

**DALLAS FORT WORTH INTERNATIONAL AIRPORT
DESIGN, CODE AND CONSTRUCTION DEPARTMENT**

**PROPOSAL REQUIREMENTS
FOR
INTEGRATED OPERATIONS CENTER - CONSTRUCTION MANAGER-AT-RISK (CMAR)
CONTRACT NO. 9500618**

**REQUEST FOR PROPOSALS (RFP)
AUGUST 31, 2018**

Table of Contents

Advertisement

Part 1 – Instructions to Proponents

Part 2 – Contents of Proposals/Required Submittals

Part 3 – Evaluation of Proposals

Appendices

Appendix 1 – Good Faith Effort (GFE) Criteria

Appendix 2 – D/S/M/WBE Certificates

Appendix 3 – Forms consisting of:

- 1) Form 1 – Business Disclosure Form
- 2) Form 2 – Workforce Composition Form
- 3) Form 3 – Questionnaire
- 4) Form 4 – Commitment to Minority Business Enterprise (MBE) Participation Form (Construction Phase)
- 5) Form 4.1 – Commitment to Minority Business Enterprise (MBE) Participation Form (Pre-Construction Phase)
- 6) Form 5 – Pre-Construction Services Schedule of Subcontractors
- 7) Form 6 – Intent to Perform Contract as a MBE Subcontractor (Pre-Construction Services)
- 8) Form 7 – Verification of Contracting Prohibitions

Appendix 4 – The Contract consisting of:

- 1) Contract (AIA Document A133-2009; Standard Form of Contract Between Owner and Construction Manager where the basis of payment is the Cost of the Work Plus Fee with a Guaranteed Maximum Price [“Contract”]);
- 2) General Conditions (AIA Document A201-2007; General Conditions of the Contract for Construction);
- 3) Exhibits to Contract:
 - a) Exhibit 1; Mandatory Federal Contract Provisions;
 - b) Exhibit 2; Supplemental Provisions;
 - c) Exhibit 3; Insurance and Bonding Requirements;

Appendix 5 – Bonding Letter

Appendix 6 – Solicitation Schedule

Appendix 7 – Proposal Price

Appendix 8 – Conceptual Design Document

Advertisement

The Dallas/Fort Worth International Airport Board will receive Proposals for the following items at the location stated below until the due date and time stated:

SOLICITATION: 9500618 Integrated Operations Center - Construction Manager-At-Risk (CMAR)

PRE-PROPOSAL CONFERENCE: September 10, 2018 2:00pm (Central Time)

PROPOSAL DUE DATE AND TIME: October 03, 2018 11:00am (Central Time)

MINORITY OWNED BUSINESS ENTERPRISE (MBE) GOAL: 15% Pre-Construction Services / 20% Construction Phase

CONTACT: Program Solicitation Manager, Travis Sanderfer (972) 973-1716

LOCATION: DFW International Airport Board, Design, Code and Construction Offices, 3003 South Service Road, DFW Airport, TX 75261

Additional information is available on the DFW International Airport website at www.dfwairport.com/business/solicitations.

The Dallas/Fort Worth International Airport Board, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all Proponents that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit Proposals in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Part 1 – Instructions to Proponents

1) Instruction to Proponents:

- a) The Dallas Fort Worth International Airport Board (“Board”) intends to select a Construction Manager-At-Risk for the Integrated Operations Center.
- b) This solicitation is being conducted in a one step process pursuant to Texas Government Code Section 2269.253.
- c) Title VI Solicitation Notice: The Board, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all Proponents that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit Proposals in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

2) Project Scope and Description; Budget and Schedule:

a) Scope:

- i) The Board is soliciting a Construction Manager at Risk (CMAR) to deliver a new mission-critical Integrated Operations Center (the “Project”). The CMAR will be required to coordinate with the designer and Information Technology Systems Consultant(s) and Contractor(s) to deliver The Project. The Project will be one level and approximately 39,000 square feet of an open office environment. The Project is a “turnkey” project for a new office building and surface parking lot; expected to be delivered using the “fast track” process through multiple design packages. The Project is planned to be located on an approximately 7.5-acres site within DFW International Airport boundary.
- ii) Appendix 8 – Conceptual Design Document is provided for reference only.
- iii) The building will include office space, utility rooms, redundancy for critical systems, 911 dispatch/tactical communications, call center, emergency operations center, administrative space, and conference rooms and will be designed in part to withstand an EF-5 rated tornado event.
- iv) The Project will also require site improvements that may include, but not be limited to, site grading, paving, supply water, sanitary sewer, electric lines, storm water modifications, fiber, and site lighting.
- v) The Work will be outside the Airport’s Air Operations Area (AOA).
- vi) The Project will require a dual feed communications network, power and water feed to maintain full facility functionality during outage events.
- vii) The Project should achieve, at a minimum, DFW Green Building Standards, and provide a Building Information Modeling (BIM) protocol to achieve a Level of Development (LOD) 500 with complete building report attributes to be used for estimating and maintenance purposes. The CMAR will be responsible for updating the files during construction and delivering as-builts at the end of construction.

- b) **Budget:** The estimated overall construction cost of the project ranges from \$20M to \$30M (construction) and the GMP from the CMAR is expected to be received at or near 70% design.

- c) **Schedule:** The tentative schedule for the project is:

(1) Preconstruction Services	December 2018
(2) GMP from CMAR	January 2019
(3) Construction Mobilization	March 2019
(4) Construction Start	March 2019
(5) Board Authorization of GMP	April 2019
(6) Project Substantial Completion	April 2020
(7) Final Completion	90 days after Substantial Completion

3) Contracting Prohibitions:

- a) **Bid/Proposal Rejection:** Board will reject any Bid/Proposal from a Bidder/Proponent that:
 - i) boycotts Israel;
 - ii) contracts with or provides supplies or services to a foreign terrorist organization;

iii) engages in certain scrutinized business operations in Sudan, Iran or with a designated foreign terrorist organization; or
iv) has been complicit in the Darfur genocide during any preceding 20-month period.¹

- b) **“Boycott Israel” Defined:** “Boycott Israel” means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
- c) **Verification:** Each Bidder/Proponent must execute and submit with its Bid/Proposal the verification attached as Appendix 3 – Form 7 – Verification of Contracting Prohibitions. That verification will: [i] form a material part of its Bid/Proposal; and [ii] will be incorporated into any awarded contract.

4) **Receipt and Opening of Proposals:**

- a) Proposals should be submitted in the format described in this RFP using the forms attached.
- b) Proposals will be received by the Board as detailed in Appendix 6 – Solicitation Schedule and then publicly opened and the identities of all Proponents and their fees and prices read aloud.
- c) Each Proposal must be submitted in a sealed envelope bearing on the outside the name of the Proponent, Proponent's address, and the name and contract number for which the Proposal is submitted (Example: Contract No. 9500XXX, Contract Name).
- d) If forwarded by mail, the sealed envelope containing the Proposal must be enclosed in another envelope addressed to Dallas Fort Worth International Airport Board, Design, Code and Construction Department, P. O. Box 612008, Dallas Fort Worth Airport, Texas 75261-2008.
- e) If forwarded by courier, the sealed envelope containing the Proposal must be enclosed in another envelope addressed to Dallas Fort Worth International Airport Board, Design, Code and Construction Department, 3003 S. Service Road, Dallas Fort Worth Airport, Texas 75261.
- f) Any Proposal received after the time and date specified will be rejected.
- g) A Proponent may not withdraw a Proposal within sixty (60) calendar days after the opening thereof.
- h) Board reserves all rights to reject any Proposals, cancel this solicitation, waive technicalities in this RFP or any Proposal submitted in response to it or otherwise act concerning this solicitation in any manner allowed by applicable laws.

5) **Board Selection Committee:** Board intends to appoint a Selection Committee to evaluate Proposals in accordance with Part 3 of this RFP.

