**BID SOLICITATION NUMBER {#}**

**{CAMPUS}**

**{Campus Address}**

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

The undersigned Proposer hereby offers to furnish design-build or construction manager at risk services under the Task Order-Construction Agreement for Multiple Projects—Master Enabling Agreement (TO-CA MEA). For each project awarded under the TO-CA MEA, the selected Proposer may provide design and preconstruction phase services and all labor, materials, tools, equipment, apparatus, facilities, transportation, and permits for the construction, in accordance with all the requirements of the Request for Proposals. The undersigned Proposer hereby agrees to enter into Contract for the work described in the Request for Proposals if this proposal is accepted by the Trustees. The Proposer agrees that the fees as proposed herein and as part of the RFP will be for the duration of the TO-CA MEA, as described in the Request for Proposals.

The Not-to-Exceed Budget for this TO-CA MEA is ${Insert campus number not to exceed $30,000,000}.

**Direct Construction Cost Budget for DB Projects =** ${Campus insert Budget number}.

**Direct Construction Cost Budget for CM Projects =** ${Campus insert Budget number}.

*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 and the RFP, and Proposer agrees that failure to comply with the conditions thereof shall be basis for rejection of this bid.

The bid must be submitted on this Fee Proposal Form, completely filled out, and with the Staffing Rate Proposal included, 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. Only proposals from proposers qualified through the Request for Qualifications process with a current {type} license will be accepted.

Bidder’s security is NOT required for the preconstruction phase of this project. However, for the construction phase portion of the project, 100% performance and payment bonds will be required (see the Contract General Conditions).

The time period for completion of the overall TO-CA MEA shall be three years from the start date as stated on the overall TO-CA MEA Notice to Proceed.

Five Percent 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 California Code of Regulations ⬜

Title 2, Section 1896.2, having applied for certification no later than 5:00 p.m. on bid opening date.

2) Non-small business that commits to subcontracting at least 25% of each net contract amount 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.

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 list its DVBE subcontractors/suppliers with its GMP.

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, and in accordance with the Request for Proposals and the Contract General Conditions (for Collaborative Design-Build Projects, Article 32.12, and for CM at Risk 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 bid 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 in the spaces below its Total DVBE Participation Percentage Commitment:

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

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

Proposers shall complete the information in the following:

* Fee Proposal Evaluation Worksheets
* Fee Proposal Calculation Worksheet.

Reference the Request for Proposals (RFP), Section 13, Table A-Classification of Project Costs for a description of construction phase costs in each category of fees, and Table B-Design Fee Allocation Matrix.

On the following pages are six proposal evaluation worksheets for which the Trustees are requesting that Proposer enter its proposed fees in percentages and dollars for: (1) the Design-Build and CM at Risk delivery methods, and   
(2) project size. Proposer shall enter its proposed fee in percentages into the Total Evaluation Fee (%) column for each line item on each of the Fee Proposal Evaluation Worksheets. Proposer will then multiply the Total Evaluation Fee (%) by the Direct Construction Cost, as provided in each of the Fee Proposal Evaluation Worksheets, and enter the resulting Total Evaluation Fee ($) for each line item in each of the Fee Proposal Evaluation Worksheets. The Trustees will include the successful Proposer’s Fee Proposal Evaluation Worksheets in the TO-CA MEA as Exhibit A, Fee Schedule. Once the TO-CA MEA is awarded, the Trustees will use Proposer’s Proposed Fee Percentage to determine the actual fee amount for each Project awarded under the TO-CA MEA.

The Fee Proposal amounts are to be stated in figures only and are representative of the amounts proposed for entire Contract Work, including all applicable taxes. The Total Fees and Project Budgets indicated herein are for proposal and award purposes only, and are not indicative of the actual awards or contract value. Any alteration, erasure, or change must be clearly indicated and initialed by the Proposer. The Trustees reserve the right to reject any and all proposals and to waive any irregularities.

The construction agreement Contract amounts for each Project under the TO-CA MEA shall be the Lump Sum price or GMP, which is the sum of the Actual Direct Construction Cost as bid, plus the line items listed in the Fee Proposal Evaluation Worksheets, as proposed by the contractor and agreed upon by the Trustees for each Project.

-Continue on to Exhibit A, Fee Schedule-

Exhibit A, Fee Schedule

Agreement No.

PROPOSER’S NAME:

* 1. Design-Build Projects: Proposers fill out the following fee proposal evaluation worksheets for Design-Build projects.

