D.C. DEPARTMENT OF GENERAL SERVICES

REQUEST FOR PROPOSALS

FY14 INDEFINITE QUANTITY/INDEFINITE DELIVERY GENERAL CONSTRUCTION PROJECTS

July 16, 2014

Proposal Due Date:	**August 5, 2014 by 2:00 p.m. EDT**
Preproposal Conference:	**July 21, 2014 at 10:30 a.m. EDT** ***to be held at:*** **Frank D. Reeves Center** **6th Floor Community Room** **2000 14th Street, NW** **Washington, DC 20009**
Contact:	Danyel Riley Contract Specialist Contracts & Procurement Division 2000 14th Street NW - 8th Floor Washington, DC 20009 (202) 741-0941 danyel.riley@dc.gov
Solicitation Number:	DCAM-14-CS-0164

Executive Summary

A.1 Executive Summary

The Department of General Services ("Department" or "DGS") is issuing this Request for Proposals (RFP) to engage multiple contractors to perform design build construction services on an as needed basis. It is contemplated that the work required for these projects will generally range from $250,000 to $750,000 and will be released through competitive task orders pursuant to indefinite quantity/indefinite delivery contracts. In general, DGS manages municipal buildings that include office buildings, fire and police stations and other similar facilities. Given the nature of the portfolio, small construction projects arise on a recurring basis (e.g. tenant fit-out type work; small park work, etc.).

This procurement is being set aside in the Sheltered Market and only entities that are CBE certified at the time of proposal submission by the District of Columbia Department of Small and Local Business Development in the area of construction or construction related services are eligible to participate. The CBE certification must be maintained throughout the term of the contract.

A.2 Project Delivery Method

The goal of this procurement is to expand the Department's roster of pre-qualified contractors. The Department envisions pre-qualifying multiple contractors who do not currently hold IDIQ contracts for construction services. Each such contractor will be required to enter into a Basic Ordering Agreement that will set forth the general terms and conditions of the program as well as establish the method by which Task Orders for specific work will be issued.

As projects are identified and funded by the Department, a narrative scope of work will be drafted for each such project. At times, the narrative scope of work will not include complete drawings, and as such, contractors should be prepared to complete the work on a design-build or design-assist basis. The narrative scope of work will be issued to multiple pre-qualified contractors and each of those contractors will be provided an opportunity to walk the project with the Department's representatives in order to better understand and clarify the work. Each such contractor will then be required to submit a lump sum price for the proposed work. Although the exact amount of time that contractors will have to submit bids will depend on the specifics of the individual projects, the Department envisions that contractors will typically be given five (5) to seven (7) business days to prepare and submit their proposals.

The Department will select the contractor to be awarded each such project primarily based on price, but the Department reserves the right to consider non-price factors when making such decisions and will also consider differences in scope and/or proposed finishes, equipment and materials.

A.3 Basic Ordering Agreement / Form of Task Orders

The proposed Basic Ordering Agreement and the form of individual Task Orders are attached hereto as **Attachment A**. Offerors should note, however, that the Basic Order Agreement will not authorize any specific work or constitute a guarantee that any work will be assigned to a contractor. **All work will be awarded and released through individual project task orders.**

Offerors should carefully review those documents when submitting their proposal. To the extent there are any inconsistencies between this RFP and the proposed Basic Ordering Agreement, the proposed Basic Ordering Agreement shall prevail. Offerors are further advised that they are required to submit their proposal premised upon entering into a contract that is substantially similar to the proposed Basic Ordering Agreement and that any proposed changes to the proposed Basic Ordering Agreement must be clearly identified and described in their proposal. A proposal that fails to specifically identify and describe the requested changes shall be deemed non-responsive.

A.4 Contractor's Compensation

The contract awarded pursuant to this RFP will be a Basic Ordering Agreement. Any such Basic Ordering Agreement shall merely set forth the basis parameters of the program and shall **not** constitute a guarantee that any work shall be forthcoming. **All work will be authorized and released by project specific Task Order Agreements.** In general, it is contemplated that Task Orders will be priced on a lump sum basis and that Scope of Work included in such Task Orders will be premised on a design/build or design-assist basis. As such and absent specific instructions to the contrary, proposed Task Order pricing should be "all inclusive" and should include sufficient funding to cover all of the contractor's costs necessary to complete the project, including, but not limited to, profit, home and field office overhead, supervision, labor, materials, equipment, bonds, insurance and such professional services as may be required to complete the design and obtain the necessary permits.