6) **Minimum Qualifications:**

- a) Each Proponent and key members of the proposed team should have a minimum of 5 years' recent experience in acting as a CMAR for airport or other transportation agencies on projects like the one involved in this solicitation.
- b) This minimum qualifications requirement does not apply to Subconsultants/Subcontractors except for work on specialized airport equipment. Minimum Qualifications for subcontracted work will be outlined at the subcontract bidding/proposal stage.

7) **Insurance Requirements:** The insurance requirements applicable to any Contract that may be executed pursuant to this solicitation are set forth on Appendix 4 – Contract to this RFP.

8) **Proposed Form of Contract:** A proposed form of Contract that Board anticipates executing with a successful awardee is attached to this RFP as Appendix 4 – Contract. The Contract does contain certain provisions that are drafted in blank that will be completed by Board if a successful awardee is identified.

¹ See Texas Government Code; Chapter 2252; Subchapter F; Prohibition on Contracts with Certain Companies (including Sections 2252.152 and 2252.153); Chapter 2270; Prohibition on Contracts with Companies Boycotting Israel; and Chapter 2270; Prohibition on Investing Public Money in Certain Investments (including Sections 2270.0001, 2270.0052, 2270.0102 and 2270.0152).

9) Conflicts of Interest/Participation in Additional Pending or Upcoming Solicitations:

- a) **Existing Business Relationships with Airport:** Board recognizes that certain Persons desiring to participate in this solicitation may currently provide services to Board or to another Person doing business at the Airport, either through a direct contract with Board or such other Person or as a Subconsultant/Subcontractor, Affiliate or similar Person.
- b) **Participation in Additional Pending or Upcoming Solicitations:** Board also recognizes that certain Persons desiring to participate in this solicitation may also be participating in other pending or upcoming solicitations, such that potential conflicts of interest may arise if the Person is both successful in this solicitation and other solicitations.
- c) **Questionnaire:** Accordingly, Board has included in this RFP at Form 3 – Questionnaire, a request for information about Persons (including Proponents, Subconsultants/Subcontractors, Affiliates or similar Persons) currently doing business at the Airport or that are participating or will participate in other solicitations, so that it may properly evaluate whether any Proponent, Subconsultant/Subcontractor, Affiliate or any Person associated with them, has or may develop a potential conflict of interest.
- d) **Potential Board Actions:** Depending on the nature of Proponents participating in this solicitation and the information Board obtains in the Proposals, Board may determine that it is not in its best interests to further consider a specific Proponent's Proposal because such Proponent (or its Subconsultants/Subcontractors, Affiliates or similar Persons) may have potential conflicts of interest because of existing contract or service relationships at the Airport.
- e) **No Prohibition:** Nothing in this RFP prohibits any Person from participating in multiple Proposals (e.g. as a prime on one Proposal and as a Subconsultant/Subcontractor to a prime on another Proposal) or participating in other solicitations being conducted by Board.

10) Litigation or Administrative Actions: Proponents should note that that Appendix 3-Forms; Form 3; Question 3 seeks information from a Proponent concerning litigation or administrative actions. Proponents should be as broad and inclusive as possible in providing answers to that question, as Board may independently conduct its own search to determine if Proponent has been involved in any lawsuits or administrative actions that are germane to this solicitation. Failure to include a relevant lawsuit or administrative action may result in a Proponent being deemed non-responsive. Proponents are also advised that Board may find a Proponent non-responsive if it has been involved in a lawsuit or administrative action that is responsive to the question in which Board was a party, depending on the circumstances under which the lawsuit or administrative action arose.

11) Diversity:

- a) **Applicable Board Diversity Program:** The Board's Diversity Program applicable to this solicitation is set forth in Appendix 4 – Contract attached to this RFP. By submitting a Proposal in response to this solicitation, each Proponent agrees to comply with such applicable Diversity Program.
- b) **Diversity:** Board encourages Minority/Women Owned Business Enterprise (MBE) firms to participate in this solicitation and encourages teaming arrangement Proposals which include MBE participation. Teams should be large enough to provide adequate resources to accomplish the work and small enough to provide opportunity for significant and material participation by every team member.
- c) **Title VI Procurement Notice:** Board, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all potential Proponents that it will affirmatively ensure that disadvantaged/small/minority and woman-owned businesses enterprises will be afforded full and fair opportunity to submit Proposals in response to this procurement and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award of an Contract.