**Table DB1** D/B Projects less than $1,000,000.01

|  |  |  |  |
| --- | --- | --- | --- |
| **Direct Construction Cost for D/B Projects** — **$1,000,000.00 or less (sum from RFP 3.01)** | | | **<insert $0.00>** |
| **Line** | **Fees** | **Total Evaluation Fee (%)** | **Total Evaluation Fee ($)** |
| A | Phase 1, Task Order Fees (to include design, preconstruction services, and trade bidding as required by RFP) | | |
| A1 | Design Fee | 0.00% | $0.00 |
| A2 | Preconstruction Services Fee | 0.00% | $0.00 |
| B | Phase 2, Construction Agreement | | |
| B1 | Site Management Fee / Construction Phase Services | 0.00% | $0.00 |
| B2 | DB Payment and Performance Bonds | 0.00% | $0.00 |
| B3 | Subcontractor Payment and Performance Bonds | 0.00% | $0.00 |
| B4 | Construction Phase Overhead and Profit | 0.00% | $0.00 |
| ***DB1*** | **Total Fees (A1 + A2 + B1 + B2 + B3 + B4)** | 0.00**%** | **$**0.00 |

**Table DB2**D/B Projects from $1,000,000.01 to $3,000,000.00

|  |  |  |  |
| --- | --- | --- | --- |
| **Direct Construction Cost for D/B Projects** — **$1,000,000.01 to $3,000,000.00  (sum from RFP 3.01)** | | | **<insert $0.00>** |
| **Line** | **Fees** | **Total Evaluation Fee (%)** | **Total Evaluation Fee ($)** |
| A | Phase 1, Task Order Fees (to include design, preconstruction services, and trade bidding as required by RFP) | | |
| A1 | Design Fee | 0.00% | $0.00 |
| A2 | Preconstruction Services Fee | 0.00% | $0.00 |
| B | Phase 2, Construction Agreement | | |
| B1 | Site Management Fee / Construction Phase Services | 0.00% | $0.00 |
| B2 | DB Payment and Performance Bonds | 0.00% | $0.00 |
| B3 | Subcontractor Payment and Performance Bonds | 0.00% | $0.00 |
| B4 | Construction Phase Overhead and Profit | 0.00% | $0.00 |
| ***DB2*** | **Total Fees (A1 + A2+ B1 + B2 + B3 + B4)** | 0.00**%** | **$**0.00 |

**Table DB3**D/B Projects from $3,000,000.01 to $7,000,000.00

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Direct Construction Cost for D/B Projects** — **$3,000,000.01 to $7,000,000.00  (sum from RFP 3.01)** | | | | **<insert $0.00>** |
| **Line** | **Fees** | **Total Evaluation Fee (%)** | | **Total Evaluation  Fee ($)** |
| A | Phase 1, Task Order Fees (to include design, preconstruction services, and trade bidding as required by RFP) | | | |
| A1 | Design Fee | 0.00% | | $0.00 |
| A2 | Preconstruction Services Fee | 0.00% | $0.00 | |
| B | Phase 2, Construction Agreement | | | |
| B1 | Site Management Fee / Construction Phase Services | 0.00% | | $0.00 |
| B2 | DB Payment and Performance Bonds | 0.00% | | $0.00 |
| B3 | Subcontractor Payment and Performance Bonds | 0.00% | | $0.00 |
| B4 | Construction Phase Overhead and Profit | 0.00% | | $0.00 |
| ***DB3*** | **Total Fees (A1 + A2 + B1 + B2 + B3 + B4)** | 0.00**%** | **$**0.00 | |

*(Continue on to next page)*

Exhibit A, Fee Schedule

Agreement No.

PROPOSER’S NAME:

2. CM at Risk Projects: Proposers fill out the following fee proposal evaluation worksheets for the CM at Risk projects.

**Table CM1**CM Projects less than $1,000,000.01

|  |  |  |  |
| --- | --- | --- | --- |
| **Direct Construction Cost for CM Projects** — **$1,000,000.00 or less (sum from RFP 3.01)** | | | **<insert $0.00>** |
| **Line** | **Fees** | **Total Evaluation Fee (%)** | **Total Evaluation  Fee ($)** |
| A | Phase 1, Task Order Fees — to include preconstruction services and trade bidding as required by RFP | | |
| A1 | Preconstruction Services Fee | 0.00% | $0.00 |
| B | Phase 2, Construction Agreement | | |
| B1 | Site Management Fee / Construction Phase Services | 0.00% | $0.00 |
| B2 | CM Payment and Performance Bonds | 0.00% | $0.00 |
| B3 | Subcontractor Payment and Performance Bonds | 0.00% | $0.00 |
| B4 | Construction Phase Overhead and Profit | 0.00% | $0.00 |
| ***CM1*** | **Total Fees (A1 + B1 + B2 + B3 + B4)** | 0.00**%** | **$**0.00 |