A.5 Economic Inclusion

The Department requires that Local, Small and Disadvantaged Business Enterprises ("LSDBEs") participate in this project to the greatest extent possible and desires that such businesses perform at least fifty percent (50%) of the work under this procurement. At least thirty five percent (35%) must be awarded to entities that are certified as Small Business Enterprises by the District of Columbia Department of Small and Local Business Development, and twenty percent (20%) to entities that are certified as Disadvantaged Business Enterprises. The Department will also require that the selected contractor and all of its subconsultants, subcontractors, and suppliers, enter into a First Source Employment Agreement with the Department of Employment Services and hire fifty-one percent (51%) District residents for all new jobs created on the project. Please see **Part C** of this RFP for additional information.

A.6 Selection Criteria

Proposals will be evaluated in accordance with **Part D** of this RFP. The following evaluation criteria will be used:

- Experience & References (40 points)
- Key Personnel (30 points)
- Management Plan (30 points)

A.7 Procurement Schedule

The schedule for this procurement is as follows:

- Issue RFP - July 16, 2014
- Pre-proposal Conference - July 21, 2014 at 10:30 am
- Last Day for Questions/Clarifications - July 23, 2014 at 2:00 pm
- Proposals Due - August 5, 2014 at 2:00 pm
- Notice of Award - TBD

A.8 Attachments

Attachment A - Forms of Basic Ordering Agreement & Task Order
Attachment B - Disclosure Statement
Attachment C - Tax Affidavit

SECTION B SCOPE OF WORK

B.1 Scope of Work

The selected contractors will be required to perform small general construction projects on an as needed basis as requested by the Department. These small construction projects may include building repairs, upgrades, and tenant-fit out improvements including, but not limited to, patching and plumbing, carpentry, masonry, electrical and other miscellaneous repairs as may be necessary at various District of Columbia facilities. Such work shall be completed by the substantial completion dates specified in each issued task order.

B.2 Central Office

Each Contractor will be required to maintain a central office that is staffed between the hours of 7am- 5pm Monday through Friday. This office will be used to manage work associated with this contract and to dispatch work crews as requested by the Department.

B.3 Estimates

As projects are identified by the Department, narrative scopes of work will be issued to three (3) pre-qualified contractors for pricing. In general, the Department anticipates that the selected ID/IQ Contractors will visit the proposed work site with a Department representative, and then submit a lump sum cost estimate for the Contractor to perform the work. These estimates shall be reviewed by the Department and a task order shall be issued to the ID/IQ Contractor that provides the best value to the Department. The Contractor shall not proceed with any work unless and until such estimate is approved by the Department and the Contractor is directed to begin work.

B.4 Coordination with DGS

The contractor will be required to coordinate with the assigned Program Manager for each individual project. The work may be performed during normal business hours; however, the Contractor may be required to work after hours or on weekend and holidays as to not adversely impact the work of the District of Columbia employees/and or Contractors. The Contractor will be required to develop work plans that are coordinated with, and acceptable to, the Program Manager assigned to the task order.

B.5 Project Site Safety

The contractor will be required to ensure that its work is conducted in a safe manner and that appropriate barricades and other safety procedures are employed to ensure the safety of District of Columbia employees, contractor and/or visitors. All such barricades and safety procedures shall be subject to the approval of the Department and its Program Manager.

B.6 Key Personnel

The Offeror's key personnel shall have the necessary experience and licenses to perform the required work. Offerors shall include within the proposal a description of the staff available to perform this work and their qualifications. At a minimum, this should include the Project Executive, the Project Manager(s) who will supervise the work, and the Field Superintendents who will oversee the work in the field.

B.7 Licensing, Accreditation and Registration

The contractor and all of its subcontractors and sub-consultants (regardless of tier) shall comply with all applicable District of Columbia, State and Federal licensing, accreditation and registration requirements and standards necessary for the performance of the contract.

B.8 Conformance with Laws

It shall be the responsibility of the contractor to perform under the contract in conformance with the Department's Procurement Regulations and all statutes, laws, codes, ordinances, regulations, rules, requirements, orders and policies of Government bodies.

