

**The Commonwealth of Massachusetts**

**Executive Office  
for  
Administration & Finance**



**Division of Capital Asset Management**

## **Request for Qualifications For Construction Management Services**

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**Massachusetts State Project** (*Project Number*)

(*Full Project Name and Location*), Massachusetts

**Submission Deadline:** (*Date*) at 2:00 PM

**Submit Statement of Qualifications to:**

**DCAM Bid Room  
Division of Capital Asset Management  
One Ashburton Place, 16<sup>th</sup> Floor  
Boston, MA 02108**

**Issued:** (*Date*)

# Request for Qualifications for Construction Management at Risk Services

## I. General Information

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### A. Project Information

Awarding Authority: **Division of Capital Asset Management**

Mass. State Project No. **(Project Number)**

Project Title: **(Full Project Name and Location), Massachusetts**

Submission Deadline: **2:00 P.M. (Day and Date)**

Submit One (1) original and six (6) complete copies of the Statement of Qualifications (“SOQ”) with all required forms, attachments, supporting documentation and information to:

DCAM Bid Room, Room 1610  
Division of Capital Asset Management  
One Ashburton Place, 16<sup>th</sup> Floor  
Boston, MA 02108  
Telephone: (617) 727-4003

Package(s) must be labeled on the outside with the following information: “RFQ for Construction Management Services,” the Project number and title, and CM firm’s name, business address and telephone number.

DCAM’s official RFQ Informational Meeting will be held on **(Optional) (Date)** at **(time) A.M.** at DCAM’s Bid Room, 16<sup>th</sup> Floor, Room 1610, One Ashburton Place, Boston, Massachusetts.

Conceptual Estimated Construction Cost: **\$(dollar value)**

Estimated Construction Duration: **(number of months) months**

Project Team: DCAM PM: **(PM Name)**  
Designer: **(Designer Firm Name) (phase of design)**

RFQ Interest Form: Firms interested in this Project must submit an RFQ Interest Form to DCAM’s Bid Room by mail or facsimile addressed to: DCAM Bid Room, Room 1610, Division of Capital Asset Management, One Ashburton Place, 16<sup>th</sup> Floor Boston, MA 02108, Facsimile number (617) 727-5514.

## **B. Introduction**

Firms interested in providing Public Construction Manager at Risk Services (“CM” or “CM at Risk”) for the Project are invited to submit a Statement of Qualifications (“SOQ”) to the Division of Capital Asset Management (“DCAM”). This CM at Risk services procurement is conducted pursuant to M.G.L. Chapter 149A, contained in Chapter 193 of the Acts of 2004. This Request for Qualifications (“RFQ”) is the first phase of a two-phase procurement process as set forth in MGL Chapter 149A. DCAM is prequalifying firms interested in providing public CM at Risk services for the project through this RFQ process. DCAM will evaluate submitted SOQs based upon the identified evaluation criteria and will select those respondents it deems qualified. Only those respondents deemed qualified will be invited to submit a Proposal in response to a detailed Request for Proposals (“RFP”) which will be issued in the second phase of the procurement process. The project delivery method for construction will be public CM at Risk with a Guaranteed Maximum Price (“GMP”) under M.G.L. Chapter 149A. **Firms interested in being prequalified must demonstrate that they have prior experience as a Construction Manager on at least three CM at Risk projects and have completed at least one project of a similar cost, complexity, type, and size as this project as it is described further below. The prior CM at Risk projects must have been completed within the last ten (10) years.**

## **C. Project Description**

*(Project Description, sample appears: The project is a new two-story building containing 69,004 SF that will contain both heated and unheated storage, administration space, classrooms, maintenance training work bay, kitchen, physical fitness area, locker room, toilet/shower rooms, and assembly/drill hall and new parking. The 5.5 acre site, located at 679 Lowell Street in the City of Methuen, is a Massachusetts National Guard facility, with an existing building to remain and a vehicle storage building containing 48 garage bays which will be demolished as part of this project. The study is in the process of being certified and it is expected that the design will be initiated this winter.*

It is the intention of this project to produce a Massachusetts LEED **Plus** certifiable facility.

The project will be subject to the minimum wage rates set under the Massachusetts Prevailing Wage Laws. Workforce utilization goals will apply to the project.

The Minority Business Enterprise and Women Business Enterprise

(MBE/WBE) participation goal for this Contract is a combined goal of 10.4 %.

The combined goal requires a reasonable representation of both MBE and WBE firm participation on the project as further set forth in the Owner-CM Agreement and the General Conditions of the contract.

Pursuant to M.G.L. c. 30, §39S(a)(2) all employees to be employed on the Project must have successfully completed a course in construction safety and health approved by OSHA and of at least 10 hours in duration. All Trade Contractors on the Project will also be required to provide written verification of compliance with Federal Department of Homeland Security Requirements, including but not limited to the Employment Eligibility Verification (Form I-9) Process.

DCAM uses PMAS/PROLOG project management system for its projects and the selected Construction Manager will be required to utilize the system for project communication, tracking, etc.

DCAM RFQ CM (2/12 Template)

**(Project Number-Project Name and Location)**

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**(Date of RFQ)**

A site visit will not be conducted at the RFQ phase. Drawings, specifications, and other documents will not be available to respondents during the RFQ phase.

#### **D. Project Schedule**

*(Project Schedule, sample appears: The architectural firm of The Office of Michael Rosenfeld, Inc. is currently completing the study phase of this project. DCAM anticipates that the study for the project will be certified in **October** of **20--**, with the construction project designer under contract by late **fall 20--0**. Construction documents will be completed during **winter 20--**. It is anticipated that the Construction Manager will be under contract while the construction documents are being developed, with a possible construction start in the **spring of 20--**. the construction is expected to be completed within eighteen months. It is intended that the construction be completed and that the building be fully functional and occupied by **fall 20--**).*

#### **E. Construction Manager at Risk Two-Phase Selection Process**

The CM selection process is a two-phase process as set forth in M.G.L. c. 149A, contained in Chapter 193 of the Acts of 2004. Phase One, the Request for Qualifications, RFQ phase, is the qualifications phase. Only firms selected during the Phase One prequalification phase will be permitted to participate in Phase Two, the Request for Proposals, RFP phase used to select a CM firm. The RFQ phase will be used to prequalify construction management at risk firms. Interested firms must submit a Statement of Qualifications, SOQ, by the deadline set for submission. DCAM will appoint and assemble a prequalification committee (“Prequalification Committee”) to review and evaluate the SOQs received. DCAM anticipates concluding the RFQ evaluation process within 30 days from submission of SOQs. **Only those firms determined to be qualified by the Prequalification Committee will be invited and permitted to submit a proposal in response to the Phase Two, RFP. Firms that are not selected as qualified by the Prequalification Committee and firms that do not participate in the RFQ phase will be precluded from participating in the RFP CM selection phase.**

**This RFQ is Phase One of the procurement process.** After the deadline for the submission of SOQs has passed DCAM will prepare a register of the names of the firms submitting SOQs which will be available for public inspection. The Prequalification Committee will review and evaluate the SOQs submitted, information contained in the DCAM certification files, information on prior project performance, information obtained from references, information obtained from governmental agencies and entities, and such other information as may be obtained. DCAM, at its sole discretion, may request additional information to clarify or supplement the information obtained.