12) No Offer by Board:: This solicitation does not constitute an offer by Board to enter into a contract and cannot be accepted by any Proponent to form a contract.

13) Proposals Deadline: Proposals in response to this RFP must be received by Board's Program Solicitation

Manager Travis Sanderfer, or designee, and in accordance with Appendix 6 – Solicitation Schedule.

14) Pre-Proposals Conference: Each Proponent may attend the Pre-Proposals Conference as detailed in Appendix 6 – Solicitation Schedule.

15) Procurement Questions, Prohibited Contacts:

- a) **No Reliance on Verbal Information:** Board anticipates during the Pre-Proposals Conference the exchange of dialogue between its representatives and those of potential Proponents, including questions and answers to those questions. Each Proponent, however, is obligated to reduce to writing to submit to Board any questions to which it seeks a formal response. No Proponent may rely on any verbal response to any question submitted (verbally or in writing) concerning this RFP.
- b) **Board Contact, Solicitation Questions:** Any questions regarding this RFP should be submitted in writing to Board's Program Solicitation Manager Travis Sanderfer, and in accordance with Appendix 6 – Solicitation Schedule.
- c) **Addenda, Board Website:** Any response made by Board to timely submitted written questions will be provided in writing to all Proponents by Addendum. It is entirely within Board's discretion as to whether to respond to any question. It is the responsibility of each Proponent to obtain a copy of any Addendum issued for this solicitation by monitoring Board's website at dfwairport.com. This solicitation and, potentially, the terms of any Contract that may be awarded pursuant to it, are governed by the contents of any Addendum, regardless of whether a Proponent, in fact, obtains a copy of it. A Proponent's failure to obtain any addendum to this solicitation will not relieve it of any obligations arising under its Proposal.
- d) **Prohibited Contacts:** All Proponents and representatives of any Proponent are strictly prohibited from contacting any other Board employees/representatives or any third-party representatives of Board on any matter having to do with this RFP. All communications by any Proponent concerning this RFP must be made to Board's contact person.

16) Ownership of Proposals: Each Proposal submitted to Board will become the property of Board, without compensation to a Proponent, for Board's use, in its discretion.

17) Award of Contract; Execution:

- a) **Conditions to Award:** By submitting a Proposal, each Proponent agrees that it has no entitlement to an award of a Contract and no Contract award will occur until legislation authorizing such award is considered and enacted by Board, Board and the successful awardee have, in fact, executed a Contract, the fully executed Contract has been approved by Board's Legal Counsel as to form and an original of it has been delivered to awardee.
- b) **Post-Award Contract Execution:** If Board awards a Contract pursuant to this solicitation, Board will prepare and forward to the successful Proponent a Contract for execution substantially in the form provided to the Proponent during this solicitation.

18) Proposal Package Review:

- a) Before signing and sealing a Proposal, please take note of the following:
 - i) **Proponent Qualifications:** When applicable to the specifications, please ensure that all certifications, licensing or other requested qualifications verification forms or information necessary to validate the prime or subcontractors' qualifications to provide products or services are included in the Proposal package.
 - ii) **Read/Confirm Intent to Comply:** Proponent has read all solicitation documents provided in the Request for Proposal, including the Contract, and confirms its intent to comply with all stated provisions.
 - iii) **Proofreading:** Proponent has proofread all documents to ensure all information provided by the Proponent is accurate and responsive to this solicitation.
 - iv) **Accuracy:** Proponent has reviewed and confirmed all mathematical and numerical entries to ensure accuracy and commitment to honor pricing as submitted.