B.9 Davis-Bacon Act

The Davis-Bacon Act is applicable to this Project. As such, the contractor and its trade contractors shall comply with the wage and reporting requirements imposed by the Davis-Bacon Act. Applicable Davis-Bacon Act Wage Determinations shall be issued with each proposed scope of work.

B.10 Apprenticeship Act

The Apprenticeship Act shall apply to this ID/IQ contract and the contractors and all of its trade subcontractors shall be required to comply with that act.

B.11 Time is of the Essence

Time is of the essence with respect to the contract. The Project must be substantially complete by the substantial completion dates specified in each issued task order. As such, the Contractor must dedicate such personnel and other resources as are necessary to ensure that the Project is completed on-time and in a diligent, skilled, and professional manner.

SECTION C ECONOMIC INCLUSION

C.1 Preference for Small, Local, and Disadvantaged Business Enterprises

General: Under the provisions of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, D.C. Law 16-33 (codified at D.C. Code § 2-218.01 et seq.), preferences shall be given to Offerors that are certified by the Department of Small and Local Business Development as being a small business enterprise, having resident business ownership, having a longtime resident business, being a local business enterprise, being a disadvantaged business enterprise, being a local business enterprise with its principal office located in an enterprise zone, being a veteran-owned business enterprise, or being a local manufacturing business enterprise. (A copy of the certification acknowledgment letter must be submitted with the Offeror's Proposal.) CBE preference points shall be granted as follows:

- Three (3) points for a small business enterprise (SBE);
- Five (5) points for a resident-owned business (RBO);
- Five (5) points for a longtime resident business (LRB);
- Two (2) points for a local business enterprise (LBE);
- Two (2) points for a local business enterprise with its principal office located in an enterprise zone (DZE);
- Two (2) points for a disadvantaged business enterprise (DBE);
- Two (2) points for a veteran-owned business enterprise (VOB)
- Two (2) points for a local manufacturing business enterprise (LME)

A Certified Business Enterprise (CBE) shall be entitled to any and all of the preferences provided in this section, but in no case shall a CBE be entitled to more than twelve (12) preference points.

Information: For information regarding the application process, contact the Department of Small and Local Business Development at the following address or telephone number:

Department of Small and Local Business Development
One Judiciary Square Building
441 4th Street, NW, 9th Floor
Washington, DC 20001
(202) 727-3900 (Telephone Number)
(202) 724-3786 (Facsimile Number)

C.2 SLDBE Participation

The Department requires that significant participation by business enterprises certified by the Department of Small and Local Business Development as: (i) a local business enterprise; (ii) a small business enterprise; (iii) a disadvantaged business enterprise; (iv) having a owned resident

business; (v) being a longtime business resident; or (vi) having a local business enterprise with its principal office located in an enterprise zone. Accordingly, and in addition to the preference points conferred by Section C.1, the Department requires that business enterprises so certified must participate in at least 50% of the contract. Of this amount, 35% must be awarded to entities that are certified as either Small or Disadvantaged Business Enterprises by the District of Columbia Department of Small and Local Business and 20% to entities that are certified as Disadvantaged Business Enterprises. Offerors will be required to submit a Local Business Enterprise Utilization Plan with their proposals. The Utilization Plan must demonstrate how this requirement will be met and, to the extent possible at this stage in the project, should identify the specific firms that will be used and their respective roles.

C.3 Residency Hiring Requirements for Contractors and Subcontractors

At least fifty-one percent (51%) of the Offeror's Team and every subconsultant's employees hired after the Offeror enters into a contract with the Department, or after such subconsultant enters into a contract with the Offeror, to work on this project, shall be residents of the District of Columbia.

Upon execution of the contract, the Offeror and all of its member firms, if any, and each of its subcontractors and subconsultants shall submit to the Department a list of current employees that will be assigned to the project, the date that they were hired and whether or not they live in the District of Columbia.

The Offeror shall comply with subchapter III of Chapter II of Title 1, and subchapter II of Chapter II of Title 1 of the D.C. Code, and all successor acts thereto and the rules and regulations promulgated thereunder. The Offeror and all member firms, subcontractors, tier subcontractors, subconsultants, and suppliers with contracts in the amount of $300,000 or more shall be required to comply with the following: (i) enter into a First Source Employment Agreement with the D.C. Department of Employment Services ("DOES") upon execution of the contract; (ii) submit an executed First Source Agreement to DOES prior to beginning work on the project; (iii) make best efforts to hire at least 51% District residents for all new jobs created by the project; (iv) list all employment vacancies with DOES; (v) submit monthly compliance reports to DOES by the 10th of each month; (vi) at least 51% apprentices and trainees employed must be residents of the District registered in program approved by the D.C. Apprenticeship Council; and (vii) trade contractors and subcontractors with contracts in the amount of $500,000 or more must register an apprenticeship program with the D.C. Apprenticeship Council.

