**{PROJECT NAME}, PROJECT NUMBER {#}**

**{CAMPUS}**

**{Campus Street Address}**

**{City, State Zip}**

To the Trustees of the California State University, on behalf of the State of California (hereinafter called the Trustees):

The undersigned proposer hereby offers, in the amounts stated below, to furnish all services for both the Preconstruction Phase and Construction Phase and to furnish all labor, materials, tools, equipment, apparatus, facilities, transportation, and permits for the construction of {Project Name}, Project Number {#}, at {Campus}, in accordance with all the requirements of the Request for Proposals and to the satisfaction of the Trustees.

The proposer also hereby agrees to enter into contract for Project Number {#} if the Trustees accept this proposal. The Direct Construction Cost Budget for this project is ${campus insert budget}.

*SPECIFY THE NUMBER OF EACH ADDENDUM YOU HAVE RECEIVED ON THE LINE BELOW.*

The proposal is subject to the provisions contained in the Contract General Conditions (note especially Article 2.00 *et seq.*), and the proposer agrees that failure to comply with the conditions thereof shall be basis for rejection of this bid.

Small Business Preference

The undersigned proposer may request the five percent Small Business Preference. To receive the five percent bid preference, Proposer must submit with its bid a completed “Small Business Preference and Certification” form 701.09, and shall check the appropriate box below to request the five percent Small Business bid preference, as either a:

1) CA certified Small Business upon verification in accordance with the CA Code of Yes ⬜ No ⬜

Regulations, Title 2, Section 1896.2, having applied for certification no later than

5:00 p.m. on bid opening date, or

2) Non-small business that commits to subcontracting at least 25% of its net bid price Yes ⬜ No ⬜

to CA certified small businesses and/or microbusinesses.

If Proposer checks one of the boxes above, and submits the completed Small Business Preference and Certification   
form 701.09, the Trustees will grant a bid preference of 5% of the highest Technical Proposal Score. Reference the Contract General Conditions and Supplementary General Conditions for Construction Manager Services at Risk with Guaranteed Maximum Price Projects, Article 2.08, Small Business Five Percent Bid Advantage.

DVBE Participation / Request for DVBE Bid Incentive

The Trustees require the successful proposer to achieve three percent (3%) DVBE participation in contracting construction projects as established in the bidding documents. Proposer will not list its DVBE subcontractors/suppliers with its bid.

The Trustees are granting a DVBE Bid Incentive, which is calculated as a percentage of the highest technical proposal score for bid evaluation purposes only, in accordance with the Contract General Conditions for Construction Manager at Risk with Guaranteed Maximum Price Projects, Article 2.09. Proposer shall indicate whether or not Proposer is requesting the DVBE Bid Incentive by checking the appropriate response below. Proposer commits to subcontract at least the percentage of DVBE participation of its net proposal price as stated hereon with one or more DVBE(s).

|  |  |
| --- | --- |
| DVBE Participation | Incentive |
| 3.00% to 3.99% | None |
| 4.00% to 4.99% | 1% |
| 5.00% to 5.99% | 2% |
| 6.00% or more | 3% |

Proposer is requesting the DVBE Bid Incentive (check one): Yes ⬜ No ⬜

Proposer shall indicate its Total DVBE Participation Percentage Commitment in the spaces below:

**3%** Mandatory **+**  **%** DVBE Incentive **=**  **%** **Total DVBE Participation Percentage Commitment.**

Once the selected proposer begins the competitive bidding and selection of the Trade Contractors, the selected proposer shall contact the Trustees' DVBE Advocate at {telephone no., e-mail address}. If awarded incentive points for exceeding the maximum three (3) percent participation, and successful Proposer fails to achieve the incentive amount of participation, Trustees will assess a penalty as described in the Contract General Conditions.

Fee Proposal

Proposer shall complete the information in the space provided below for the Total Fee Percentage and Total Fee in Dollars.