- v) **Insurance Compliance:** Proponent has contacted insurance agent or representative to verify its ability to meet the stated insurance requirements and, if awarded a contract, that it will meet the insurance requirements as detailed in Appendix 4 – Contract.
- vi) **Late Proposals:** Please note the time, date and delivery location (or mailing address if submitted by U.S. Postal Service). Late Proposals will not be accepted. Business hours for the Design, Code and Construction Department are from 8:00 a.m. to 4:30 p.m., LOCAL TIME, Monday through Friday, except holidays. Design, Code and Construction offices are located at 3003 South Service Road, DFW Airport, Texas 75261.
- vii) **Supplier Registration:** While not a requirement of the Proposal submittal, Proponent has registered in the Board's Supplier Registration System, which is required for contracting with the Board.
<http://www.dfwairport.com/procurement/index.php>

Part 2 – Contents of Proposals/Required Submittals

1) Formatting of Proposals:

- a) **Page Limit and Format:** Proposals are limited to a maximum of thirty (30) 8 ½” x 11” pages. Each page should be numbered sequentially. Proposals may be submitted single or double sided, each printed side of any page will count as a numbered page. 11”x17” paper may be used for large exhibits; each printed side of an 11” x 17” page will count as 2 numbered pages, unless otherwise directed in this RFP. Resumes and forms (including attachments to forms prepared by Proponent) do not count toward applicable page limits.
- b) **Original Signature(s):** All documents within a Proposal requiring a signature must bear the original signature of an authorized signatory in the original proposal package; requested copies may have the signatures as copies of the original document(s).
- c) **General Contents of Proposals:** A Proponent must submit a complete Proposal in response to this RFP in the format specified in this RFP; no other format will be accepted.

2) Summary of Information Required to be Included in the Proposal:

- a) **Information Drafted and Provided by a Proponent:** Each Proponent must provide the following information in its Proposal:
 - i) Cover Letter
 - ii) Executive Summary
 - iii) Organizational Structure/Staffing Plan
 - iv) Quality Control and Quality Assurance
 - v) Overall Experience, Qualifications and Performance on Previous Similar Projects
 - vi) Design Assistance and Innovation
 - vii) Affirmative Action and MBE Participation
 - viii) Proposal Price
- b) **Certificates and Information Provided by a Proponent on Forms Provided by Board:**
 - i) Appendix 1 – Good Faith Effort (GFE) Criterial (if applicable)
 - ii) Appendix 2 – MBE Certificates
 - iii) Appendix 3 – Forms
 - (1) Form 1 – Business Disclosure Form
 - (2) Form 2 – Workforce Composition Form
 - (3) Form 3 – Questionnaire
 - (4) Form 4 – Commitment to Minority Business Enterprise (MBE) Participation Form (Construction Phase)
 - (5) Form 4.1 – Commitment to Minority Business Enterprise (MBE) Participation Form (Pre-Construction Services)
 - (6) Form 5 – Pre-Construction Services Schedule of Subcontractors
 - (7) Form 6 – Pre-Construction Services Intent to Perform Contract as a MBE Subcontractor
 - (8) Form 7 – Verification of Contracting Prohibitions
 - iv) Appendix 5 – Bonding Letter
 - v) Appendix 7 – Proposal Price

3) Detailed Information Requirements:

- a) **Cover Letter:** The cover letter must accompany the executive summary and include:
 - i) Proponent's name, address, telephone number and fax number, signed by a person authorized to act on behalf of Proponent
 - ii) The name, title, address, e-mail address, telephone number and fax number of the person signing the letter and to whom all future correspondence and/or communications may be