C.4 Apprenticeship Act

The D.C. Apprenticeship Act of D.C. Law 2-156, ("Act") as amended shall apply to this project. All subcontractors selected to perform work on the project on a craft-by-craft basis shall be required to comply with this Act. All terms and conditions of the D.C. Apprenticeship Council Rules and Regulations shall be implemented. Please note that 35% of all apprenticeship hours worked must be performed by District residents. The Contractor shall be liable for any subcontractor non-compliance.

SECTION D EVALUATION AND AWARD CRITERIA

D.1 Evaluation Process

The Department shall evaluate submissions and any best and final offers in accordance with the provisions of this **Section D** and the Department's Procurement Regulations.

D.2 Evaluation Committee

Each submission shall be evaluated in accordance with this **Section D** by an Evaluation Committee. The Evaluation Committee shall prepare a written report summarizing its findings and submit the same to the source selection official. Based on the information submitted by the Offerors in response to this RFP and the report prepared by the Evaluation Committee, the source selection official shall select the Offeror(s) whose submissions are determined by the source selection official to be the most advantageous to the Department.

D.3 Oral Presentation

The Department does not intend to interview Offerors; however, the Department reserves the right to interview Offerors in the competitive range if necessary. If the Department conducts such interviews, each Offeror within the competitive range shall make an oral presentation to the Department's Evaluation Committee, and participate in a question and answer session. The purpose of the oral presentation and the question and answer session is to permit the Evaluation Committee to fully understand and assess the qualifications of each Offeror and the Offeror's key personnel. The submission will be re-scored at the conclusion of the oral presentation.

D.3.1 Length of Oral Presentation

Each Offeror will be given up to 60 minutes to make the presentation. At the end of the initial presentation, there will be a break for approximately 45 minutes for the Evaluation Committee to assess the presentation and prepare questions. The Offeror will then respond to questions from the Department's Evaluation Committee for no more than 90 minutes.

D.3.2 Schedule

The order of presentation will be selected randomly and the Offerors will be informed of their presentation date before the beginning of oral presentations. The Department reserves the right to reschedule any Offeror's presentation at the discretion of the contracting officer.

D.3.3 Offeror Attendees

The oral presentation will be made by the Offeror's personnel who will be assigned the key jobs for this project. Each Offeror will be limited to 7 persons. The job functions of the persons attending the presentation will be considered to be an indication of the Offeror's assessment of

the key areas of responsibility that are deemed essential to the successful completion of the project.

D.3.4 Topics

The Offeror may present information about its capabilities and special qualifications to serve as a contractor for this Project, including the qualifications of key personnel.

D.4 Proposal Evaluation

Each proposal will be scored on a scale of 1 to 100 points. In addition, Offerors will be eligible to receive up to 12 preference points as described in **Section C.1** of this RFP for participation by Local, Small or Disadvantaged Business Enterprises. Thus, the maximum number of points possible is 112. The contract will be awarded to the contactor with the highest evaluated score.

D.4.1 Experience & References (40 points)

The Office desires to engage a contractor with the experience necessary to realize the objectives set forth in **Section A** of this RFP. Offerors will be evaluated based on their demonstrated experience in (i) completing tenant-fit out type construction work; (ii) repairing and/or modernizing municipal facilities; (iii) working in an urban environment; (iv) knowledge of, and access to, the local subcontracting market; and (v) knowledge of the local regulatory agencies and Code Officials. If the Offeror is a team or joint venture of multiple companies, the Evaluation Panel will consider the experience of each member of the team or joint venture in light of their role in the proposed team or joint venture.
In addition, the Contractor shall provide detailed descriptions of no more than five (5) projects that best illustrate the team's experience and capabilities relevant to this project as described in Section E.4.3 of this RFP. This element of the evaluation will be worth up to forty (40) points.