**Table CM2**CM Projects from $1,000,000.01 to $3,000,000.00

|  |  |  |  |
| --- | --- | --- | --- |
| **Direct Construction Cost for CM Projects** — **$1,000,000.01 to $3,000,000.00 (sum from RFP 3.01)** | | | **<insert $0.00>** |
| **Line** | **Fees** | **Total Evaluation Fee (%)** | **Total Evaluation  Fee ($)** |
| A | Phase 1, Task Order Fees — to include preconstruction services and trade bidding as required by RFP | | |
| A1 | Preconstruction Services Fee | 0.00% | $0.00 |
| B | Phase 2, Construction Agreement | | |
| B1 | Site Management Fee / Construction Phase Services | 0.00% | $0.00 |
| B2 | CM Payment and Performance Bonds | 0.00% | $0.00 |
| B3 | Subcontractor Payment and Performance Bonds | 0.00% | $0.00 |
| B4 | Construction Phase Overhead and Profit | 0.00% | $0.00 |
| ***CM2*** | **Total Fees (A1 + B1 + B2 + B3 + B4)** | 0.00**%** | **$**0.00 |

**Table CM3**CM Projects from $3,000,000.01 to $7,000,000.00

|  |  |  |  |
| --- | --- | --- | --- |
| **Direct Construction Cost for CM Projects** — **$3,000,000.01 to $7,000,000.00 (sum from RFP 3.01)** | | | **<insert $0.00>** |
| **Line** | **Fees** | **Total Evaluation Fee (%)** | **Total Evaluation  Fee ($)** |
| A | Phase 1, Task Order Fees — to include preconstruction services and trade bidding as required by RFP | | |
| A1 | Preconstruction Services Fee | 0.00% | $0.00 |
| B | Phase 2, Construction Agreement | | |
| B1 | Site Management Fee / Construction Phase Services | 0.00% | $0.00 |
| B2 | CM Payment and Performance Bonds | 0.00% | $0.00 |
| B3 | Subcontractor Payment and Performance Bonds | 0.00% | $0.00 |
| B4 | Construction Phase Overhead and Profit | 0.00% | $0.00 |
| ***CM3*** | **Total Fees (A1 + B1 + B2 + B3 + B4)** | 0.00**%** | **$**0.00 |

*(continue on to next page)*

Exhibit A, Fee Schedule

Agreement No.

PROPOSER’S NAME:

**Fee Proposal Calculation Worksheet by Project Delivery and Cost**

Proposer to take the Total Fees from previous Fee Proposal Evaluation Worksheets, and insert in the following Fee Proposal Calculation Worksheet.

|  |  |  |
| --- | --- | --- |
| **Fee Proposal Calculation Worksheet** | | |
| **Table** | **Overhead and Profit** | **Total Fee in Dollars** |
| DB1 | D/B Projects - $1,000,000.00 or less | $ .00 |
| DB2 | D/B Projects - $1,000,000.01 to $3,000,000.00 | $ .00 |
| DB3 | D/B Projects - $3,000,000.01 to $7,000,000.00 | $ .00 |
| CM1 | CM Projects - $1,000,000.00 or less | $ .00 |
| CM2 | CM Projects - $1,000,000.01 to $3,000,000.00 | $ .00 |
| CM3 | CM Projects - $3,000,000.01 to $7,000,000.00 | $ .00 |
| ***Total Fees*** *(From Fee Proposal Evaluation Worksheets, enter amounts from Total Fees—Lines DB1, DB2, DB3, CM1, CM2, and CM3. The Trustees will record the Total Fees in Dollars taken from this row for each Proposer on the Trustees’ Abstract of Bids.)* | | **$ .00** |

**Scoring of Fees**

Fees will be scored in direct relation to their variance from the lowest fee based on the average fee. The lowest Total Fee will receive the maximum score of 65 points. For example:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Proposed Total**  **Fee in $** | **Variation from Lowest Fee= Proposed Fee $-Lowest Fee $** | **% Variation = Variation from Lowest Fee $/Average Total Fee $** | **Points to deduct from 65 points** | **Fee Score** |
| $1,500,000 | $1.5M-$1.1M=$.4M | $.4M / $1.3M=30% | 65 x 30%=20 | 65-20 = 45 |
| $1,300,000 | $1.3M-$1.1M=$.2M | $.2M / $1.3M=15% | 65 x 15%=10 | 65-10 = 55 |
| $1,100,000 | $1.1M-$1.1M=$0M | $0M / $1.3M=0% | 65 x 0%=0 | 65-0 = 65 |

Sample calculation: Average total fee = ($1.5M + $1.3M + $1.1M) / 3 = $1.3M

In the event of an inconsistency in the math on the Fee Proposal form, the individual fee percentages shall govern over the fee in dollars, and the fee in dollars shall be recalculated. The Trustees will check all math on the Fee Proposal Form before award.

-End of Fee Proposal Form for Task Order-Construction Agreement (Percentage Fee version)-