Based upon its review and evaluation, the Prequalification Committee will prepare a written evaluation that provides an overall composite rating and a specific rating for each of the evaluation criteria for each of the CM firms that have submitted complete materials as required by this RFQ. These ratings will be “qualified” or “not qualified”, or such additional rating as the Prequalification Committee finds reasonable. The Prequalification Committee shall rate the respondents based on the composite ratings. Firms receiving an overall composite rating of “not qualified” will not be deemed qualified. The Prequalification Committee shall endeavor to identify at least three CM firms which it deems qualified. If the Prequalification Committee does not rate at least three CM’s as qualified, it will either repeat the RFQ process or procure the project under the provisions of M.G.L. c. 149, §44A-

44J. DCAM shall complete the Phase One process by written notice to all firm's advising them as to whether they were prequalified or not and those CM firms deemed qualified will be invited to participate in Phase Two (RFP).

**In Phase Two a detailed Request for Proposals for CM at Risk will be issued to the CM Firms deemed qualified in this Phase One prequalification process.** The RFP Selection Committee (Selection Committee) will evaluate the proposals on multiple factors, rank the proposals based on the composite ratings including their fee proposal, make a recommendation for the preferred CM Firm to the Commissioner of DCAM, and commence negotiations with the highest ranked CM at Risk Firm. In the event negotiations with the highest ranked firm will not result in a contract acceptable to DCAM, negotiations will be terminated and negotiations will commence with the next highest ranked firm, and the process will continue until DCAM can reach an acceptable contract with one of the prequalified CM at Risk firms that submitted an advantageous proposal.

#### **F. Treatment of Information submitted to DCAM**

DCAM shall have no obligation to treat any information submitted in or in connection with a SOQ as proprietary or confidential, with the exception of the audited financial statement which is deemed confidential. DCAM's obligation with respect to protection and disclosure of such information shall at all times be subject to applicable laws, including the Massachusetts Public Records law. The audited financial statement shall remain confidential and shall not be a public record to the fullest extent permissible under the law. DCAM shall have the right to use all or portions of the SOQ and accompanying information, as it considers necessary or desirable in connection with the Project. By the submission of a SOQ, the respondent thereby grants to DCAM an unrestricted license to use the SOQ, including all materials submitted therewith, in connection with the Project.

#### **G. Communication between DCAM and Respondents**

**Unauthorized communications or contact between CM firms, their employees, agents or other related entities interested in submitting SOQs and DCAM, the project designer or program manager, or any other person or entity participating on the Prequalification Committee or Selection Committee with regard to this project are strictly prohibited.** The only authorized communications shall be 1) inquiries to DCAM's Bid Room for general information about obtaining the RFQ, RFQ submission deadlines, and the existence of any relevant addenda to the RFQ; and 2) inquiries made at the official RFQ Informational Meeting if one is held by DCAM at the date and time that may be set above; 3) general inquiries about the RFQ process and DCAM's CM at Risk Program can be made to Michael Lambert, Director of Construction, (617) 727-4050 x 230, no project specific inquiries will be permitted; and 4) DCAM may initiate contact to advise firms of CM at Risk project opportunities.

Any issues brought to DCAM's attention either at the RFQ Informational Meeting if one is held, or by contacting DCAM's Bid Room or Michael Lambert as set forth above, which DCAM determines require additional clarification will be addressed by issuing a written addendum. Oral and other clarifications will be without legal effect. All such addenda will be considered part of this RFQ, and the respondent shall be required to acknowledge receipt of all addenda on the RFQ Proposal Response Form attached to this RFQ. DCAM will mail addenda to all respondents who have mailed or faxed an RFQ Interest Form for the Project to DCAM's Bid Room, or who received the RFQ from the DCAM Bid Room, and will post the addenda on the web site [www.comm-pass.com](http://www.comm-pass.com) in the listing for this

Project. It shall be the sole responsibility of the Respondent to ascertain the existence of any and all addenda issued by DCAM.

From the date of issuance of this RFQ, any respondent that contacts directly or indirectly any member or employee of the DCAM, or the owner's designer or program manager, or any member of the selection team in connection with the selection process or the contract contemplated herein for this project is subject to disqualification. Contact is permitted for the purpose of obtaining a copy of this RFQ, to contact the DCAM Contractor Certification Office, the DCAM Bid Room or to submit a verbal or written question or request for clarification at the RFQ Informational Meeting as prescribed above in this section.

#### **H. Status of Request for Qualifications**

This Request for Qualifications is solely a request for information. It does not represent an offer nor does it confer any rights on any respondent. DCAM shall not be responsible under any circumstances for any costs incurred by any respondents to this RFQ. DCAM reserves the right to modify, suspend or cancel this procurement at any time at its sole discretion.

# Request for Qualifications for Construction Management at Risk Services

## II. Scope Of Services for Construction Management

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*The Construction Manager shall be responsible for complete construction management services for all phases of the project for a guaranteed maximum price. At each phase, DCAM at its sole discretion will determine whether it will proceed to the next phase or terminate Construction Manager services on the project. Certain trade construction work will be procured using procedures similar to the Mass General Laws Chapter 149 Filed Sub-bid laws after a pre-qualification process. The procedure is specified in Chapter 193 of the Acts of 2004 in the new Mass. General Laws Chapter 149A. A detailed scope of services will be included in the Request for Proposals. The following is an outline of services anticipated.*

### A. Pre-Construction (Design) Phase

1. Review and recommend revisions, if appropriate, to the project master Schedule, Construction Budget and permitting plan developed by DCAM.
2. Develop the scope of work and prepare bid packages in concert with the Designer (DCAM will provide a template for the Trade bid packages) for each trade to be bid and participate in the prequalification and qualification of each of the Trade Contractor and other subcontractors as defined by law.
3. Attend and, if requested by DCAM, schedule and lead periodic project meetings and special meetings for the exchange of information concerning the project, and review of design progress, permits and approvals. All meetings shall be held at a location and time convenient to the DCAM Project Manager.
4. Review the design documents and other construction documents and make recommendations to DCAM as to value engineering, constructability, suitability of materials and equipment, scheduling, time, methods and sequence of construction, and the clarity, consistency and coordination of documentation.
5. Perform periodic detailed cost estimates for the entire construction and for phases or portions of the work as directed by DCAM, and work with the project designer to reconcile differences.
6. Perform detailed cost estimates and value engineering analyses during the development of Schematic Design, Design Development, and Construction Documentation phase of the project. The CM shall work with the Designer to reconcile differences.
7. DCAM may require additional cost estimates to confirm budget due to modifications made via design workshops. The CM shall work with the Designer to reconcile differences.
8. The CM shall assign a professional project scheduler possessing building and site design and construction experience. If deemed qualified by DCAM, the CM can assign an in-house scheduler. Develop a detailed critical path method (CPM) schedule that identifies all design activities, permits and all other activities required to be completed before construction activities

can begin and a preliminary construction schedule. The CPM project schedules shall be developed using Microsoft Project's latest version.

9. Develop, in coordination with DCAM, a system for tracking project costs and cash flow.
10. Conduct activities relating to the procurement and award of Trade Contracts and all other contracts for the furnishing of labor, materials, equipment, or other services in connection with the construction of this project, in accordance with procedures to be developed by DCAM and in a manner that will meet Minority Business Enterprise and Women Business Enterprise goals set by DCAM for the project.