D.4.2 Key Personnel (30 points)

The Offeror shall include within its proposal resumes of key personnel that will be assigned to this Project. At a minimum, this should include the Project Executive, the Project Manager(s) who will supervise the work, and Field Superintendents who will oversee the work in the field. The removal of Key Personnel will require the prior written approval of the DGS. This element of the evaluation will be worth up to thirty (30) points.

D.4.3 Project Management Plan (30 Points)

Offerors are required to submit a Project Management Plan. The Project Management Plan should clearly explain how the contractor intends to manage and implement the Project. It should demonstrate a knowledge of the process and impediments that must be overcome and ensure that sufficient staffing will be provided. At a minimum, the plan should: (i) identify the

key personnel and their specific roles in managing the Project; (ii) identify how the Offeror will perform the site walk-throughs and develop cost estimates; (iii) identify how the Offeror will implement the tenant-fit out type work; and (iv) describe the key challenges inherent in these types of Projects and explain how the they will be overcome or mitigated. This element of the evaluation is worth up to thirty (30) points.

SECTION E PROPOSAL ORGANIZATION AND SUBMISSION

This section outlines specific information necessary for the proper organization and manner in which Offerors' Proposals should be proffered. References are made to other sections in this RFP for further explanation.

E.1 Submission Identification

Submissions shall be proffered in an original and five (5) copies. The Offeror's submission shall be placed in a sealed envelope conspicuously marked: "FY14 IDIQ General Construction Projects".

E.2 Delivery or Mailing of Submissions

Submissions should be delivered or mailed to:

DC Department of General Services
Attn: JW Lanum
Frank D. Reeves Center
2000 14th Street, NW, 8th Floor
Washington, DC 20009

E.3 Date and Time for Receiving Submissions

Submissions shall be received no later than 2:00 pm EDT, on August 5, 2014. The Offeror assumes the sole responsibility for timely delivery of its Submission, regardless of the method of delivery.

E.4 Submission Size, Organization and Offeror Qualifications

All submissions shall be submitted on 8-1/2" x 11" bond paper and typewritten. Telephonic, telegraphic, and facsimile submissions shall not be accepted. The Department is interested in a qualitative approach to presentation material. Brief, clear and concise material is more desirable than quantity. The submission shall be organized as follows:

E.4.1 Executive Summary

Each Offer should provide a summary of no more than three pages of the information contained in the following sections.

E.4.2 General Team Information and Firm(s) Data

Each Offeror should provide the following information for the Contractor and each of its subconsultants.

Name(s), address(es), and role(s) of each firm (including all sub-consultants)

Firm profile(s), including:

i. Age

ii. Firm history(ies)

iii. Firm size(s)

iv. Areas of specialty/concentration

v. Current firm workload(s) projected over the next year

vi. Provide a list of all contracts held by the Offeror where the contract was terminated (either for default or convenience). This list should also identify any contracts that resulted in litigation or arbitration between the Owner and the Offeror. If the Offeror has multiple offices, only contracts held by the office submitting this proposal need be listed.

vii. Identification of the single point of contact for the Contractor.

viii. Organizational chart illustrating the Offeror's organizational structure and reporting lines. The organizational chart shall include and names and titles for key personnel and other participants proposed

E.4.3 Experience and References

Offerors will be evaluated based on their demonstrated experience in (i) completing tenant-fit out type construction work; (ii) repairing and/or modernizing municipal facilities; (iii) working in an urban environment; (iv) knowledge of, and access to, the local subcontracting market; and (v) knowledge of the local regulatory agencies and Code Officials. If the Offeror is a team or joint venture of multiple companies, the Evaluation Panel will consider the experience of each member of the team or joint venture in light of their role in the proposed team or joint venture.

In addition, the Offeror shall provide detailed descriptions of no more than five (5) projects that best illustrate the team's experience and capabilities relevant to this project. On each project description, please provide all of the following information in consistent order:

i. Project name and location

ii. Name, address, contact person and telephone number for owner reference

iii. Brief project description including project cost, square footage, firm's scope of work, and key firm strengths exhibited

iv. Identification of personnel involved in the selected project who are proposed to work on this project

vi. Project process and schedule data including construction delivery method, and construction completion date (any unusual events or occurrences that affected the schedule should be explained)

vii. Construction cost data including pre-construction budget, and actual construction cost (if actual construction cost exceeds original, please explain why)

E.4.4 Key Personnel

The Offeror shall respond to Section D.4.2 including at a minimum the resumes for each key personnel on the team, including definition of that person's role and relevant project experience. The Offeror shall also provide a discussion of the key team members' experience working together.