- directed by Board concerning this solicitation
- iii) The type of business entity that proposes to enter into a Contract with Board and the identity of any other business entities that will comprise Proponent
- b) **Executive Summary:** The purpose of the Executive Summary is to provide an overview of Proponent's qualifications to perform the work outlined in this RFP. At a minimum, the Executive Summary must contain the following information:
- i) Complete legal name of Proponent and the name of the legal entities that comprise Proponent. Proponent must provide the domicile where each entity comprising it is organized, including entity name, brief history of the entity (including services provided), contact name, address, phone number, and facsimile number, as well as the legal structure of the entity and a listing of major satellite offices;
- ii) The general and specific capabilities and experience of Proponent's Team, including Subconsultants/Subcontractors and Persons working for Proponent or its Subconsultants/Subcontractors. Proponent must discuss how the team was formed and how the team will function as an integrated unit in providing work to Board.
- c) **Overall Experience, Qualifications and Performance on Previous Projects:²**
- i) Provide a description of the general and specific capabilities and experience of Proponent's team members, including Subconsultants/Subcontractors, concerning the construction of operation centers, secure data centers, emergency operation centers, command centers or projects involving large security, data and redundant system components using the Construction Manager at Risk project delivery method for Airports, Transportation Agencies, Government Agencies or comparable Organizations.
- ii) Identify examples where team members have worked together to complete a project and discuss how the team was formed and how the team will function as an integrated unit in providing work to the Board.
- iii) Identify project examples when a GMP was delivered using "fast track" and preconstruction services provided during its design and construction phases.
- iv) Provide a list of similar or comparable projects such as operation centers, command centers, emergency operation centers or projects involving a large security, data and redundant system components completed by the proposed team for Airports, Transportation Agencies, Government Agencies or other comparable Organizations. List projects in reverse chronological order beginning with the most recent and include project description, project initial budget, project completed cost, project initial schedule, actual project duration, project square footage, at what percentage of design was the GMP agreed, and references with names and telephone numbers.
- v) For each project listed, describe each proposed team member's specific contribution.
- vi) Provide a description of the procedures/processes Proponent used on previous projects to manage the overall work including, budget, schedule and function. Include a description of any metrics used to measure performance concerning budget and schedule as well as to ensure quality.
- vii) Provide a detailed description of Proponent's ability and processes used to work with all involved parties (i.e. owner, contractor, subcontractors, stakeholders.)
- viii) Provide a detailed narrative that demonstrates Proponent's capacity to provide work according to applicable schedules and budgets.
- ix) Describe the Proponent's ability to meet schedules and commit resources based on current and projected workload.
- x) Describe additional resources to be utilized if they are needed.
- d) **Technical Qualifications and Experience of Key Project Team Members:³**

² If a Proponent is a joint venture, all information in this Section should be provided for all joint venturers comprising the Proponent.

³ If a Proponent is a joint venture, all information in this Section should be provided for all joint venturers comprising the Proponent.

- i) Describe the professional qualifications and experience of key personnel in doing CMAR projects (design firm, construction firm, project manager, superintendent). Key personnel (project senior management) must have a minimum of 10 years' experience in CMAR or similar projects, preferably in aviation or transportation.
 - ii) Describe the Organizational Structure/Staffing Plan. The Proponent's Organizational Structure Section of the Qualifications Statement should introduce the proposed Proponent team (including Subconsultants /Subcontractors) by:
 - (1) Provide Proponent's management organizational chart both graphically and in narrative format. The organizational chart and narrative should provide a description of Proponent's views on how it will organizationally provide the work, as well as depict the relationship of its key personnel roles to that of the principal-in-charge and other key members of the management team.
 - (2) Describe how this organizational structure will facilitate managing the work requested and how an efficient flow of information will be realized from the organizational structure.
 - (3) Describe how the organizational structure will incorporate the role of Subconsultants/Subcontractors in a well thought out approach to providing the work.
- e) **Knowledge of applicable regulations, professional standards, applicable regulations concerning Integrated Operation Center or Command Center projects:⁴**
- i) Describe Proponent's experience in understanding the issues and processes required to provide work at a secure facility.
 - ii) Describe Proponent's familiarity with applicable rules, regulations, professional standards, etc. regarding integrated operation centers, command centers, emergency operation centers or projects involving a large security, data and redundant system components completed by the proposed team for Airports, Transportation Agencies, Government Agencies or other comparable Organizations.
- f) **Safety Program/Quality Control:⁵**
- i) Provide the Proponent's safety record on all previous projects within the past five years and describe the team's approach to safety.
 - ii) Describe the Proponent's approach to Quality Control.
- g) **Design Assistance / Innovation:⁶**
- i) Provide the Proponent's experience and approach to assisting during the design phase including value engineering, cost estimating and constructability reviews.
 - ii) Describe the Proponent's approach to innovation including initiating acceleration of the construction schedule through early start packages, design alternatives, and collaboration.
- h) **Affirmative Action and MBE Participation:** Each Proponent should provide a narrative in its Proposal describing the following:
- i) **Affirmative Action Plan:** Proponent's Affirmative Action Plan and/or policy statement, including goals with respect to hiring staff for the Contract and any Delivery Orders that may be issued under it. Such plan must include, but not be limited to: goals for women and minorities for management and non-management positions.
 - ii) **Description of Commitment:** How will the Proponent manage expectations and commitment to firms that have been identified in the Proposals that will be utilized to fulfill Proponent's MBE requirements? In addition, explain the selection of Proponent's team composition, including diversity within the team and any opportunities given to team members that may be new to Proponent's team and why they were selected.
 - iii) **Description of Business Development, Technical Assistance, and/or Capacity Building**

