February 7, 2022
Facilities

Request for Proposal for Mechanical Engineering Services
Lake Superior College - Boiler Replacement

MINNESOTA STATE
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I. General Information

Background

With 30 community and technical colleges and seven state universities, Minnesota State is the largest provider of higher education in the state of Minnesota. Minnesota State’s 54 campuses, conveniently located in 47 Minnesota communities, serving 350,000+ students. Fifty-eight percent of the state’s undergraduate students attend a Minnesota State college or university. It is the third-largest system of higher education in the country. For more information about Minnesota State Colleges and Universities, please view its website at https://www.minnstate.edu/

Lake Superior College (LSC) serves the community and supports the economy of Northeast Minnesota and beyond by providing high-value accessible higher education and advanced training in a supportive environment.

LSC values:
- lifelong learning
- equity and diversity
- innovation and initiative
- trust and respect
- academic freedom and free inquiry
- integrity and stewardship
- collaboration
- community

Purpose of this Request for Proposal

The Minnesota State Board of Trustees, on behalf of Lake Superior College hereafter referred to as the “Owner”, is soliciting proposals from interested, qualified consultants, and intends to retain a professional consulting firm to provide Architectural/Engineering services, hereafter referred to as the “A/E”, to assist with the design and/or construction coordination of the described facilities improvement(s), hereafter referred to as the “Project”. This RFP is undertaken by Lake Superior College pursuant to the authority contained in provisions of Minnesota Statutes § 136F.581 and other applicable laws.

The purpose of this Request for Proposal (RFP) is to evaluate and select an A/E to assist the Owner in the performance of its obligations and enforcement of its rights during the design and/or construction of the LSC-21 Boiler Replacement located at Lake Superior College, 2101 Trinity Road, Duluth, Minnesota, 55811.
The A/E shall work with the Owner’s appointed Project Manager, the Owner’s System Office Program Manager, the Owner’s Project Representative, related consultants and the construction contractor(s) to administer the design and/or construction contract(s) on behalf of the Owner to assure that the Project is designed and constructed in accordance with the Minnesota State Design Standards and the Contract Documents and that the Project is completed on schedule, on budget and to a level of quality commensurate with the Owner’s requirements.

**Project Information**

**Project Scope and Team**

This project expedites the replacement of two existing 150 hp boilers original to the 1966 building. Additionally, the project will explore replacing two existing, aluminum 50 hp boilers (input capacity of 3,000,000 BTU/hr each) installed in 2014.

The project will be constructed in a single phase. The Owner intends to use the Design/Bid/Build delivery method for this project.

**Project Budget and Fees**

The estimated cost of construction is $1,625,000 assuming the replacement of all four existing boilers.

The design fee for all Basic and Supplemental Services are estimated to range from 9.0 - 12.0%. Final total fees will be negotiated with the selected Design Team.

The estimated total Project cost is $1,839,600. This cost includes: all professional consultants, Architect/Engineer and Owner’s Representative fees, site investigations and surveys, hazardous materials removals design, construction cost, project management and fees, construction inspection and testing, furniture, fixtures and equipment, contingencies, art and inflation factors. This project is fully funded by Higher Education Asset Preservation and Replacement (HEAPR).

Final contract amount will be negotiated with the selected A/E. The rates provided by the A/E in response to this RFP may be used by the Owner to add or deduct services to modify the contract as necessary.

**Proposed Schedule**

The campus desires new boilers to be installed as quickly as possible to ensure continuity of operations. Responders to this RFP are encouraged to propose an expedited design timeline. Final schedule to be negotiated with the selected firm.
Selection Process

The selection committee includes people from Lake Superior College Facilities and Finance division and the system office program manager. This group will evaluate the proposals and make the final decision.

Selection and Implementation Timeline

<table>
<thead>
<tr>
<th>EVENT</th>
<th>DAY</th>
<th>DATE</th>
<th>TIME</th>
</tr>
</thead>
<tbody>
<tr>
<td>RFP advertisement</td>
<td>Monday</td>
<td>February 7, 2022</td>
<td></td>
</tr>
<tr>
<td>Information Meeting</td>
<td>Thursday</td>
<td>February 10, 2022</td>
<td>11:00 am</td>
</tr>
<tr>
<td>RFP Questions due</td>
<td>Tuesday</td>
<td>February 15, 2022</td>
<td>2:00 pm</td>
</tr>
<tr>
<td>Last Addendum posted</td>
<td>Wednesday</td>
<td>February 16, 2022</td>
<td>5:00 pm</td>
</tr>
<tr>
<td>Deadline for RFP</td>
<td>Tuesday</td>
<td>February 22, 2022</td>
<td>2:00 pm</td>
</tr>
<tr>
<td>Planned selection</td>
<td>Friday</td>
<td>February 25, 2022</td>
<td></td>
</tr>
<tr>
<td>Planned contract execution</td>
<td>Friday</td>
<td>March 4, 2022</td>
<td></td>
</tr>
</tbody>
</table>

An interview or request for clarification may occur during the week of February 28, 2022 if requested by the campus. If the Owner and the vendor are unable to negotiate and sign a contract by March 11, 2022, then the Owner reserves the right to seek an alternative vendor.

Informational Project Meeting

Minnesota State will hold a VOLUNTARY, informational meeting on February 10, 2022 at 11:00 am at S- Building, Classroom S-165 on the main campus located at 2101 Trinity Road, Duluth, Minnesota, 55811. It is recommended all potential or interested responders attend the conference.

