subcontractor(s), the Bidder must identify in its proposal the names of the subcontractors and clearly explain their participation.

- 3.1 Executive Summary** State in succinct terms your understanding of the problem presented or the good or service required by this RFP. Include a narrative description of the proposed effort and a list of the items to be delivered or services to be provided including highlights that differentiate your proposal.
- 3.2 SOW Response** Bidder must provide a detailed response to affirm its ability to perform the Statement of Work outlined in Section 2 of this RFP. Describe in narrative form your technical plan for accomplishing the work. If applicable, include a schedule for the delivery of the services, e.g., number of meetings, recommendations for which the University personnel should participate, coordination with the university calendar.
- 3.3 Value Added Services** Describe any additional services your firm can provide which are not specifically requested in this RFP but would enhance the services. Include any additional costs or expenses, if any, for these services. Bidder should also provide information on sustainability and diversity initiatives, if any.
- 3.4 Price Proposal** Bidder must clearly delineate all costs, (all fees must be disclosed), with details about the various rates based on individuals assigned, their role and estimated hours and expenses. Be advised the University does not pay an upcharge on any reimbursable expense.
- 3.5 Business Profile** Provide a detailed overview, describing your/the company's background in the areas of consideration. Include main company location(s), number of years in business, number of full-time employees, and demonstration of capabilities.
- 3.6 Qualifications and Experience** Include firm's experience in construction management. Experience shown should be similar in scope and size, and include work performed by individuals who will be assigned to this project as well as that of your company. Detail whether your role was as a primary bidder or a sub-bidder and note if the employees are still employed by your firm. If work was performed while employed by a previous firm that should be noted as well.
- 3.7 References** List at least three (3) references related to relevant work, current or past, who can be contacted for verification of the firm's relevant experience and professional qualifications to meet the requirements set forth herein. Bidder shall include the following:
 - a. Name of customer and business type
 - b. Description of the services Bidder provided for the client's project.
 - c. Bidder's role in the client's project
 - d. Start and end date of the Bidder's engagement.
 - e. Explain whether the project was delivered on time and on budget.
 - f. One or more contacts from the client. For each contact, you must include contact name, job title, address, telephone number, and e-mail address.
- 3.8 Personnel** Provide names of the key personnel and describe the role each team member would play if the bidder were engaged. Include brief bios on each team member containing education and experience, and the specific role in the past project(s). Indicate the responsibilities each will have in the project and how long each has been with your company.

3.9 Sample Contract If Bidder chooses to take exception(s) to any part of the University Procurement Terms and Conditions, Bidder must attach to their proposal a document specifying any and all identified exception(s) and provide reason for any and all exceptions and, if applicable, attach any suggested replacement language. Any and all exceptions will be included as part of the overall proposal evaluation. The University reserves the right, in its sole discretion, to accept or reject any proposal based upon the identification of exceptions by Bidders. Unless specifically accepted by the University in writing, all proposed Bidder revisions and exceptions to the University of Delaware Standard Terms & Conditions and documents are rejected by the University.

3.10 Attachments & Exhibits Bidder must complete, sign, and submit all of the following:

- **Attachment A – Conditions of Award**
- **Attachment B – Conflict of Interest**
- **Attachment C – Supplier Diversity Program Form**
- **Attachment D – Price Proposal Form**

Documents supplied through a Dropbox link (see invitation e-mail for details):

- SAMPLE AIA A133 – 2019 – GMP Construction Agreement
- SAMPLE UD Supplement to AIA A133 – 2019 & Exhibit B
- SAMPLE AIA A201 – 2017 – General Conditions
- SAMPLE UD Supplement to AIA A201 - 2017
- Division of Project Cost Elements
- Staff Work Effort Analysis
- General Conditions Cost Matrix
- 50% Construction Drawings

3.11 Contract Document

Samples of the University's standard AIA A133 GMP Construction Agreement, AIA A201 – 2017 – General Conditions and their related UD Supplements are provided (see Dropbox link in invitation e-mail). They are not to be completed as part of the response to this RFP. Any requested revisions to the contract must be included with the response to this RFP. If no revisions are requested, it is assumed that the bidder will sign the agreements "as is".

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ATTACHMENT A

CONDITIONS OF AWARD

Upon an award by the University of Delaware, the selected Bidder(s) will be required to complete and comply with the items next to the marked check boxes. Where available, items have been linked to assist with further review.

Items Required Prior to Issuing a Contract:

☒ W-9 Form

If you are a new supplier, please complete the W9 form located at the following link: <https://www.udel.edu/w9>

Please provide reference number upon completion of the W9. If you are a current supplier but have not received a purchase order from UD in over 18 months, please complete the W9 and return the reference number.

☐ Certificate of Insurance

☐ Public Works Certificate

☐ Performance Bond

☐ Voluntary Product Accessibility Template (VPAT)

☐ Higher Education Community Vendor Assessment Toolkit (HECVAT)

Resulting Contract Documents:

☐ UD PO Only* (may include by reference this RFP, any addenda, & selected Bidder's proposal)

☒ UD Agreement (see attached)

☐ Bidder's Proposed Contract*

☒ Special Contract Requirements (see attached)

☐ Business Associate Agreement

☐ Data Privacy and Security Addendum (DPSA)

***This contract document shall incorporate the University of Delaware Standard Terms & Conditions available at: [UD Terms & Conditions](#) (please see most recent update on that page)**

☐ Accepting the University of Delaware's contract documents "as is" with no redlines will be considered as a weighing factor in the selection of a vendor for this solicitation. Please check this box if that will be acceptable to your organization.