⁴ If a Proponent is a joint venture, all information in this Section should be provided for all joint venturers comprising the Proponent.

⁵ If a Proponent is a joint venture, all information in this Section should be provided for all joint venturers comprising the Proponent.

⁶ If a Proponent is a joint venture, all information in this Section should be provided for all joint venturers comprising the Proponent.

Initiatives: Description of Proponent's commitment to programs, assistance or support to enhance the capacity or facilitate the participation of MBE's, including outreach and a proposed mentoring program.

- iv) **Private Sector Participation:** Describe Proponent's ability to demonstrate MBE participation on private sector work or on contracts that require no goals. How is the overall effectiveness of Proponent's diversity and inclusion initiatives measured? Is it tied to a goal or metric? If so, what is the goal/metric and how has Proponent performed in relation to the goal historically?
 - v) **Assurance:** What steps will Proponent take to ensure it meets the MBE participation goal and does Proponent have a dispute resolution/mediation plan in place for modification, elimination or termination of a MBE. In addition, who will oversee Proponent's MBE program and at what level are they within Proponent's organization? Also describe this individual's commitment to MBE programs, assistance or support to enhance the capacity or facilitate the participation of MBE firms under the Contract. What systems does Proponent have in place to reach its MBE participation and is Proponent familiar with Board's B2GNOW system and, if not, what steps will Proponent take to learn the system?
- i) **Proposal Price:** Each Proponent must fill out the form set forth in Appendix 7: Proposal Price. CMAR Lump Sum Fee entered into Appendix 7 will not change at the time of the GMP amendment.

4) Submission of Proposals:

- a) **Contents:** Proposals will consist of 1 submittal in a 3-Ring Binder, in a sealed envelope.
- b) **Appendix 7: Proposal Price:** Must be submitted in a separate sealed envelope.
- c) **Identification:** Proposals must clearly identify the name of the project: Request for Proposals for Contract No. 9500618 Integrated Operations Center - Construction Manager-At-Risk (CMAR), and the name and address of Proponent.
- d) **Copy Requirements:** Copy requirements for a Proposal are: 1 original and 6 hard copies and 7 flash drives, each with a copy in pdf format saved to it. Each flash drive should be individually labeled with the contract number, Proponent name and clipped within each binder (one flash drive per binder).
- e) **Organization:** The Proposals contained in the 3-Ring Binders should have each information category clearly identified and/or separated by labeled tabs (not counted against page limit) and organized in accordance with subject matter sequence set forth in this RFP.
- f) **Submittal Package:** All contents must be submitted in a sealed box or boxes clearly labeled with Proponent name and Contract No. Each box submitted must be timestamped at time of submittal prior to the due date and time.

- 5) **Submittals:** The following submittals must be completed and submitted with each Proposal. This table is included for Proponent's convenience and may be used to track the preparation and submittal of certain required information with its Proposal.