The informational meeting will be held virtually via the Zoom link provided:
Meeting URL: https://minnstate.zoom.us/j/98277654350
Meeting ID: 982 7765 4350

Questions Regarding This Project

Lake Superior's agent for purposes of responding to inquiries about the RFP is:

- Name: Mark Cardinal
- Title: Director of Facilities
- E-mail address: mark.cardinal@lsc.edu

Other persons are not authorized to discuss RFP requirements before the proposal submission deadline and Lake Superior College shall not be bound by and responders may not rely on information regarding RFP requirements obtained from non-authorized persons. Questions must include the name of the questioner and his/her telephone number and/or e-mail address. Anonymous inquiries will not be answered. If appropriate, a change responding to questions or clarifications may be issued by Lake Superior College in the form of addenda to the RFP. All addenda will be posted on QuestCDN.
**Contract**

The successful Respondent will be required to meet all the terms and conditions and execute the most current Minnesota State AIA Document B101 – 2017, Standard form of Agreement between Owner and Architect as amended by Minnesota State Colleges and Universities and its accompanying Project Attachment, and AIA Document A201-2017, General Conditions of the Contract for Construction.


Questions or concerns about the contract should be raised during the RFP stage when all Respondents can see the clarification.

**Parties to the Contract**

Parties to this contract will be the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities on behalf of Lake Superior College and the successful vendor.

**Duration of Offer**

All proposal responses must indicate they are valid for a minimum of thirty (30) calendar days from the date of the proposal opening unless extended by mutual written agreement between Lake Superior College and the CONSULTANT. Prices and terms of the proposal as stated must be valid for the length of the resulting Purchase Order.
II. Vendor Requirements

Required Consultant Team

- Mechanical Engineer, licensed in Minnesota – as project lead to include the integration of the campus energy management system
- Electrical Engineer, licensed in Minnesota
- Cost Estimating – may be in-house
- Energy Modeler – for supplemental service

Services Provided by Others

The Owner may contract directly for, or arrange to provide:

- Commissioning Agent – Energy Efficiency, LLC. Currently under contract to perform recommissioning services for the entire campus, including performing an ASHRAE level II Energy Audit.
- Owner’s Representative - Pegasus
- Hazardous materials survey, design and abatement, as needed
- Construction testing and inspections

Scope of Services

Basic Services

Some highlights are as follows:

A. General:

- Examine the project’s existing documents and balance the program needs for this project with the budget.
- Evaluate existing buildings’ structural, mechanical and electrical systems to determine capabilities and design capacities to inform alternative design possibilities.
- Assist the campus in evaluating design and construction options that minimize the disruption of the academic schedule. Clearly communicate design and cost ramifications of the schedule’s impact to allow the campus a complete understanding of the design and schedule decisions.
- Design equipment to support healthy, vibrant, and flexible delivery of program services to stakeholders.
- Investigate life cycle costs during the design process. Life cycle cost considerations include but are not limited to: energy efficiency; sustainability; and the maintainability of design, materials, and equipment.
- Meet schedule deadlines, provide accurate cost estimating, and design buildings for ease of constructability. Quality control and complete, accurate and fully
coordinated Contract Documents are an important element of the selected Design Team's services.

- All drawings and specifications shall conform to Minnesota State Colleges and Universities Facilities Design Standards and adhere to all applicable building, life safety, and energy codes.
- The successful vendor shall utilize the Owner's web-based enterprise project management system (EPMS), called e-Builder. This software includes real-time Internet visibility of the Project status, coordination, reporting, and a central location for all Project information. The functionality of this software may include, but is not limited to the processing of: Plan Reviews, contracts, Purchase Orders, Change Orders, Invoices, Applications for Payment, and Requests for Information, Submittals and document management related to the Project. Minnesota State will provide and manage a log-in license for the vendor's designated Project representative(s) at no cost to the vendor. Minnesota State will provide initial software training to the vendor's designated Project representative(s) at no cost to the vendor. Except for licenses and initial training, Minnesota State assumes no responsibility for any real or potential costs associated with the use of this software by the vendor.

B. **Design**: Develop and refine the design to meet Owner’s stated goals and budgeted cost of the work. The selected design team will have all documents and files from the pre-design for their use.
   - Develop design deliverables by phase as described in the Facilities Design Standards located at: [http://www.minnstate.edu/system/finance/facilities/design-construction/resources.html](http://www.minnstate.edu/system/finance/facilities/design-construction/resources.html).
   - Participate in Design Technical review at the system office (if required) after Schematic Design and prior to proceeding with Design Development.

C. **Construction Documents**: Prepare drawings and specifications per the Minnesota State Facilities Design Standards, the Minnesota State Reroofing Design Standards Manual, and the Minnesota State Exterior Masonry Design Standards Manual as minimums, all as applicable.
   - Include Division 0 documents from the Minnesota State Facilities Web site, prevailing wage rates for the county where the work is to be performed from the Department of Labor and Industry web site, and specification sections using CSI format sections as applicable to the specific Project.
   - Provide technical specifications for each division and section that applies to the project. Include a separate title page with signature block for approval, table of contents, drawing schedule, and division 0 documents.
   - Show existing equipment being relocated or reused on drawings. Design new equipment.
   - All drawings and specifications necessary to convey the exact scope of the work and the full intent of the design.

D. **Bid & Award**: Coordinate bid dates and times with the campus personnel where the
project is located. The campus will advertise the project following Minnesota State’s On-Line Bidding procedures via QuestCDN.