Bidder must sign below to indicate they fully understand and accept the requirements that will result from an award of this RFP. The selected Bidder will accept a University of Delaware issued Purchase Order (PO) as the commitment to start the services and will not start work until a PO or an expedited Notice to Proceed is received. If Bidder chooses to take exception(s) to any part of the above marked documents, including the terms and conditions applicable to each, Bidder must attach the identified exception(s) and provide reason for exception and, if applicable, suggested replacement language. The University reserves the right, in its sole discretion, to accept or reject any proposal based upon the identification of exceptions by Bidder. Unless specifically accepted by the University in writing, all proposed Bidder revisions and exceptions to these documents are rejected by the University.

Authorized Signatory

Title

Company Name and Address

Date

Print Name

Print Name

Phone

Phone

E-mail

E-mail

RETURN OF THIS PAGE IS REQUIRED

ATTACHMENT B
CONFLICT OF INTEREST CERTIFICATION

The University of Delaware believes that full disclosure is the best way to avoid the potential for conflicts of interest. Accordingly, all respondents to this solicitation are required to complete this certification and submit with their response. Failure to complete this document with the requested information may disqualify your response. The University of Delaware, at its discretion, may also disqualify your response if any representation is deemed inaccurate or if it concludes that a potential conflict of interest may be present. Please initial one of the following, as applicable:

The respondent certifies that none of its directors, officers, employees, their immediate family members or close relatives are employed by or affiliated with the University of Delaware.

The respondent certifies that, except for the persons whose names are listed below, none of its directors, officers, employees, their immediate family members or close relatives are employed by or affiliated with The University of Delaware.

Please indicate below if, during the past calendar year, your company, directors, officers, employees, their immediate family members or close relatives have paid, given a gift, or provided other consideration having a value over \$25.00 to any employee, officer or trustee of the University of Delaware.

☐

Yes, a payment, gift or other consideration was provided to an employee, officer, or trustee.

☐

No, a payment, gift or other consideration was not provided to an employee, officer, or trustee.

	Yes	No
Are you currently a student at the University of Delaware?		
Has your firm ever been involved in Federal debarment proceedings?		

We, (I), certify that the foregoing information is true, correct and complete.

Signature:

Print Name:

Title:

Date:

Submitted in response to University of Delaware solicitation for this RFP: NIIMBL-2024-0302

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ATTACHMENT C
SUPPLIER DIVERSITY PROGRAM

In keeping with our commitment to Inclusive Excellence, the University of Delaware believes that building relationships with small, minority-owned, veteran-owned, women-owned, disabled-owned and other disadvantaged businesses is essential if we are to provide opportunities to a supplier base that is as diverse as the communities we serve. Participation in the University's Supplier Diversity Program provides access to the University procurement opportunities by matching qualified diverse suppliers with the needs of our internal business units. The goal of the program is to foster mutually beneficial relationships that add value to the University while, at the same time, contributing to the development of diverse businesses through workshops and consultations with the University's Procurement Services Department and Small Business Development Center.

Supplier Diversity Program: <http://www1.udel.edu/procurement/cmoutreach/getstarted.html>

Company Name _____

Classification

Choose one or more:

☐ Minority Business Enterprise (MBE)

☐ African American

☐ Asian

☐ Hispanic

☐ Native American

☐ Other _____

☐ Veteran-Owned Business Enterprise (VBE)

☐ Disable-Owned Business Enterprise (DBE)

☐ Small Business Enterprise (SBE)

☐ Women-Owned Business Enterprise (WBE)

☐ Not Applicable

Certifying Agency

Choose one or more:

☐ City of Wilmington

☐ Delaware Department of Transportation

☐ Delaware Office of Minority & Women Business Enterprise (OMWBE)

☐ Minority Supplier Development Council of PA-NJ-DE

☐ National Women's Business Corporation (NWBOC)

☐ Small Business Administration (SBA)

☐ The National Minority Business Council, Inc. (NMBC)

☐ Women's Business Enterprise National Enterprise Council (WBENC)

☐ Other _____

Authorized Signatory

Printed Name

Title

Date

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ATTACHMENT D
PRICE PROPOSAL

The University reserves the right to award the contract based on some or all the items listed below. The University reserves the right to remove an item and its associated cost from the scope of work later after review. Please use additional sheets if needed.

Company Name	
Company Address	
Principal Office Address (If different than Company Address)	
State of Delaware Business License Number	
City of Newark Business License Number	
Total Guaranteed Maximum Price: (In US dollars with itemization below)	\$

1. Proposed Construction Management Fee

_____ Dollars	\$ _____
(Written)	(Figures)

2. Proposed Cost of General Conditions

Must be stated as a Percentage *and* in Dollars of the Construction Costs

_____%	_____ Dollars	\$ _____
(Figures)	(Written)	(Figures)

3. Proposed Cost of Construction Management Reimbursables

_____ Dollars	\$ _____
(Written)	(Figures)

4. Proposed Construction Management All-Inclusive Fee

Must be stated as a Percentage *and* in Dollars of the Construction Costs

_____%	_____ Dollars	\$ _____
(Figures)	(Written)	(Figures)

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_____ Authorized Signatory	_____ Printed Name
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_____ Title	_____ Date
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