TOTAL FEE PERCENTAGE: %

TOTAL FEE IN DOLLARS: $ (Lump Sum)

(Fee Percentage multiplied by *(Use figures only)*

Direct Construction Cost Budget)

Proposers shall also complete the information in the following table. Reference Section 13 in the Request for Proposals for a description of construction phase costs in each category of fees listed below.

|  |  |  |
| --- | --- | --- |
| Fees | Fee Percentage  (Fee as % of Direct Construction Cost Budget) | Fee in Dollars  (Fee % multiplied by Direct Construction Cost Budget) |
| Preconstruction Services (*This will be the amount of the preconstruction services agreement*) | % | $ |
| Construction Phase (*CM’s Site Management Fee*) | % | $ |
| CM’s Contingency for Construction Phase is 2% | 2% | $ |
| Construction Phase (*CM’s Overhead & Profit*) | % | $ |
| Total Fee | % | $ |

The above amounts are to be stated in figures only and are the total amounts proposed for the entire Contract Work. Any alteration, erasure, or change must be clearly indicated and initialed by the proposer. In the event of any error in the Fee Proposal, the individual fee percentages will prevail, and the math for the fee in dollars recalculated. The proposer agrees that the above fees will be held until award of the construction phase in accordance with the proposed calendar contained in the Request for Proposals.

Scoring of Fees  
Fees will be scored in direct relation to their variance from the lowest fee based on the average fee. The lowest fee will receive the maximum score of 80 points. For example: Average Fee Percentage: (10% +11% +12%) ÷ 3 = 11%; used in column C below.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| A | B | C | D | E |
| Proposed Fee % | Variation from Lowest fee = Proposed Fee – Lowest Fee | Percent Variation =  Variation from Lowest Fee ÷ Average Fee Percentage | Fee Points Adjustment = 80 Points × Percent Variation | Fee Points =  80 Points - Fee Points Adjustment |
| 10% | 10% - 10% = 0% | 0% ÷ 11% = 0% | 80 × 0% = 0 | 80 – 0 = 80 |
| 11% | 11% - 10% = 1% | 1% ÷ 11% = 9% | 80 × 9% = 7 | 80 – 7 = 73 |
| 12% | 12% - 10% = 2% | 2% ÷ 11% = 18% | 80 × 18% = 14 | 80 – 14 = 66 |

The total GMP Not-to-Exceed construction Contract Amount shall be the sum of the total Direct Construction Cost plus the above percentage fees (excluding the fee for Preconstruction Services) multiplied by the total Direct Construction Cost Budget. For clarification, see item 1 of the Agreement form in Appendix B. Payment and performance bonds shall be written in this amount.

The Trustees reserve the right to reject any and all proposals and to waive any irregularities.

The bid must be submitted on this Fee Proposal Form, completely filled out and in a sealed envelope provided by the Trustees, and delivered to {place of bid opening}, at {Campus}, before {time} on {date}, or it will be disregarded. The Trustees will only accept proposals from proposers qualified through the Request for Qualifications process with a current {type} license will be accepted.

No bidder’s security is required for the preconstruction phase of this project. However, for the construction phase portion of the project, the Trustees will require 100% performance and payment bonds (see Article 3.02 of the Contract General Conditions).

Project Duration and Liquidated Damages

Preconstruction Phase: The Preconstruction Phase (design is complete and Guaranteed Maximum Price has been obtained) shall be complete within {insert #} calendar days from the date of the start of the Preconstruction Phase as stated in the Notice to Proceed for the Preconstruction Phase.

Construction Phase: The time period for completion of the Construction Phase shall be {insert # days duration} calendar days from the date of the start of construction as stated in the Notice to Proceed for the Construction Phase. Liquidated damages shall be {insert $ amount} for each calendar day completion is delayed beyond the time prescribed for the Construction Phase.

For projects with a construction value of $10 million or more: *{campus delete this portion if this project is less than $10 million}*

By initialing below, Proposer represents that he/she has read and understood the Contract General Conditions, including but not limited to its OCIP obligations:  Proposer and all subcontractors shall exclude from their proposals, bids and change orders all costs for Proposer’s insurance coverage described in Article 4.07-a, Insurance Requirements. Proposer shall exclude from its bid, and ensure every subcontractor of every tier excludes from his or her respective bids, the amount of the Proposer and its subcontractors’ reduction in insurance costs due to eligibility for OCIP coverages. Reference   
Article 4.07-b-5, Trustees Insurance Obligations.

By placing his/her initials in the space below, Proposer acknowledges this notification of its Contract General Conditions and OCIP obligations:

*(Initial here)*

-End of Fee Proposal Form for Construction Manager Services at Risk with Guaranteed Maximum Price-