- Prepare project documents, upload to e-Builder. Review document DIV00.0001 Instructions for Division 00 Documents Advertised Bids on the Minnesota State eManual for detailed instructions on the format needed for bidding.
  - Attend Pre-bid meeting and provide meeting notes.
  - Prepare addenda for the Owner to post as applicable.
  - Provide award recommendations to the Owner.
  - Provide a conformed set of documents to the Owner prior to the pre-construction meeting.

E. **Construction Administration**: Pre-construction, Construction (progress), and Pre-Installation Meetings.

- Attend and document progress meetings. Verify all required permits are obtained by the Contractor. Review and approve submittals, review and approve Contractor’s Applications for Payment, initiate construction change directives and change orders, coordinate with campus personnel and campus schedules
  - Verify construction conformance with the Contract Documents.
  - Coordinate sub-consultant inspections and testing, if applicable.

F. **Project Closeout**: Conduct inspection(s) for Substantial Completion(s), provide Certificate(s) of Substantial Completion, and written punch list(s). Coordinate and document receipt of warranties, operation and maintenance manuals. Provide record documents as required by the contract. Coordinate Project Final Closeout(s) including verify completion of punch list(s) and final Application for Payment submittal and e-Builder-related processes.

**Supplemental Services**

Supplemental services are not included in Basic Services but may be necessary to support the project. The A/E shall provide Supplemental services listed below:

- Prepare a HEAPR Predesign of *minimal scope* generally based on the requirements found in the Predesign guidelines documenting the design alternatives considered, final scope with rationale, cost, and schedule.
- Energy Use Analysis supported by Energy Modeling – analysis will aid in right-sizing the new equipment based on historical and current energy use.
III. Response Contents and Evaluation

Scoring Criteria

Criteria described below, based upon the point scale, will be used to evaluate Respondents’ proposal. The evaluation may include requests for additional information, and will focus on the specifics of the Respondent’s response to the RFP and approach. The response to the RFP will be evaluated by the following criteria:

Pass/Fail Requirements

Responder’s proposal must be submitted on time.

Company Profile – 5 points

The Respondent will submit a company profile. Factors favorable to a Respondent will be stability of the Respondent’s business and greater length of experience that would contribute to the Respondent’s performance on this project. Describe problem-solving successes on a) service and support generally, b) service and support as reflected by quality control, and c) service and support as reflected by use of information technology. Factors favorable to a Respondent are:

- Ability to demonstrate a service and support approach that serves the interests of the Owner on this project.
- A detailed and wide-ranging quality assurance plan for all elements of work the Respondent would perform on this project.
- Sophisticated and state-of-the-art information technology in its performance of its project duties.

Project Team - 20 points

The Respondent will list the members of its team that will be assigned to the project and their planned responsibilities. The Respondent will attach summary resumes of all team members, stating the years of each with the company, as well as qualifications and special expertise, including specific experience with projects similar to the one that is the subject of this RFP. Highlight individual experience if performed under a previous firm. Factors favorable to a Respondent are the assignment of experienced and highly qualified team members with substantial expertise on similar projects. For each Team personnel member, provide:

- Name and position in firm, include name of firm.
- Home base (if in a multi-office firm).
- Responsibility on this project.
- Years of experience.
- Relevant recent experience (note if experience is with another firm).
- Registration – List Minnesota Registration numbers for all licensed professionals.
Provide a brief statement of the Team’s past or present working relationships with sub-consultants. Explain how each separate design sub-consultant will be utilized (e.g. major role during portions of the design, not participating during construction, etc.). Matrix or chart is suggested.

Relevant Team Experience - 20 points

The Respondent will provide a brief summary of experience with projects of similar nature and scope to the project, specifically stating project description, scale and complexity, and geographic location of each. The summary should include the following:

A. Projects at Minnesota State, 2012 to present.
B. The members of your proposed team for the present project that worked on the previous project and in what capacity.
C. Non-Minnesota State projects completed 2012 to present. The Respondent shall provide as to these projects the name of the Owner and the name of an Owner’s contact person with phone number and email address.

The Owner reserves the right to independently confirm the information provided. The Owner reserves the right to refer to its own references at any time during the RFP process.

Project Approach - 35 points

The Respondent should describe its understanding of the project and its approach and methodology. Describe the anticipated difficulties or challenges in providing services to the Owner on this project, how it expects to manage those difficulties or challenges, and what assistance it requires from the Owner for such management.

The Respondent must propose a project schedule and work plan that will ensure continuity of operations and that installs the new boilers at the earliest feasible opportunity.

Additionally, the Respondent should describe any special services, product characteristics, or generally other benefit or advantage to the Owner in selecting the Respondent for the project.

Fee - 20 points

Provide a lump sum fee for all basic and supplemental services. Also, list for each of the phases of the project work, the team members by name providing services, their estimated hours and hourly rate. Reimbursement for travel and subsistence expenses actually and necessarily incurred by the Respondent in performance of this contract shall be included within the Respondent’s lump sum fee. The rates listed on the RFP may be used by the Owner to add or deduct services to modify the RFP response or subsequent contract on a per hour or per service basis.

The evaluation for cost of services (excluding reimbursables) will award points according to the lowest fee proposal. The lowest fee proposal will receive the maximum points. Points will be awarded to each of the other proposals by dividing the lowest proposal by each of the other proposal costs. The answer will always be less than 1. Take the answer of the division and
multiply by the maximum points. The answer will be the number of points (rounded to the nearest whole number) assigned to the total cost for this Respondent.