**B. Construction Phase**

1. Obtain and pay for all required construction related permits.
2. Furnish bonds and insurance as required by the contract documents.
3. Provide and maintain a construction site office and provide all site management and administration.
4. Manage and coordinate all Trade Contractors and subcontractors and others engaged in the performance of the work.
5. Meet the Women Business Enterprise and Minority Business Enterprise participation goals and minority work force goals for the Project.
6. Implement procedures following DCAM's standards for reviewing and processing requests for information or clarifications and interpretations of the contract documents; shop drawings, samples, and all other submittals, contract schedule adjustments, change order proposals, proposals for substitutions, payment applications, as-built drawings, and maintenance of logs using the internet-based PMAS/Prolog system software.
7. Continuously supervise and observe all work in progress so as to ensure that the work is proceeding in accordance with the construction contract documents.
8. Attend and, if requested by DCAM, schedule and lead regular project and construction progress meetings, and conduct regular meetings at the site with each subcontractor. All meetings shall be held at a location and time convenient to the DCAM Project Manager.
9. Develop and implement a change order control system using the internet based PMAS/Prolog system software.
10. Establish and implement a Quality Control program including monitoring the quality programs of all subcontractors.
11. Develop and implement a projectwide safety program, including monitoring and enforcement of the program for Trade and subcontractors.

12. Monitor closely the progress of construction of each subcontractor, prepare a construction schedule report at least monthly and, if and as necessary, prepare and submit recovery schedules.
13. Provide a part-time independent, project-dedicated scheduler to develop, maintain and update the detailed CPM schedule.
14. Furnish monthly reports concerning the progress of the work which address: (a) compliance with the construction schedule, (b) status of testing and inspection activities performed by the CM and subcontractors, (c) status of shop drawings and submittals, (d) status of change orders, (e) status of MBE/WBE participation, and (f) other matters relating to the progress of work as directed by DCAM.
15. Determine when each subcontractor's work is substantially complete and prepare a list of incomplete work and work which does not conform to the requirements of the construction documents.
16. Maintain complete and accurate records, including (a) correspondence, (b) meeting notes and minutes, (c) shop drawings and submittals, (d) construction documents including change orders, (e) clarifications and interpretations of the construction documents issued by the project designer, (f) progress reports including observations of testing performed, (g) as-built drawings, and (h) all other project related documents including but not limited to those utilizing the PMAS/Prolog system.

**C. Post-Construction Phase**

In accordance with the project designer, develop and implement procedures for orderly completion of punch list items, checkout of utilities, operational systems and equipment and initial start up and testing. Preparation and delivery to the DCAM warranties, as built drawings, maintenance manuals, and the like, and generally administer closeout of the project. Ensure performance of all warranty obligations, resolution of all claims, and other post-construction requirements.

# Request for Qualifications for Construction Management at Risk Services

## III. Submission Instructions and Requirements and Evaluation Criteria

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### A. Submission Deadline

**2:00 P.M.** on the Date indicated on cover and page 1

An original and six complete copies, each in three hole binders (Original unbound) of the Statement of Qualifications with all required forms, attachments, supporting documentation and information must be received by DCAM on or before the submission time and date set forth above as determined by DCAM's date/time stamp. All envelopes must be labeled "**RFQ for Construction Management Services, (Project Number and Name)**", with the respondent firm's name, business address and telephone number and be mailed or delivered to the following address:

**DCAM Bid Room, Room 1610  
Division of Capital Asset Management  
One Ashburton Place, 16<sup>th</sup> Floor  
Boston, MA 02108**

Statements of Qualification received by DCAM later than the submission deadline specified above will be rejected and returned to the respondent. Respondents are cautioned to allow sufficient time for mailed materials to be received. Telecopied, faxed, or e-mailed qualifications will not be accepted. Qualification statements will not be opened or read publicly.

### B. Submission Requirements

The respondent **must** submit all of the information and documentation listed below. Selection of the respondents for Phase One, the prequalification process will be based on the submitted information and materials, information on prior project performance, information obtained from references, information obtained from governmental agencies and entities, information contained within DCAM certification files, and such other information as may be obtained.

**Do not include superfluous material. Respondents must include the CM at Risk Statement of Qualifications Response Form attached below and signed by an authorized representative, and all of the forms and materials required for Schedules A through L.** Respondents must give complete and accurate answers to all questions and provide all of the information requested. Respondents can not alter the text of the forms or schedules in any way, any such alteration will be grounds for disqualification. Making a materially false statement in this submission is grounds for rejecting a Statement of Qualifications submission and may subject the respondent to other civil or criminal penalties.

1. Qualifications Application: Respondent **must complete** the CM at Risk Qualifications Application **Schedule A** attached to the SOQ below. Joint ventures must provide information about each of the joint venture partners.
2. Executive Summary: Respondent **must attach** as **Schedule B** to the SOQ a cover letter or executive summary detailing the key elements and factors that differentiate the respondent firm from other firms. Joint ventures must provide information about the nature of the joint venture

including the approximate percentage participation by each joint venture partner and the division of responsibility among the joint venture partners. This letter/executive summary should not exceed 6 pages.

3. Management Personnel and Project Organizational Chart: Respondent **must complete Schedule C** attached to the SOQ below, and **must attach** at Schedule C *both*: i) an organizational chart *and* ii) a resume for each and every person who will have **any** management responsibility, direct or indirect, for the Project, including but not limited to project executives, project managers, field superintendents and field engineers. Joint ventures must identify the company that employs each individual listed.
4. Similar Project Experience: Respondent **must complete Schedule D** attached to the SOQ below, listing similar projects for the last ten (10) years. The first part of Schedule D requests information for similar projects that used the construction manager at risk delivery method and the second part of Schedule D requests information on similar projects in general. For each project, respondent must include the name of the project, location, description of project, description of respondent firm's scope of work, original contract sum, final contract sum (with explanation), date completed and the name, organization, address and telephone contact information for the owner and project architect for each such project. For the purpose of this RFQ, "similar projects" shall mean projects where the construction cost for the project were for an amount similar to the estimated construction cost of this Project; the project was one of similar complexity; the project was of a similar type or scope; and the project was the approximate size of this Project or larger. Joint ventures must complete a Schedule D for each individual joint venture partner.
5. Terminations and Legal Proceedings: Respondent **must complete Schedule E** (all parts and subparts) attached to the SOQ below. **Part A** of Schedule E requires a complete listing of each and every project on which the respondent firm was **terminated or failed to complete** the work within the past five (5) years. **Part B** of Schedule E requires a complete listing of any **convictions or fines** incurred by the respondent firm or any of its principals for violations of any state or federal law within the past three (3) years. **Part C** of Schedule E is divided into three (3) subparts. **Section 1** of **Part C** requires a complete listing of **all litigation** involving a construction project or contract (excluding personal injury and workers' compensation) whether currently pending or concluded within the past three (3) years in which the respondent firm was a named party. **Section 2** of **Part C** requires a complete listing of all **administrative proceedings** involving a construction project or contract, whether currently pending or concluded within the past three (3) years, in which the respondent firm was a named party. (**NOTE: Administrative Proceedings** shall include: (i) any action taken or proceeding brought by a governmental agency, department, or officer to enforce any law, regulation, code, legal, or contractual requirement, except for those brought in state or federal courts; (ii) any action taken by a governmental agency, department, or officer imposing penalties, fines, or other sanctions for failure to comply with any such legal or contractual requirement, or (iii) any other matter before an administrative body.) **Section 3** of **Part C** requires a complete listing of all **arbitrations** involving a construction project or contract, whether currently pending or concluded in the past three (3) years, in which the respondent firm was a named party. Joint ventures must complete all parts and subparts of Schedule E for each individual joint venture partner.

