**PROJECT NAME / PROJECT NUMBER XXXX**

**Campus Address**

To the State of California acting through the Board of Trustees of the California State University, on behalf of the {insert name of campus}, hereinafter called the Trustees:

For the above-referenced Project and Campus, the undersigned Proposer hereby offers, in the amounts stated below, to furnish all services for both the Phase 1-Design and Preconstruction Services Phase and the Phase 2-Design-Build Services Phase (construction agreement), and to furnish all labor, materials, tools, equipment, apparatus, facilities, transportation, and permits for the construction of said Project, 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 two agreements: a design services agreement and a design-build construction agreement for this Project if the Trustees accept this proposal. The Trustees reserve the right to reject any and all proposals and to waive any irregularities. The Direct Construction Cost Budget for this Project is $XX,XXX,XXX.XX.

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

The bid is subject to the provisions contained in the Contract General Conditions (note especially Article 32.00 *et seq.* regarding instructions to proposers), 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).

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 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 form 701.09 (see above), 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 Collaborative Design-Build Projects, Article 32.11, 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 Collaborative Design-Build Major Projects, Article 32.12. 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.

Proposers shall complete the information in the following table. Reference Sections 10 and 13 in the Request for Proposals for a description of fees listed below. ***Proposer***: click on table below to open Excel and enter fees. {Change number for Direct Construction Cost Budget at top of fee table directly below so formulas in subsequent lines will work properly.}



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 its fees proposed hereon will be held until 90 days after the scheduled award of the Phase 2 — Design-Build Services Phase (construction agreement), in accordance with the proposed schedule contained in the Request for Proposals.

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

The Phase 1 — Design and Preconstruction Services Phase shall be completed in accordance with the schedule provided in RFP Section 4.01. There are no liquidated damages associated with the Design Phase.

The Phase 2 — Design-Build Services Phase shall be completed in accordance with the schedule provided in RFP Section 4.01. The Trustees specify liquidated damages for the Design-Build Phase in RFP Section 3.02.

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 36.06-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 36.06-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 Collaborative Design-Build Services-