**Small Business Preference - 6 points (extra)**

In accordance with M.S. 16C.16, the basis of award is that eligible certified targeted group (T.G.), economically disadvantaged (E.D.), and Veteran Owned small businesses will receive a six percent (6%) preference. Preferences are not cumulative; the total percentage of preference granted on a contract may not exceed the highest percentage of preference allowed for that contract.

Eligible, verified, small businesses currently listed in the Directory of Certified Targeted Group, Economically Disadvantaged and Veteran-Owned Vendors will be eligible for the preference. This directory is located at [http://www.mmd.admin.state.mn.us/mn02001.htm](http://www.mmd.admin.state.mn.us/mn02001.htm). Attach a copy of your firm’s letter indicating certification by the Office of Equity in Procurement, if applicable.

Responders interested in becoming a certified vendor or to verify their T.G. eligibility and certification or E.D. certification, should refer to the state of Minnesota, Department of Administration, Office of Equity in Procurement Division website at [https://mn.gov/admin/business/vendor-info/oep/sbcp/](https://mn.gov/admin/business/vendor-info/oep/sbcp/), or call the division’s help line at (651) 296-2402.
IV. Additional RFP Response & Contract Requirements

Requirements

Rights Reserved

Notwithstanding anything to the contrary, the Minnesota State Colleges and Universities, or Lake Superior College reserves the right to:

1. Cancel the Request for Qualifications at any time with no cost or penalty to the State.
2. Reject any and all responses received in response to this RFP;
3. Disqualify any Responder whose submittal fails to conform to the requirements of the RFP;
4. Duplicate all materials submitted for purposes of RFP evaluation, and duplicate all public information in response to data requests regarding the RFP;
5. Select for contract or for negotiations a Proposal other than that with the lowest cost or the highest evaluation score;
6. Negotiate as to any aspect of the Proposal with the selected Responder;
7. Extend the contract, not to exceed a total contract term of five (5) years;
8. Change any provisions in this RFQ by posting Addenda on Minnesota State website; and
9. Waive any non-material deviations from the requirements and procedures of this RFP and waive informalities contained in the RFP.

All costs incurred in responding to this RFP will be borne by the Responder. This RFP does not obligate the Owner to award a contract or complete the project, and the Owner reserves the right to cancel the solicitation if it is considered to be in its best interest.

Insurance Requirements

By submission of a proposal, Responder certifies that it is in compliance with all insurance requirements specified in Article 2.5 of the AIA Document B101-2017 (ST.30) example contract, linked to this RFP. The selected vendor will be required to maintain and furnish satisfactory evidence of insurance for the duration of the contract. A sample insurance certificate (CC.20) can be found on Minnesota State - eManual Version 2.0 for Vendors.

Notice to Vendors and Contractors

As a condition of this contract, the A/E is required by Minn. Stat. §270C.65 to provide a social security number, a federal tax identification number or Minnesota tax identification number. This information may be used in the enforcement of federal and state tax laws. These numbers will be available to federal and state tax authorities and state personnel involved in approving the contract and the payment of state obligations. Supplying these numbers could result in action to require the A/E to file state tax returns and pay delinquent state tax liabilities. This contract will not be approved unless these numbers are provided.

If you are an independent contractor, Minn. Stat. §256.998 requires the state to report your name, address and social security number to the New Hire Reporting Center of the Minnesota
Department of Human Services unless your contract is for less than two months in duration with gross earnings of less than $250.00 per month. This information may be used by state or local child support enforcement authorities in the enforcement of state and federal child support laws.

**Attachment 1: Affidavit of Non-Collusion**

All respondents shall complete Attachment A and submit with their response to this request for qualifications.

**Attachment 2: Workforce Certification**

For all contracts estimated to be in excess of $100,000, Responders are required to complete the State of Minnesota – Workforce Certificate Information page and return it with the response. As required by Minn. R. 5000.3600, “It is hereby agreed between the parties that Minn. Stat. §363A.36 and Minn. R.5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it”. A copy of Minn. Stat. § 363.36 and Minn. R.5000.3400 - 5000.3600 are available on the website [http://www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs).

**Attachment 3: Not used**

**Attachment 4: Preference Form**

In accordance with M.S. 16C.16, the basis of award is that eligible certified targeted group (T.G.) vendor and certified economically disadvantaged (E.D.) vendor will receive a six percent (6%) preference. Preference will only be allowed if the vendor is certified prior to the scheduled submittal date.

**Attachment 5: Veteran/Service Disabled Veteran-Owned Preference Form**

In accordance with Minnesota Statute §16C.16, subd. 6a, veteran-owned businesses with their principal place of business in Minnesota and verified as eligible by the United States Department of Veterans Affairs’ Center for Veteran Enterprises (CVE Verified) (prior to the solicitation opening date and time) will receive a preference in the evaluation of its proposal (consistent with RFP Section IV., Selection Criteria). Eligible veteran-owned small businesses include CVE verified, certified small businesses that are majority-owned and operated by veterans (pursuant to Minnesota Statute §16C.16, subd. 6a). Information regarding CVE verification may be found at [http://www.vip.vetbiz.gov](http://www.vip.vetbiz.gov).

Only eligible, CVE verified, veteran-owned small businesses that provide the required documentation per the form, will be given the preference.
Attachment 6: Architect/Engineer RFP Response Certification Form (ST.22)

The Respondent certifies that the RFP on-line response is accurate, the firm has adequate staff and will enter into the Work promptly, is familiar with and willing to sign the Minnesota State contract(s), the firm has no actual or apparent conflict of interest with the entities of this contract, and no facts or circumstances could give rise to an organizational conflict of interest.