6. Safety Record: Respondent **must provide** its experience modifier for the past three years by writing it in on the SOQ in the space provided and **must also attach at Schedule F** to the SOQ documentation from its insurance carrier of its Workers' Comp. Experience Modifier for the past three years. Joint ventures must complete a Schedule F for each individual joint venture partner.
7. MBE/WBE and Workforce Compliance Record: Respondent **must complete Schedule G** attached to the SOQ below providing information on the firm's compliance record with respect to Minority Business Enterprise and Women's Business Enterprise participation goals and workforce inclusion goals for each and every project completed within the past five (5) years that had contractual MBE/WBE participation goals or minority and women workforce goals. In addition, respondent **must attach documentation** provided by the project owner or independent project manager supporting the actual participation and inclusion amounts it reports on Schedule G. Joint ventures must complete a Schedule G for each individual joint venture partner.
8. Audited Financial Statement: Respondent **must attach at Schedule H** to the SOQ a complete copy of its audited financial statement for the most recent fiscal year. Joint ventures must complete a Schedule H for each individual joint venture partner.
9. Letter from Surety Company Evidencing Bonding: Respondent **must attach at Schedule I** to the SOQ a letter from a surety company that is licensed to do business in the Commonwealth and whose name appears on United States Treasury Department Circular 570 on the surety company's letterhead (or a letter from a surety agent with attorney in fact authority and an original power of attorney accompanying the letter) confirming that it will provide respondent firm with payment and performance bonds on the Project in an amount equal to or greater than 110 per cent of the estimated construction cost of the Project. This letter can either reference the joint venture's bonding or submit separate letters for each individual joint venture partner.
10. Certificate of Eligibility and Update Statement: Respondent **must attach at Schedule J** to the SOQ **both: i)** a current **Certificate of Eligibility** (issued by DCAM) showing respondent is certified in General Building Construction with appropriate single project limits and aggregate limits as set forth above, **and ii)** a completed **Update Statement** on the current form of Update Statement available on DCAM's website. Joint ventures which are not yet DCAM certified as a joint venture must submit a Certificate of Eligibility and Update Statement for each individual joint venture partner.
11. Examples of Project Management Reports and Operating Philosophy: Respondent **must attach at Schedule K** specific examples (no more than 3) of Project Management Reports that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A. In addition respondent **may**, at its option, include a brief statement of its operating philosophy. If information on respondents operating philosophy is contained in its Executive Summary attached at Schedule B the information should not be repeated at Schedule K, but can be referenced.
12. Examples of Prior Experience on Sustainable construction and LEED--certified buildings: Respondent **must complete Schedule L** attached to the SOQ below, listing prior project

experience involving sustainable construction and LEED certified buildings. Joint ventures must complete a Schedule L for each individual joint venture partner.

### **C. Evaluation Criteria for Selection**

The respondent must submit all of the information and documentation listed in this RFQ. Selection of the respondent for Phase One, the prequalification process will be based on the submitted information and materials, information on prior project performance, information obtained from references, information obtained from governmental agencies and entities, information contained within DCAM certification files, and such other information as may be obtained. Respondents must include the CM at Risk Statement of Qualifications Response Form and all of the materials required for Schedules A through L. Respondents must give complete and accurate answers to all questions and provide all of the information requested. Altering the text of the forms or schedules in any way or making a materially false statement in this submission is grounds for rejecting a Statement of Qualifications submission and may subject the respondent to other civil or criminal penalties.

#### **1. Certification, Capacity and Bonding**

##### **a. Required Construction Manager at Risk Experience**

**All respondents must have prior experience as a Construction Manager on at least three prior Construction Manager at Risk projects with a GMP and must have completed at least one project within the last ten (10) years with a total construction cost in an amount similar to the estimated total construction cost of this Project and must be of similar complexity, similar type construction, and similar size.**

##### **b. Bonding Capacity**

The respondent **shall provide evidence of bonding capability** in an amount equal to or greater than 110 percent of the estimated construction cost for this Project (as set forth in the General Information section above). The evidence of bonding capability shall be in the form of a letter from the surety company (or a surety agent with attorney in fact authority and an original power of attorney accompanying the letter) The surety company must be a surety licensed to do business in the commonwealth and whose name appears on the United States Treasury Department Circular 570).

##### **c. DCAM Certification - Copy Form CQ7**

The respondent **must provide a copy of a current Certificate of Eligibility** (Form CQ7) issued by DCAM showing respondent is DCAM certified in General Building Construction with a single project limit in an amount equal to, or greater than, the estimated construction cost for this Project (as set forth in the General Information section above).

To submit a proposal in response to this RFQ, a Respondent whether an individual firm or a joint venture, **must be certified in General Building Construction** by DCAM for a single project limit in the amount of the Estimated Construction Cost set forth above for the Project or greater and must also be within the aggregate limits of its DCAM Certificate of Eligibility (Form CQ7), and a copy of the Respondent's current DCAM Certificate of Eligibility must be

included in the SOQ. Note, however, that a joint venture team must be certified in General Building Construction by DCAM for a single project limit in the amount of the Project Estimated Construction Cost or greater and must also be within the aggregate limits of its DCAM Certificate of Eligibility, a copy of which must be included in the SOQ at the time its submits its RFQ. If a respondent to the RFQ is a proposed joint venture (“JV”) that is newly formed or is not currently certified, then: i) each party to the proposed joint venture must be individually certified by DCAM and must submit a copy of its DCAM Certificate of Eligibility with its SOQ; ii) the JV respondent must state in the SOQ that it will seek Certification from DCAM as a joint venture in the category of General Building Construction for the required limits, and state that it understands and agrees that if JV respondent is selected to participate in the RFP phase it will be required to submit a DCAM Certificate of Eligibility for the joint venture with its response to the RFP; iii) at least one of the parties to the joint venture must be certified by DCAM in the category of General Building Construction for a single project limit of in the amount of the Estimated Construction Cost for the Project and must be within the aggregate limits of its Certificate of Eligibility at the time the SOQ is submitted; and iv) the JV respondent shall provide evidence satisfactory to DCAM of bonding capacity, in the form set forth above and satisfactory to DCAM, for the proposed joint venture in the amount of the Estimated Construction Cost for the Project. In the second phase of the selection process the RFP phase, a JV respondent that has been selected in the RFQ process, will be required to have obtained a DCAM Certificate of Eligibility for the joint venture and must submit its DCAM Certificate of Eligibility for the joint venture meeting the above requirements with its proposal in response to the RFP.

For certification forms and additional information see DCAM’s web site:

[www.mass.gov/dcam/certification](http://www.mass.gov/dcam/certification)

Or contact the Certification Office at:

DCAM Contractor Certification Office  
One Ashburton Place  
Boston, Massachusetts 02108  
Telephone Number (617) 727-4050 ext. 415

**d. DCAM Update Statement - Use Form CQ3**

**A complete and signed update statement must be submitted as part of the SOQ.** For DCAM’s analysis of the Aggregate Work Limit for this RFQ, the Estimated Construction Cost for the project as set forth above will be used with a construction duration for the Project as set forth above. DCAM will compare the above numbers with the respondent’s current annualized value of all incomplete work to determine eligibility within the Aggregate Work Limit.