E.4.5 Project Management Plan

Each Offeror should submit a Project Management Plan that addresses the issues set forth in Section D.4.3 of this RFP.

E.4.6 Tax Affidavit

Each Offeror must submit a tax affidavit substantially in the form of **Attachment C**. In order to be eligible for this procurement, Offerors must be in full compliance with their tax obligations to the District of Columbia government.

E.4.7 Disclosure Form

Each Offeror shall submit a Disclosure Statement substantially in the form of **Attachment B**.

SECTION F BIDDING PROCEDURES & PROTESTS

F.1 Contact Person

For information regarding this RFP please contact:

Danyel Riley
Contract Specialist
Contracts & Procurement Division
2000 14th Street NW - 8th Floor
Washington, DC 20009
(202) 741-0941
danyel.riley@dc.gov

Any written questions or inquiries should be sent to Danyel Riley at the address above.

F.2 Preproposal Conference

A preproposal conference will be held on July 21, 2014 at 10:30 a.m. The conference will be held at the Frank D. Reeves Center, 6th Floor Community Room, 2000 14th Street, NW, Washington, DC 20009. Interested Offerors are strongly encouraged to attend.

F.3 Explanations to Prospective Offerors

Each Offeror should carefully examine this Request for Proposals and any and all amendments, addenda or other revisions, and thoroughly familiarize itself with all requirements prior to proffering a submission. Should an Offeror find discrepancies or ambiguities in, or omissions from, the RFP and amendments, addenda or revisions, or otherwise desire an explanation or interpretation of the RFP, any amendments, addenda, or revisions, it must submit a request for interpretation or correction in writing. Any information given to an Offeror concerning the solicitation shall be furnished promptly to all other Offerors as an amendment or addendum to this RFP if in the sole discretion of the Department that information is necessary in proffering submissions or if the lack of it would be prejudicial to any other prospective Offerors. Oral explanations or instructions given before the award of the contract shall not be binding.

Requests should be directed to Danyel Riley, Contract Specialist, via email at danyel.riley@dc.gov no later than the 2:00 p.m. on July 23, 2014. The person making the request shall be responsible for prompt delivery.

F.4 Protests

Protests shall be governed by Section 4734 of the Department's Procurement Regulations (27 DCMR § 4734). Protests alleging defects in this solicitation must be filed prior to the time set for receipt of submissions. If an alleged defect does not exist in this initial RFP, but was incorporated into the RFP by an amendment or addendum, a protest based on that defect must be filed before the next closing time established for proffering submissions. In all other cases, a protester shall file the protest within ten (10) days after the protester knows or should have known, whichever is earlier, of the facts and circumstances upon which the protest is based. All protests must be made in writing to the Department's Chief Contracting Officer ("CCO") and must be filed in duplicate. Protests shall be served on the Department by obtaining written and dated acknowledgment of receipt from the Department's CCO. Protests received by the Department after the indicated period shall not be considered. To expedite handling of protests, the envelope shall be labeled "Protest".

This section is intended to summarize the bid protest procedures and is for the convenience of the Offerors only. To the extent any provision of this section is inconsistent with the Procurement Regulations, the more stringent provisions shall prevail.

F.5 Contract Award

This procurement is being conducted in accordance with the provisions of Section 4712 of the Department's Procurement Regulations (27 DCMR § 4712).

F.6 Retention of Submissions

All submissions shall be retained by the Department and therefore shall not be returned to the Offerors. With the exception of proprietary financial information, the submissions shall become the property of the Department and the Department shall the right to distribute or use such information as it determines.

F.7 Examination of Submissions

Offerors are expected to examine the requirements of all instructions (including all amendments, addenda, attachments and exhibits) in this RFP. Failure to do so shall be at the sole risk of the Offeror and may result in disqualification.

F.8 Late Submissions: Modifications

A. Any submission or best and final offer received at the office designated in this RFP after the exact time specified for receipt shall not be considered.

B. Any modification of a submission, including a modification resulting from the CCO's requests for best and final offers, is subject to the same conditions as in F.8.A stated above.