State Audit

The books, records, documents and accounting practices and procedures of the vendor relevant to the contract(s) must be available for audit purposes to Minnesota State and the Legislative Auditor’s Office for six (6) years after the termination/expiration of the contract.

Minnesota Government Data Practices Act

The requirements of Minnesota Statutes § 13.05, subd. 11 apply to the contract. The vendor must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by Minnesota State, its schools and the System Office in accordance with the contract and as it applies to all data created, gathered, generated or acquired in accordance with the contract. All materials submitted in response to this RFP will become property of the State of Minnesota and will become public record after the evaluation process is completed. Pursuant to the statute, completion of the evaluation process occurs when Minnesota State has completed negotiating the contract with the selected vendor. If the vendor submits information in response to this RFP that it believes to be trade secret materials as defined by the Minnesota Government Data Practices Act, the vendor must:

- mark clearly all trade secret materials in its response at the time the response is submitted;
- include a statement with its response justifying the trade secret designation for each item;
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State of Minnesota, Minnesota State, its agents and employees, from any judgments or damages awarded against the State or Minnesota State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives Minnesota State award of a contract. In submitting a response to this RFP, the responder agrees this indemnification survives as long as the trade secret materials are in possession of Minnesota State.

Minnesota State will not consider the prices submitted by the Responder to be proprietary or trade secret materials.

Conflict of Interest

The A/E must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that it is contemplated in this Request for Proposal. The list should indicate the names of the entity, the relationship, and a discussion of the conflict.
Organizational Conflicts of Interest

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, a vendor is unable or potentially unable to render impartial assistance or advice, or the vendor’s objectivity in performing the contract work is or might be otherwise impaired, or the vendor has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the respective school’s chief financial officer or the System Office’s Business Manager that must include a description of the action which the vendor has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, the school or System Office may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the school or System Office may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor, and the terms “contract,” “contractor,” and “contracting officer” modified appropriately to preserve the rights of Minnesota State.

Physical and Data Security

The vendor is required to recognize that on the performance of the contract the vendor will become a holder of and have access to private data on individuals and nonpublic data as defined in the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13; and other applicable laws.

In performance of the contract, the vendor agrees it will comply with all applicable state, federal and local laws and regulations, including but not limited to the laws under Minnesota Statute Chapters 13 relating to confidentiality of information received as a result of the contract. The vendor agrees that it, its officers, employees and agents will be bound by the above confidentiality laws and that it will establish procedures for safeguarding the information.

The vendor agrees to notify its officers, employees and agents of the requirements of confidentiality and of the possible penalties imposed by violation of these laws. The vendor agrees that neither it, nor its officers, employees or agents will disclose or make public any information received by the vendor on behalf of Minnesota State and Lake Superior College.

The vendor shall recognize the sole and exclusive right of Minnesota State to control the use of this information. The vendor further agrees it shall make no use of any of the described information, for either internal or external purposes, other than that which is directly related to the performance of the contract.

The vendor agrees to indemnify and hold harmless the State of Minnesota, Minnesota State and Lake Superior College from any and all liabilities and claims resulting from the unauthorized
disclosure by the vendor, its officers, employees or agents of any information required to be held confidential under the provisions of the contract. The vendor must return all source data to the “Authorized Representative” to be identified in the contract.

**Definitions**

Wherever and whenever the following words or their pronouns occur in this RFP, they shall have the meaning given here:

**A/E:** Architect or Engineer licensed in the State of Minnesota.

**Minnesota State:** State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities on behalf of Lake Superior College.

**Minnesota State system office:** The central system office of Minnesota State Colleges and Universities located at Wells Fargo Place, 30 7th Street East, Suite 350, St. Paul, Minnesota.

**Owner:** The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Lake Superior College.

**Responder/Respondent:** A firm who may reply to this RFP.

**Vendor:** The firm selected by Minnesota State as the successful Responder responsible to execute the terms of a contract.
V. RFP Response

Submission

By submitting a response to the RFP for this project, your firm commits to the proposed schedule in the Project Approach and to dedicating the required staff for the duration of the project.

Format

The format shall be a maximum of 20 pages, not counting the cover, index, dividers, or required Attachments.

Responding

On-line submission will be received electronically through QuestCDN by 2:00 pm, local time, on Tuesday, February 22, 2022. Refer to ST.21 Architect/Engineer RFP On-Line Response Instructions for additional information.
Minnesota State is an affirmative action, equal opportunity employer and educator.
Thank you!
30 East 7th Street, Suite 350 | St. Paul, MN 55101-7804

MINNESOTA STATE

651-201-1800 | 888-667-2848
www.MinnState.edu

This document is available in alternative formats to individuals with disabilities. To request an alternate format, contact Human Resources at 651-201-1664. Individuals with hearing or speech disabilities may contact us via their preferred Telecommunications Relay Service.

Minnesota State is an affirmative action, equal opportunity employer and educator.
Affidavit of Noncollusion
State of Minnesota
Request for Proposals

Firm Name: ____________________________

Instructions: Please return your completed form as part of the Response submittal.

I swear (or affirm) under the penalty of perjury:

1. That I am the Responder (if the Responder is an individual), a partner in the company (if the Responder is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Responder is a corporation).

2. That the attached proposal submitted in response to the ____________ Request for Proposals has been arrived at by the Responder independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Responder of materials, supplies, equipment, or services described in the Request for Proposals, designed to limit fair and open competition.