If a respondent to the RFQ is a proposed joint venture and the proposed joint venture is not yet certified, then: i) each party to the proposed joint venture must be certified by DCAM and each must submit its own signed update statement (Form CQ3) as part of its SOQ; ii) at least one of the parties to the joint venture must be certified by DCAM in the category of General Building Construction for a single project limit equal to or greater than the Estimated Construction Cost of the Project and must be within the aggregate limits of its Certificate of Eligibility. When the

second phase of the selection process is undertaken through an RFP, a joint venture respondent that has been selected in the RFQ process, will be required to submit its Certificate of Eligibility for the joint venture meeting the above requirements with its proposal to the RFP.

For the required Update Statement Form and additional information see our web site.

[www.mass.gov/dcam/certification](http://www.mass.gov/dcam/certification)

or contact the Certification Office at:

DCAM Contractor Certification Office  
One Ashburton Place  
Boston, Massachusetts 02108  
Telephone Number (617) 727-4050 ext. 415

**2. Firms meeting the minimum experience criteria set forth above, submitting a completed RFQ with Schedules and required attachments and the required Certificate of Eligibility, Update Statement and letter evidencing bonding capacity will be evaluated on the following criteria:**

- Prior Similar Project Experience
- Management Team and Organization for the Project
- Financial Status
- Prior Project Experience
- Litigation and Performance/Termination History
- Safety Record
- History of Compliance with MBE/WBE participation and workforce goals
- Quality of performance on prior projects
- Reference Information
- Volume of current work on DCAM projects
- Sustainable construction and LEED-certified buildings.

As provided by law, DCAM's decision on prequalification shall be final and binding and shall not be subject to appeal except on grounds of fraud or collusion.

**CM AT RISK RFQ INTEREST FORM**  
**(For Submission to DCAM Immediately)**

Instructions: If your firm is interested in responding to this RFQ for Prequalification of CM at Risk firms for this Project then you **MUST** fill out this CM at Risk RFQ Interest Form and submit it to DCAM by facsimile or mail as soon as possible and **BEFORE** you submit your response to the RFQ. Please note that this form may be faxed or mailed to DCAM. However the Statement of Qualifications (“SOQ”) with all required forms, attachments, supporting documentation and information submitted in response to this RFQ, can not be faxed, it must be either hand delivered or mailed to DCAM and be received by the time and date set forth in the RFQ.

Awarding Authority:           **Division of Capital Asset Management**

Mass. State Project No.       *(Project Number)*

Project Title:                   *(Project Name and Location)*, Massachusetts

Mail or Fax this CM at Risk RFQ Interest Form to the DCAM Bid Room:

DCAM Bid Room, Room 1610  
Division of Capital Asset Management  
One Ashburton Place, 16<sup>th</sup> Floor Boston, MA 02108  
Facsimile number (617) 727-5514

By submitting this CM at Risk RFQ Interest Form the below identified firm is expressing its interest in the above-referenced public building project and is requesting that it be added to the list of firms that will receive any addenda to the RFQ on the Project. **DCAM assumes no responsibility for a firm’s failure to receive any addenda or other correspondence related to this RFQ due to the firm’s failure to submit an RFQ Interest Form to DCAM as directed above, or for any other reason.**

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Fax number: \_\_\_\_\_

Email address: \_\_\_\_\_

By: \_\_\_\_\_

*(Signature of Authorized Representative)*

\_\_\_\_\_

*(Print Name/Title)*

Date: \_\_\_\_\_

**STATEMENT OF QUALIFICATIONS SUBMISSION CHECKLIST**  
**for Prequalification of CM at Risk Firms**

**PLEASE NOTE THAT INCOMPLETE OR LATE STATEMENTS OF QUALIFICATION FOR CM at RISK PREQUALIFICATION WILL NOT BE CONSIDERED. THEREFORE, BEFORE SUBMITTING YOUR FIRM'S RESPONSE TO THIS RFQ PLEASE REVIEW THE FOLLOWING:**

- Respondent has faxed or mailed its CM at Risk RFQ Interest Form. (If not, see form in this RFQ package, fill it out and fax or mail it immediately).
- Respondent completed the SOQ Form and all schedules and attachments in their entirety.
- Respondent has completed *Schedules A through M* and attached required documentation (i.e., resumes of all management personnel, organizational chart, commitment letter from bonding company, letter evidencing workers comp. experience modifier, letter from owner documenting prior project MBE/WBE participation; sample firm project management reports, copies of required portions of most recent application for certification submitted by Respondent to DCAM, etc.).
- Respondent has submitted current DCAM Certificate of Eligibility.
- Respondent has submitted completed Update Statement.
- Respondent has submitted Audited Financial Statement.
- Respondent submission package includes all six (6) required copies of its SOQ application three (3) hole punched and bound with an original unbound.
- Respondent has provided current contact information for its firm and all of its project contacts/references.
- Respondent addressed the *SOQ* envelope correctly (i.e. to reference the Project and other required information set forth herein).

## CM at Risk Statement of Qualifications Form (SOQ)

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Firm Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street Address (if different from mailing address): \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Email: \_\_\_\_\_

Firm acknowledges Addenda numbered \_\_\_\_\_ (list all)

- A. Qualifications Application:** Respondent **MUST** complete the CM at Risk Qualifications Application **Schedule A** attached below. Joint ventures must provide information about each of the joint venture partners.
- B. Executive Summary:** Respondent **MUST** attach as **Schedule B** a cover letter or executive summary detailing the key elements and factors that differentiate the respondent firm from other firms. This letter/executive summary should not exceed 6 pages. Joint ventures must provide information about the nature of the joint venture including the approximate percentage participation by each joint venture partner and the division of responsibility among the joint venture partners.
- C. Management Personnel and Project Organizational Chart:** Respondent **MUST** complete **Schedule C** attached below, provide an organizational chart and attach to it a resume for each and every person who will have **any** management responsibility, direct or indirect, for the Project, including but not limited to project executives, project managers, field superintendents and field engineers. Joint ventures must identify the company that employs each individual listed.
- D. Similar Project Experience:** Respondent **MUST** complete **Schedule D** attached below, listing similar projects for the last ten (10) years. The first part of Schedule D requests information for similar projects that used the construction manager at risk delivery method and the second part of Schedule D requests information on similar projects in general. For each project, respondent must include the name of the project, location, description of project, description of respondent firm's role, scope of work, original contract sum, final contract sum (with explanation), date completed and the name, organization, address and telephone contact information for the owner and project architect for each such project. For the purpose of this RFQ, "similar projects" shall mean projects where the construction cost for the project was for an amount similar to the amount of the estimated construction cost of this Project; the project

was one of similar complexity; the project was of similar type or scope; and the project was the approximate size of this Project or larger. Joint ventures must complete a Schedule D for each individual joint venture partner.