C. The only acceptable evidence to establish the time of receipt at the Department's office is the time-date stamp of such installation on the submission wrapper or other documentary evidence of receipt maintained by the installation.

D. Notwithstanding any other provisions of this Request for Proposals to the contrary, a late modification of an otherwise successful submission which makes its terms more favorable to the Department may be considered at any time it is received and may be accepted.

E. Submissions shall be irrevocable and remain in full force and effect for a period not less than 120 days after receipt of submissions.

F.9 No Compensation for Preparation of Submissions

The Department shall not bear or assume any financial obligations or liabilities regarding the preparation of any submissions submitted in response to this RFP, or prepared in connection therewith, including, but without limitation, any submissions, statements, reports, data, information, materials or other documents or items.

F.10 Rejection of Submissions

The Department reserves the right, in its sole discretion:

A. To cancel this solicitation or reject all submissions.

B. To reject submissions that fail to prove the Offeror's responsibility.

C. To reject submissions that contain conditions and/or contingencies that in the Department's sole judgment, make the submission indefinite, incomplete, otherwise non-responsive, or otherwise unacceptable for award.

D. To waive minor irregularities in any submission provided such waiver does not result in an unfair advantage to any Offeror.

E. To take any other action within the applicable Procurement Regulations or law.

F. To reject the submission of any Offeror that has submitted a false or misleading statement, affidavit or certification in connection with such submission or this Request for Proposals.

F.11 Limitation of Authority

Only a person with prior written authority from the CCO shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clauses or conditions of the contract. Furthermore, any alteration, amendment, modification, or waiver of any clause or condition of this RFP is not effective or binding unless made in writing and signed by the CCO or its authorized representative.

SECTION G INSURANCE REQUIREMENTS

G.1 Required Insurance

The contractor will be required to maintain the following types of insurance throughout the life of the contract.

G.1.1 Commercial general public liability insurance ("Liability Insurance") against liability for bodily injury and death and property damage, such Liability Insurance to be in an amount not less than One Million Dollars ($1,000,000) for liability for bodily injury, death and property damage arising from any one occurrence and Five Million Dollars ($1,000,000) from the aggregate of all occurrences within each policy year. The policy should include completed operations coverage. The Contractor will be required to maintain this coverage in force for a period of at least two years after substantial completion.

G.1.2 Workers' compensation and Employers Liability coverage providing statutory benefits for all persons employed by the contractor, or its contractors and subcontractors at or in connection with the Work.

G.1.3 Automobile Liability, including Hired and Non-Owned Auto Liability in the amount of at least One Million Dollars ($1,000,000) for each occurrence for bodily injury and property damage.

G.1.4 With respect to the design team, errors and omissions coverage written on a claims made basis and having an aggregate policy limit of at least Two Million Dollars ($2,000,000).

G.1.5 Builder's risk insurance written on an "all risk" basis and covering the value of the improvements being constructed. This coverage does not need to be maintained until such time as construction operations begin.

G.2 Additional Insureds

Each insurance policy shall be issued in the name of the contractor and shall name as additional insured parties the Department and the District of Columbia, and shall not be cancelable or reduced without thirty (30) days prior written notice to the Department.

G.3 Waiver of Subrogation

All such insurance shall contain a waiver of subrogation against the Department and the District of Columbia, and their respective agents.

G.4 Strength of Insurer

All insurance shall be placed with insurers that are reasonably acceptable to the Department and with an A.M. Best's rating of not less than A- (Excellent) and a surplus size of not less than XV. All such insurers shall be licensed/approved to do business in the District of Columbia.

SECTION H - BONDS

H.1 Contractor's Payment and Performance Bond

The Contractor shall provide both a payment bond and a performance bond each in an amount equal to 100% of the price for all projects with a value of $100,000 or more. The bonds shall be provided prior to the time the Task Order is fully executed and prior to performing work under each Task Order. All such bonds shall be issued by bonding companies licensed to conduct business in the District of Columbia and included on the Department of Treasury's Listing of Approved Sureties.

H.2 Subcontractor's Payment and Performance Bond

The Subcontractor shall provide both a payment bond and a performance bond each in an amount equal to 100% of the subcontract amount for all projects with a value of $100,000 or more. The bonds shall be provided prior to performing any work on the contract. All bonding companies must be licensed to conduct business in the District of Columbia and be included on the Department of Treasury's Listing of Approved Sureties website.