3. That the contents of the proposal have not been communicated by the Responder or its employees or agents to any person not an employee or agent of the Responder and will not be communicated to any such persons prior to the official opening of the proposals.

4. That I am fully informed regarding the accuracy of the statements made in this affidavit.

Authorized Signature
Responder
Firms Name: ____________________________________________________________________________________

Print name of
Authorized Representative __________________________ Title: __________________________

Authorized Signature __________________________ Date __________________________

Notary Public
Subscribed and sworn to before me this:

_______ day of _____________________, ________

______________________________
Notary Public signature

______________________________
Commission Expires (mm/dd/yyyy)
ATTACHMENT 2

STATE OF MINNESOTA – WORKFORCE CERTIFICATE INFORMATION

Required by state law for ALL bids or proposals that could exceed $100,000

Complete this form and return it with your bid or proposal. The State of Minnesota is under no obligation to delay proceeding with a contract until a company becomes compliant with the Workforce Certification requirements in Minn. Stat. §363A.36.

BOX A – MINNESOTA COMPANIES that have employed more than 40 full-time employees within this state on any single working day during the previous 12 months, check one option below:

☐ Attached is our current Workforce Certificate issued by the Minnesota Department of Human Rights (MDHR).

☐ Attached is confirmation that MDHR received our application for a Minnesota Workforce Certificate on _______________ (date).

BOX B – NON-MINNESOTA COMPANIES that have employed more than 40 full-time employees on a single working day during the previous 12 months in the state where it has its primary place of business, check one option below:

☐ Attached is our current Workforce Certificate issued by MDHR.

☐ We certify we are in compliance with federal affirmative action requirements.

BOX C – EXEMPT COMPANIES that have not employed more than 40 full-time employees on a single working day in any state during the previous 12 months, check option below if applicable:

☐ We attest we are exempt. If our company is awarded a contract, upon request, we will submit to MDHR within 5 business days after the contract is fully signed, the names of our employees during the previous 12 months, the date of separation, if applicable, and the state in which the persons were employed. Send to compliance.MDHR@state.mn.us.

By signing this statement, you certify that the information provided is accurate and that you are authorized to sign on behalf of your company.

Name of Company: ____________________________ Date ____________________________

Authorized Signature: ______________________ Telephone number: ______________________

Printed Name and Title: __________________________ Email: ____________________________

For Assistance with this form, contact:

Minnesota Department of Human Rights, Compliance Services
Email: compliance.mdhr@state.mn.us TTY: 651-296-1283
STATE OF MINNESOTA
MINNESOTA STATE PREFERENCE FORM

In accordance with M.S. 16C.16, the basis of award is that eligible certified targeted group (T.G.) prime Bidders and certified economically disadvantaged (E.D.) prime Bidders will receive a six percent (6%) preference. Preference will only be allowed if the Bidder is certified prior to the scheduled bid opening. Both the targeted group (T.G.) preference and the economically disadvantaged (E.D.) preference are applied only to the first $2,000,000 of the bid. Preferences are not cumulative; the total percentage of preference granted on a contract may not exceed the highest percentage of preference allowed for that contract. Bidders interested in becoming a certified vendor or to verify their T.G. eligibility and certification or E.D. certification, should refer to the state of Minnesota, Department of Administration, Office of Equity in Procurement Division website at https://mn.gov/admin/business/vendor-info/oep/sbcp/, or call the division’s help line at (651) 296-2600. The Bidder shall designate their company’s status in below.

ARE YOU A CERTIFIED, TARGETED GROUP PRIME CONTRACT BIDDER?
___Yes ___No

ARE YOU A CERTIFIED, ECONOMICALLY DISADVANTAGED PRIME CONTRACTOR?
___Yes ___No

Statutory requirements and appropriate documentation must be met by the solicitation response due date and time to be awarded the targeted group or economically disadvantaged preference.

Claim the Preference

By signing below I confirm that:

My company is claiming targeted group or economically disadvantaged preference afforded by Minn. Stat. § 16C.16. By making this claim, I verify that:

• The business has been certified by the Office of Equity in Procurement as being a targeted group (T.G.) or an economically disadvantaged (E.D.) business.

Name of Company: __________________________ Date: __________________________

Authorized Signature: __________________________ Telephone: __________________________

Printed Name: __________________________ Title: __________________________

Attach a copy of your firm’s letter indicating certification by the Office of Equity in Procurement and sign and return this form with your solicitation response to claim the TG/ED preference.
STATE OF MINNESOTA
STATE OF MINNESOTA
VETERAN-OWNED PREFERENCE FORM

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. §16C.16, subd. 6a, the state will award a 6% preference on state procurement to certified small businesses that are majority owned and operated by veterans.

Veteran-Owned Preference Requirements - See Minn. Stat. § 16C.19(d):

1) The business has been certified by the Office of Equity in Procurement as being a veteran-owned or service-disabled veteran-owned small business.

or

2) The principal place of business is in Minnesota AND the United States Department of Veterans Affairs verifies the business as being a veteran-owned or service-disabled veteran-owned small business under Public Law 109-461 and Code of Federal Regulations, title 38, part 74 (Supported By Documentation).

ARE YOU A CERTIFIED, VETERAN OWNED OR DISABLED VETERAN OWNED SMALL BUSINESS PER EITHER REQUIREMENT ABOVE?  
___Yes ___No

Name of Company: ______________________________  
Authorized Signature: _____________________________

Statutory requirements and appropriate documentation must be met by the solicitation response due date and time to be awarded the veteran-owned preference.