**E. Terminations and Legal Proceedings:** Respondent MUST complete **Schedule E** (all parts and subparts) attached below. **Part A** of Schedule E requires a complete listing of each and every project on which the respondent firm was **terminated or failed to complete** the work within the past five (5) years. **Part B** of Schedule E requires a complete listing of any **convictions or fines** incurred by the respondent firm or any of its principals for violations of any state or federal law within the past three (3) years. **Part C** of Schedule E is divided into three (3) subparts. **Section 1 of Part C** requires a complete listing of **all litigation** involving a construction project or contract (excluding personal injury and workers’ compensation) whether currently pending or concluded within the past three (3) years in which the respondent firm was a named party. **Section 2 of Part C** requires a complete listing of all **administrative proceedings** involving a construction project or contract, whether currently pending or concluded within the past three (3) years, in which the respondent firm was a named party. (NOTE: *Administrative Proceedings* shall include: (i) any action taken or proceeding brought by a governmental agency, department, or officer to enforce any law, regulation, code, legal, or contractual requirement, except for those brought in state or federal courts; (ii) any action taken by a governmental agency, department, or officer imposing penalties, fines, or other sanctions for failure to comply with any such legal or contractual requirement, or (iii) any other matter before an administrative body.) **Section 3 of Part C** requires a complete listing of all **arbitrations** involving a construction project or contract, whether currently pending or concluded in the past three (3) years, in which the respondent firm was a named party. Joint ventures must complete all parts and subparts of Schedule E for each individual joint venture partner.

**F. Safety Record:** Respondent MUST insert below its experience modifier for the past three years and attach at **Schedule F** documentation from its insurance carrier of its Workers’ Comp. Experience Modifier for the past three years. Joint ventures must attach a Schedule F for each individual joint venture partner.

<u>Year</u>	<u>Workers Comp. Experience Modifier</u>
_____	_____
_____	_____
_____	_____

**G. MBE/WBE and Workforce Compliance Record:** Respondent MUST complete **Schedule G** attached below providing information on the firm’s compliance record with respect to Minority Business Enterprise and Women’s Business Enterprise participation goals and workforce inclusion goals for each and every project completed within the past five (5) years that had a contractual MBE/WBE participation goals or minority and women workforce goals. In addition, respondent **MUST ATTACH documentation** from the project owner or independent project manager supporting the actual participation and inclusion amounts it reports on

Schedule G. Joint ventures must complete a Schedule G for each individual joint venture partner.

- H. Audited Financial Statement:** Respondent MUST attach at **Schedule H** a complete copy of its audited financial statement for the most recent fiscal year. Joint ventures must attach a Schedule H for each individual joint venture partner.
- I. Letter from Surety Company Evidencing Bonding:** Respondent MUST attach at **Schedule I** a letter from a surety company that is licensed to do business in the Commonwealth and whose name appears on United States Treasury Department Circular 570 on the surety company's letterhead (or a letter from a surety agent with attorney in fact authority and an original power of attorney accompanying the letter) confirming that it will provide respondent firm with payment and performance bonds on the Project in an amount equal to or greater than 110 per cent of the estimated construction cost of the Project. This letter can either reference the joint venture's bonding or submit separate letters for each individual joint venture partner.
- J. Certificate of Eligibility and Update Statement:** Respondent MUST attach at **Schedule J** *both* a current **Certificate of Eligibility** (issued by DCAM) showing respondent is certified in General Building Construction with appropriate single project limits and aggregate limits as set forth above *and* a completed **Update Statement** using the current form of Update Statement available on DCAM's website, [www.mass.gov/dcam/certification](http://www.mass.gov/dcam/certification) . Joint ventures which are not yet DCAM certified as a joint venture must submit a Certificate of Eligibility and Update Statement for each individual joint venture partner.
- K. Examples of Project Management Reports and Operating Philosophy:** Respondent MUST attach at **Schedule K** specific examples (no more than 3) of Project Management Reports that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A. In addition respondent **may**, at its option, include a brief statement of its operating philosophy. If information on respondents operating philosophy is contained in its Executive Summary attached at Schedule B the information should not be repeated at Schedule K, but can be referenced.
- L. Examples of Prior Experience on Sustainable Construction and LEED--Certified Buildings:** Respondent **must complete Schedule L** attached to the SOQ below, listing prior project experience involving sustainable construction and LEED certified buildings. Joint ventures must complete a Schedule L for each individual joint venture partner.

Failure to accurately and completely provide the information requested may result in the disqualification of a respondent.

This form **MUST** be signed by an officer of the firm or an individual so authorized by an officer of the firm who has personal knowledge regarding the information contained herein and submitted with the SOQ.

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To the Division of Capital Asset Management

The undersigned declares that he or she has carefully examined all the documents contained in the CM at Risk Request for Qualifications (RFQ) solicitation for the Massachusetts State Project referenced in the footer below, and certifies to the best of his/her knowledge, that this Statement of Qualifications fully complies with all of the requirements of the RFQ and all addenda and clarifications issued in regard to the RFQ.

The undersigned further certifies that he or she (or, if he or she is the authorized representative of a company, the company) is the only person interested in this Statement of Qualifications and any subsequent proposal; that it is made without any connection with any other person making any submission for the same work; that no person acting for, or employed by, the Commonwealth of Massachusetts is directly or indirectly interested in this Statement of Qualifications or any subsequent proposal, or in any contract which may be made under it, or in expected profits to arise therefrom; that the undersigned Respondent has not influenced or attempted to influence any other person or corporation to file a Statement of Qualifications or subsequent proposal or to refrain from doing so or to influence the terms of the Statement of Qualifications or any subsequent proposal of any other person or corporation; and that this submission is made in good faith without collusion or connection with any other person applying for the same work.

The undersigned further certifies under pains and penalties of perjury that the undersigned is not debarred from doing public construction work in the Commonwealth of Massachusetts under the provisions of section twenty nine F of chapter twenty nine, or any other applicable debarment provision of any other chapter of the General Laws or any rule or regulation promulgated thereunder, and further is not debarred from doing public construction work under any law, rule or regulation of the federal government.

The undersigned states that he or she has carefully examined all of the information provided and representations made in this Statement of Qualifications and the documents submitted with the SOQ including all schedules, forms and materials, and certifies to the best of his/her knowledge, that this Statement of Qualifications in its entirety is complete, true and accurate.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY:

Signature: \_\_\_\_\_  
(Signature of Authorized Representative)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Schedule A -CM at RISK QUALIFICATIONS APPLICATION**

Firm Name: \_\_\_\_\_

**1. BUSINESS INFORMATION**

Type of business entity (corporation, partnership, joint venture, etc.): \_\_\_\_\_

Number of years in business under current business name: \_\_\_\_\_

List all other business names firm has operated under and the time frames for each:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If firm is a corporation provide the following information:**

State of incorporation: \_\_\_\_\_ Date of Incorporation: \_\_\_\_\_

Name of President: \_\_\_\_\_

Name of Vice President: \_\_\_\_\_

Name of Secretary or Clerk: \_\_\_\_\_

Name of Treasurer: \_\_\_\_\_

If firm is a foreign corporation, is it registered to do business in Massachusetts? \_\_\_\_\_

If firm is a foreign corporation and is selected, it is required under M.G.L. c. 30, §. 39L to obtain from the Massachusetts Secretary of State, One Ashburton Place, 17th floor, Boston, MA a certificate stating that the corporation is registered to do business in Massachusetts, and to furnish said certificate to the awarding authority prior to the award.

**If firm is a partnership or joint venture provide the following information:**

Type of partnership/joint venture: \_\_\_\_\_ Date of organization: \_\_\_\_\_

Name of each partner or venturer:  
\_\_\_\_\_  
\_\_\_\_\_

Is partnership or joint venture registered in Massachusetts? \_\_\_\_\_

If firm is a foreign limited partnership and is selected, it will be required under M.G.L. c. 30, §. 39L to obtain from the Massachusetts Secretary of State, One Ashburton Place, 17th floor, Boston, MA a certificate stating that the partnership is registered to do business in Massachusetts, and to furnish said certificate to the awarding authority prior to the award.