Claim the Preference
By signing below I confirm that:

My company is claiming the veteran-owned preference afforded by Minn. Stat. § 16C.16, subd. 6a. By making this claim, I verify that:

- The business has been certified by the Office of Equity in Procurement as being a veteran-owned or service-disabled veteran-owned small business.

  or

- My company’s principal place of business is in Minnesota and the United States Department of Veteran’s Affairs verifies my company as being a veteran-owned or service-disabled veteran-owned small business (Supported By Attached Documentation)

Name of Company: ______________________________ Date: ______________________________  
Authorized Signature: ______________________________ Telephone: ______________________________

Printed Name: ______________________________ Title: ______________________________

Attach documentation, sign, and return this form with your solicitation response to claim the veteran-owned preference.

Information regarding certification by the United States Department of Veterans Affairs may be found at: https://www.va.gov/osdbu/
ATTACHMENT 6

Architect/Engineer

RFP Response Certification Form

Respondent Firm Name:
Respondent Address:
Respondent Phone Number:
Respondent primary contact name and email:

This form must be submitted with your ON-LINE RFP Submittal.
We, the undersigned, being familiar with the local conditions affecting the Cost of the Work and with the Contract Documents, including the Request for Proposal, Contract Terms, General Conditions of the Contract for Construction as amended therein, Special Conditions, Predesign and all Addenda Numbers and in accordance with the provisions thereof, hereby propose to furnish all design services necessary for the proposed Project and attest that:

1. RFP Submittal contents are accurate to the best knowledge of the undersigned,
2. Is committed to entering into the work promptly, if selected, by assigning the persons named along with adequate staff to meet the requirements of the work,
3. Is familiar with the terms of Minnesota State’s contracts, and is willing to sign contract(s), if selected,
4. There are no entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this RFP, and
5. There are no relevant facts or circumstances that could give rise to organizational conflicts of interest, except as otherwise disclosed.

CERTIFICATION:
By signing this statement, I certify that as an owner or officer of the company, the appropriate person has executed the Certification on behalf of the Respondent, required by applicable articles, by-laws, resolutions or ordinances; and, that the information provided above is complete and accurate.

Responder’s Firm Name: __________________________________________
Authorized Signature: __________________________________________
Printed Name: _________________________________________________
Title: _________________________________________________________
Date: __________________________
ARCHITECT/ENGINEER RFP ON-LINE RESPONSE INSTRUCTIONS

ADVERTISEMENT:
As of November 1, 2020, Minnesota State started accepting RFP responses electronically through Quest CDN vBid™ for the selection of Architect/Engineers (A/E) on select projects. Minnesota State will post RFP on Minnesota State QuestCDN private interface: Minnesota State QuestCDN Private Interface, which shows only Minnesota State opportunities and on QuestCDN website at www.QuestCDN.com. There will also be an advertisement on the Minnesota State Solicitation web site, which will direct interested correspondence to the QuestCDN sites.

Minnesota State may also advertises RFPs in the State Register or the Minnesota State Solicitation web site: https://www.minnstate.edu/vendors/index.html, if they are not receiving responses on-line.

I. ELECTRONICALLY RESPONDING TO A/E RFP for MINNESOTA STATE PROJECTS:
Interested parties may view and download the RFP Documents at no cost on the Minnesota State QuestCDN private interface website at: Minnesota State QuestCDN Private Interface. Interested Responders can download and submit a response to the RFP by registering with QuestCDN online (www.questcdn.com) or calling (952) 233-1632. RFP Documents can be downloaded free charge. Responders pay $15 to submit RFP Responses. Plan holders are parties that have downloaded the RFP Documents. Registering as a plan holder is recommended for all interested Architects/Engineers, as plan holders will be notified of all addenda and other contract document updates via email from QuestCDN.

RFP Submittals will ONLY be received and accepted via the online electronic submittal service through QuestCDN.com. To access the electronic bid form and to download the project documents, click the online bidding button at the top of bid advertisement (on-line bid button will be available, only when the project is published and ready for accepting RFP responses).

For questions or assistance contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance with viewing, downloading, submitting responses for this digital project information.

A. FOR NEW USERS OF QUESTCDN vBid:
Prior to starting use of the Quest CDN vBid, be sure to set up your firm’s On-Line Bid ID Code and update your password to higher security if required. You can do this by logging in at www.QuestCDN.com and going to the My Account page. If you do not have a My Account page, please contact the administrator at your firm.

To access the electronic response form and to download the required submittal documents, click the online bidding button at the top of bid advertisement. The on-line bid button will only be available, only if the project is published and ready to receive submittals. A summary of steps for using www.QuestCDN.com for submitting electronic responses are as followings:

1. Login to QuestCDN, select the RFP, the select “Download Bid Documents”. When the download is complete, select the DONE button to close the window. Save the download RFP to your computer.
2. Click on On-Line Bid button to go to Quest vBid (may need to refresh after download); You will need to login to QuestCND Vbid.

3. To fill out the Qualification Tab, download the required documents – Save;

4. Upload any required completed documents – Save;

5. Be sure you download any issued addenda. vBid™ will not allow your proposal to be submitted if you do not download the addenda.; and

6. When finished with Qualification, click Submit – You will need the company “On-Line Bid ID Code”. This is a special pass code required only at bid submittal – it can be added or change at QuestCDN.com on the My Account page.

B. EXAMINATION OF SITE AND DOCUMENTS

Responders shall examine all documents, attend the informational meeting at the site and record their own observations, and shall inform themselves of the conditions under which the Work is to be performed at the site of the Work.