For each general partner or venturer that is a corporation, provide the following information (use additional sheets if necessary):

Name of corporation: \_\_\_\_\_  
State of incorporation: \_\_\_\_\_  
President: \_\_\_\_\_  
Secretary or Clerk: \_\_\_\_\_  
Treasurer: \_\_\_\_\_

Name of corporation: \_\_\_\_\_  
State of incorporation: \_\_\_\_\_  
President: \_\_\_\_\_  
Secretary or Clerk: \_\_\_\_\_  
Treasurer: \_\_\_\_\_

**If firm is individually owned provide the following information:**

Name of Owner: \_\_\_\_\_

Date of organization: \_\_\_\_\_

Owner's Residence Address: \_\_\_\_\_

Names under which firm does business \_\_\_\_\_

Business Address: \_\_\_\_\_

If selected firm is an individual doing business under a different name then they must furnish evidence of any required DBA filings.

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**2. LICENSURE AND PERFORMANCE INFORMATION**

List all jurisdictions and trade categories in which the firm is legally licensed or otherwise qualified to do business and for each jurisdiction provide registration and license numbers where applicable:

\_\_\_\_\_  
\_\_\_\_\_

If the firm customarily provides scopes of work with its own forces please identify the types/areas of work below:

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**3. REFERENCES**

Provide three trade references below include name of reference, current contact person, telephone number and address:

1. 

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2. 

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3. 

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Provide two bank references below, include name of reference, current contact person, telephone number and address:

1. 

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2. 

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**Schedule B - EXECUTIVE SUMMARY**

**Respondent must attach Executive Summary here**

Not to Exceed 6 Pages

**SCHEDULE C**

**Schedule C - MANAGEMENT PERSONNEL**

**Firm Name:** \_\_\_\_\_

Respondent must provide the information requested below for each and every person who will have **any direct or indirect management responsibility for the Project**, including but not limited to project executives, project managers, field superintendents and field engineers. Respondents must **attach a copy of the resume for each person listed**. Respondents **must also attach an Organizational Chart** for the Project to this Schedule C. Attach additional sheets if necessary.

NAME	TITLE	ROLE/JOB RESPONSIBILITIES ON THIS PROJECT	# OF YEARS W/FIRM	EDUCATION & EXPERIENCE	COMPLETED PROJECTS (if resume lists all completed projects this section can reference resume)

**Schedule D - SIMILAR PROJECT INFORMATION**

**Firm Name:** \_\_\_\_\_

**Respondent is required to complete all three parts, Parts A, B and C of Schedule D.** List below all similar projects the firm has completed during the last ten (10) years. For the purpose of this CM at Risk project “similar projects” shall mean projects where the respondent was the Construction Manager (Part A) or General Contractor (Part B) and shall mean projects where the construction cost for the project was for an amount similar to the amount of the estimated construction cost of this Project; the project was one of similar complexity; the project was of similar type or scope; and the project was the approximate size of this Project or larger. On Part C list the Contact information for the owner and designer for each and every project listed on Part A or Part B. Attach additional sheets if necessary.

**Part A. CM PROJECTS** – List only projects on which the firm was the Construction Manager in this section.

PROJECT NAME & LOCATION	PROJECT OWNER	PROJECT DESCRIPTION	DESCRIPTION OF SERVICES PROVIDED BY FIRM	ORIGINAL AND FINAL CONTRACT AMOUNT WITH EXPLANATION	PROJECT START AND COMPLETION DATE



**Schedule D – SIMILAR PROJECT INFORMATION (continued)**

**Firm Name:** \_\_\_\_\_

**Part C. PROJECT CONTACTS** – Respondent must list below contact information for the owner and designer on each of the projects listed on Schedule D Part A and Part B above. Be certain to confirm the contact information is current. Attach additional sheets of necessary.

PROJECT NAME & LOCATION	COMPANY NAME	CONTACT PERSON/ADDRESS	TELEPHONE#	FAX#
	OWNER DESIGNER			

## Schedule E - Terminations and Legal Proceedings

**INSTRUCTIONS:** Respondent **must complete Schedule E** attached to the SOQ below, which consists of **Parts A, B and C** as indicated herein. Be sure to complete all required parts of **Schedule E** as instructed below. Joint Ventures must complete all parts of Schedule E for each individual joint venture partner. Attach additional sheets of necessary.

- **PART A.** Respondent must complete the chart in Part A by listing **each and every project** on which the firm was **terminated, failed to complete the work, or paid liquidated damages** within the past five (5) years.
  
- **PART B.** Respondent must provide a complete the chart in Part B by listing of **each and every conviction or fine incurred by the respondent firm or any of its principals** for violations of any state or federal law within the past three (3) years.
  
- **PART C.** Respondent must complete **Part C, Sections 1 through 3** and provide the required information about **any and all legal proceedings** whether currently pending, or concluded within the past three (3) years, in which the respondent firm was a named party, that involved a construction project or a construction contract. Respondents are not required to include personal injury or workers' compensation matters. Part C is divided into three (3) types of legal proceedings as follows:
  - ⇒ **Section 1.** Requires Respondent to list all **litigation** (excluding personal injury or workers' compensation) involving a construction project or contract.
  
  - ⇒ **Section 2.** Requires Respondent to list all **administrative proceedings** involving a construction project or contract. (**NOTE:** *Administrative Proceedings* shall include: (i) any action taken or proceeding brought by a governmental agency, department, or officer to enforce any law, regulation, code, legal, or contractual requirement, except for those brought in state or federal courts; (ii) any action taken by a governmental agency, department, or officer imposing penalties, fines, or other sanctions for failure to comply with any such legal or contractual requirement, or (iii) any other matter before an administrative body.)
  
  - ⇒ **Section 3.** Requires Respondent to list all **arbitrations** involving a construction project or contract.

⇒

**Schedule E - Terminations and Legal Proceedings**

**Firm Name:** \_\_\_\_\_

**Part A. Terminations, Incomplete Projects, Liquidated Damages Paid** - List each and every project on which the firm was **terminated, failed to complete the work, or paid liquidated damages** within the past five (5) years. Failure to provide a complete and accurate list may result in a firm being deemed unqualified and further action may be taken against the firm. Attach Additional Sheets If Necessary.

PROJECT NAME & LOCATION	PROJECT OWNER	SCOPE OF WORK PERFORMED	PROJECT START & END DATES	ESTIMATED CONTRACT AMOUNT	% COMPLETE	REASON FOR FAILURE TO COMPLETE, TERMINATION, OR PAYMENT OF LIQUIDATED DAMAGES

**Schedule E - Terminations and Legal Proceedings (Continued)**

**Firm Name:** \_\_\_\_\_

**Part B. Convictions And Fines** -List all **convictions and fines** incurred by the respondent firm or any of its principals for **violations of any state or federal law** within the past three (3) years. Failure to provide a complete and accurate list may result in a firm being deemed unqualified and further action may be taken against the firm. Attach Additional Sheets If Necessary.

PROJECT NAME, LOCATION & OWNER	MATTER CAPTION	LIST ENFORCEMENT AGENCY AND ALL PARTIES	LOCATION OF PROCEEDING	DESCRIPTION OF ACTION	START/END DATES	STATUS AND OUTCOME

**SCHEDULE E - TERMINATIONS and LEGAL PROCEEDINGS (Continued)**

Firm Name: \_\_\_\_\_

**Part C. Legal Proceedings (List by Type of Action Specified in Sections 1 through 3)**

⇒ **Section 1 – Litigation (excluding personal injury or workers’ compensation)** - List **ALL LITIGATION** involving a **construction project or contract** in which respondent firm was a named party, whether currently pending, or concluded within the past three (3) years. (*NOTE: You are **NOT REQUIRED** to list personal injury or workers’ compensation matters.*) Failure to provide a complete and accurate list may result in a firm being deemed unqualified and further action may be taken against the firm. Attach Additional Sheets If Necessary.

PROJECT NAME, LOCATION & OWNER	CASE CAPTION	LIST ALL PARTIES	LOCATION OF PROCEEDING	DESCRIPTION OF DISPUTE	START/END DATES	STATUS AND OUTCOME

**Schedule E - Terminations and Legal Proceedings (Continued)**

Firm Name: \_\_\_\_\_

**Part C. Legal Proceedings (List by Type of Action Specified in Sections 1 through 3)**

⇒ **Section 2 – Administrative Proceedings** - List **ALL ADMINISTRATIVE PROCEEDINGS** involving a construction project or contract in which respondent firm was a named party, whether currently pending, or concluded within the past three (3) years. (**NOTE**: *Administrative Proceedings* include: (i) any action taken or proceeding brought by a governmental agency, department, or officer to enforce any law, regulation, code, legal, or contractual requirement, except for those brought in state or federal courts; (ii) any action taken by a governmental agency, department, or officer imposing penalties, fines, or other sanctions for failure to comply with any such legal or contractual requirement, or (iii) any other matter before an administrative body.) Failure to provide a complete and accurate list may result in a firm being deemed unqualified and further action may be taken against the firm. Attach Additional Sheets If Necessary.

PROJECT NAME, LOCATION & OWNER	CASE CAPTION	LIST ALL PARTIES	LOCATION OF PROCEEDING	DESCRIPTION OF DISPUTE	START/END DATES	STATUS AND OUTCOME

**Schedule E - Terminations and Legal Proceedings (Continued)**

**Firm Name:** \_\_\_\_\_

**Part C. Legal Proceedings (List by Type of Action Specified in Sections 1 through 3)**

⇒ **Section 3 – Arbitrations** - List **ALL ARBRITRATIONS** involving a construction project or contract in which respondent firm was a named party, whether currently pending, or concluded within the past three (3) years. Failure to provide a complete and accurate list may result in a firm being deemed unqualified and further action may be taken against the firm. Attach Additional Sheets If Necessary.

PROJECT NAME, LOCATION & OWNER	CASE CAPTION	LIST ALL PARTIES	LOCATION OF PROCEEDING	DESCRIPTION OF DISPUTE	START/END DATES	STATUS AND OUTCOME

**Schedule F – SAFETY RECORD**

Respondents must list their workers compensation experience modifiers for the past three years in the space provided on the Statement of Qualifications form and **must also attach here documentation from their insurance carrier** of their Worker’s Compensation Experience Modifier for the past three years.

**SCHEDULE G**

**Schedule G – MBE/WBE and WORKFORCE COMPLIANCE RECORD**

**Firm Name:** \_\_\_\_\_

Respondent is required to list below each and every project completed within the last five (5) years that had contractual MBE/WBE participation goals or minority and women workforce goals. For each project with goals list the contractually required MBE, WBE and workforce participation goals and the actual MBE, WBE and workforce participation achieved on the project. **Respondents must attach documentation from the project owner or and independent project manager supporting the amount of actual MBE/WBE participation reported.** In addition, if the goals were not met, explain why and indicate whether any sanctions or penalties were imposed. Attach additional sheets if necessary.

PROJECT NAME, LOCATION & AWARDDING AUTHORITY	CONTRACT VALUE	MBE GOAL	ACTUAL MBE PARTICIPATION	WBE GOAL	ACTUAL WBE PARTICIPATION	WORK-FORCE GOALS	ACTUAL WORK-FORCE PARTICIPATION	IF GOALS NOT MET EXPLAIN WHY	SANCTION OR PENALTY AND AMOUNT

**SCHEDULE H**

**Schedule H – AUDITED FINANCIAL STATEMENT**

**Respondent must attach its most recent audited financial statement here**

**SCHEDULE I**

**Schedule I – LETTER EVIDENCING BONDING CAPACITY**

**Respondent must attach here a letter from a surety company** (or from an agent meeting the criteria set forth above) evidencing that the surety will provide respondent with payment and performance bonds for the Project in an amount equal to or greater than 110% of the estimated construction cost of the Project. The surety company must meet the requirements set forth above.

## **SCHEDULE J**

### **Schedule J – CERTIFICATE OF ELIGIBILITY AND UPDATE STATEMENT**

**Respondent must attach here two documents:**

- 1) a copy of its current **DCAM Certificate of Eligibility** (Form CQ7) meeting the requirements set forth above in this RFQ; **and**
- 2) a completed and signed **DCAM Update Statement** using the current form of Update Statement available on DCAM's website, [www.mass.gov/dcam/certification](http://www.mass.gov/dcam/certification)

## **SCHEDULE K**

### **Schedule K – EXAMPLES OF PROJECT MANAGEMENT REPORTS and BRIEF STATEMENT OF OPERATING PHILOSOPHY**

Respondent must attach here specific examples (no more than 3) of **Project Management Reports** that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A above. In addition respondent **may**, at their option, include a brief statement of its operating philosophy. If information on respondents operating philosophy is contained in its Executive Summary attached at Schedule B the information should not be repeated here, but can be referenced.

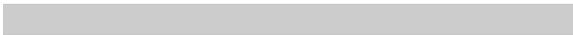
**Schedule L – PROJECTS WITH SUSTAINABLE DESIGN and/or LEED CERTIFIED BUILDINGS**

**Firm Name:** \_\_\_\_\_

**Respondent is required to complete both parts, Parts A and B of Schedule L.** List below all similar projects the firm has completed which involved sustainable design and/or LEED certified buildings. On Part B list the Contact information for the owner and designer for each and every project listed on Part A. Attach additional sheets if necessary.

**Part A. List Projects Involving Sustainable Design and/or LEED Certified Buildings.**

PROJECT NAME & LOCATION	PROJECT OWNER	PROJECT DESCRIPTION INCLUDING DESCRIPTION OF SUSTAINABLE DESIGN OR LEED CERTIFICATION	DESCRIPTION OF SERVICES PROVIDED BY FIRM	ORIGINAL AND FINAL CONTRACT AMOUNT WITH EXPLANATION	PROJECT START AND COMPLETION DATE



**Schedule L – PROJECTS WITH SUSTAINABLE DESIGN and/or LEED CERTIFIED BUILDINGS**

(continued.)

**Firm Name:** \_\_\_\_\_

**Part B. PROJECT CONTACTS** – Respondent must list below contact information for the owner and designer on each of the projects listed on Schedule L Part A above. Be certain to confirm the contact information is current.

PROJECT NAME & LOCATION	COMPANY NAME	CONTACT PERSON/ADDRESS	TELEPHONE#	FAX#
	OWNER DESIGNER			