The Responder shall base their response on materials complying with the Request for Qualifications, Request for Proposal, and Addendum. The Responder shall upload all information requested on the vBid™ form.

C. Addenda

If any Responder is in doubt as to the meaning of any part of the RFP, contract, or predesign, they may submit an email questions to the College/University’s agent listed in the RFP for a response. Any interpretation or change will be addressed only by Addenda numbered, dated, and posted to the project advertisement on QuestCDN. All Responders who have downloaded a set of RFP Documents will be notified by QuestCDN of all Addenda. The Owner will not be responsible for any other explanations or interpretations. In order to successfully submit a RFP response the Responder must download all Addenda, thereby automatically acknowledging receipt of all Addenda.

II. PREPARATION OF THE RESPONSE:

QUALIFICATIONS TAB: The following documents are required to be downloaded, completed, then uploaded in pdf format for your submittal to be accepted:

D. Attachment 1 - Affidavit of Non-Collusion

Download the CC.70, Affidavit of Non-Collusion form. Complete the document and upload the document in pdf format

E. Attachment 2 - Workforce Certificate:

APPLICABLE FOR RESPONSES SUBMITTED IN EXCESS OF $100,000.00. Download CC.71, ATTACHMENT 2, Workforce Certification form. Complete the document and upload the document in pdf format. INCLUDE A COPY OF THEIR WORKFORCE CERTIFICATE (If applicable).

F. Attachment 3– Equal Pay Certificate Of Compliance Or Exemption

Download CC.72, Attachment 3, Equal Pay Certificate Form. Pursuant to Minnesota Statute 363A.44, each bid which totals over $500,000.00 with a business that has 40 or more full-time employees in this state or state where business has its primary place of business on a single day.
during the prior 12 months shall be accompanied by an **Equal Pay Certificate of Compliance** available from the Minnesota Department of Human Rights (MDHR), or is certified in writing that the business is exempt from the MDHR. Complete the document and upload the document in pdf format.

To obtain an equal Pay Certificate of Compliance, or Exemption, contact MDHR with questions at: 651-539-1095 (metro), 1-800-657-3704 (toll free), 711 or 1-800-627-3529 (MN Relay) or at compliance.MDHR@state.mn.us.

**G. Attachment 4 - Preference:**

PREFERENCE for Targeted Group (T.G.) and/or Economically Disadvantaged (E.D.) and Veteran Owned/Service Disabled Veteran Owned Contractor Requirements. Bidders will receive a six percent (6%) preference. Preference will only be allowed if the Bidder is certified prior to the scheduled bid opening. Preferences are applied only to the first $2,000,000 of the bid. Preferences are not cumulative; the total percentage of preference granted on a contract may not exceed the highest percentage of preference allowed for that contract. You must Attach and Certify whether the following two preferences apply or not and if so, attach required documentation to be considered for preference.

**Targeted Group (T.G.) And/Or Economically Disadvantaged (E.D.): Contractor Requirements:**

Download CC.73, Attachment 4 Preference Form. If you check the “Yes” for either T.G. or E.D. preference, also upload a copy of your firm’s letter indicating certification by the Office of Equity in Procurement. Complete the document and upload the document in pdf format.

**H. Attachment 5 - Veteran-Owned/Service Disabled Veteran-Owned Contractor:**

**Requirements:**

Download CC.74, Attachment 5 Veteran Owned Preference Form. If you check the “Yes”, provide the required documentation with your response. If you do not provide the required documentation, you will not be considered for this preference. Complete the document and upload the document in pdf format.

**I. Attachment 6 – Architect/Engineer RFP Response Certification Form**

Download ST.22 A/E RFP Response Certification Form. Complete the document and upload the document in pdf format.

At the top of the form - Insert your firm’s legal name. Insert the firm’s address (no PO Boxes). Insert the Firm’s main phone number. Insert the Primary contact and their email address. At the bottom of the form, under Certification: Insert your firm’s legal name. A partner in the company (if the Responder is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Responder is a corporation shall sign the form and print their name on the next line. Insert the title of the person signing. Insert the date form was signed.

**III. ELECTRONICALLY RESPONDING TO A/E RFP for MINNESOTA STATE PROJECTS:**

If the informational Meeting was mandatory, only Respondents who attended the meeting will be permitted to submit a response to the Request for Proposal (RFP). A summary of steps for using www.QuestCDN.com for submitting electronic responses are as followings:
1. Login to QuestCDN, select the RFP, the select “Download Bid Documents”. When the download is complete, select the DONE button to close the window. Save the download RFP to your computer.

2. Click on On-Line Bid button to go to Quest vBid (may need to refresh after download); You will need to login to QuestCND Vbid.

3. To fill out the Qualification Tab, download the required documents – Save;

4. Upload any required completed documents – Save;

5. Be sure to download any issued addenda(s) prior to submittal; and

6. When finished with Qualification, click Submit – You will need the company “On-Line Bid ID Code”. This is a special pass code required only at bid submittal – it can be added or change at QuestCDN.com on the My Account page.

The system checks that you have completed all the requirements, and if so accepts your response and puts it in the bid-box for the project. You will receive a confirming email showing your response was delivered (be sure to keep this email).

Once your Response has been submitted, you can no longer make changes. If you need to make changes, press the unsubmit button at the bottom of either the Qualification or Worksheet page. You will then be able to make any needed changes. Once you have saved all your changes, be sure to re-submit your response. If you fail to re-submit, your response will not be accepted – it is just like you never submitted a response at all.