Item #	Required Proposals Submittal - Check Sheet	Check (√)
	Appendix 1 – Good Faith Effort (GFE) Criteria (If applicable)	
	Appendix 2 – D/S/M/WBE Certificates	
	Appendix 3 – Form 1 – Business Disclosure Form	
	Appendix 3 – Form 2 – Workforce Composition Form	
	Appendix 3 – Form 3 – Questionnaire	
	Appendix 3 – Form 4 – Commitment to Minority Business Enterprise (MBE) Participation Form (Construction Phase)	
	Appendix 3 – Form 4.1 – Commitment to Minority Business Enterprise (MBE) Participation Form (Pre-Construction Services)	
	Appendix 3 – Form 5 – Pre-Construction Services Schedule of Subcontractors	
	Appendix 3 – Form 6 - Intent to Perform Contract as a MBE Subcontractor (Pre-Construction Services)	
	Appendix 3 – Form 7 – Verification of Contracting Prohibitions	
	Appendix 5 – Bonding Letter	
	Appendix 7 – Proposal Price	

Part 3 – Evaluation of Proposals

- 1) **Description of Evaluation Process:** This solicitation will use the following evaluation process:
 - a) Proposals that are timely submitted will be reviewed for responsiveness and Proponents will be reviewed for responsibility.
 - b) If a Proponent is deemed responsible and its Proposal is deemed responsive, that Proponent/Proposal will advance to the Criteria Evaluation Phase. During the Criteria Evaluation Phase, Proponents will be ranked according to qualifications.

- 2) **Initial Evaluation of MBE Component:** Board's established MBE program goal for this solicitation is 15% for Pre-Construction Services and 20% for Construction Services. If a Proponent does not demonstrate a commitment to meet or exceed the established goal, documentation evidencing a good faith effort to meet the goal must be submitted with its Proposal. A Proponent that does not demonstrate a commitment to meet or exceed the established goal or does not demonstrate a good faith effort to do so (as evaluated by Board's Business Diversity & Development Department ["BDDD"]) will be deemed non-responsive and/or non-responsible (Good Faith Effort Plan documentation does not count against the page limit) and will not move into the Criteria Evaluation Phase of this solicitation.

- 3) **Criteria Evaluation Phase:**
 - a) The Criteria Evaluation Phase will be conducted in one or two steps (at Board's discretion):
 - i) initial evaluations based upon the content of submitted Proposals; and
 - ii) subsequent re-evaluations based upon interviews of Proponents, if Board chooses to conduct interviews.
 - b) A re-evaluation after an Interview will involve Board's re-evaluation of a Proponent using evaluation criteria numbers 1 through 6 in the table in the Clause entitled "Evaluation Form/Criteria". A Proponent's Proposal Price will not be re-evaluated.
 - c) After evaluations, Proponents will be ranked.

- 4) **Negotiations:**
 - a) Board will enter into Contract negotiations with the top ranked Proponent.
 - b) If Board and the top ranked Proponent are unable to successfully negotiate a Contract, Board will formally discontinue the negotiations and attempt to negotiate a Contract with the next ranked Proponent.
 - c) Board will continue this process until it is able to successfully negotiate a Contract with a Proponent or, instead, determines it is in its best interests to cancel the solicitation.

- 5) **Interviews:**
 - a) Board may conduct interviews of Proponents during this solicitation.
 - b) Depending on the number of Proposals received by Board, it may:
 - i) decide to interview all Proponents before re-evaluating all of them; or
 - ii) decide to interview only a certain number of Proponents, based upon their initial evaluation rankings;
 - iii) and or request a best and final offer proposal price.
 - c) After evaluating the written Proposals received, Board will provide all Proponents greater detail concerning the subject of interviews (whether they will occur, be phased, etc.).

d) If Board does conduct interviews, Board will manage its evaluations, interviews and negotiations so that no Proponent negotiates with Board until it has been interviewed and re-evaluated. For instance, assume that Board receives 12 Proposals in this solicitation and first decides to interview 4 Proponents (the top 4 ranked during the initial evaluation of written Proposals). The Board then unsuccessfully negotiates with all 4 Proponents. Board may then decide to interview the next 4 ranked Proponents in the same manner and then begin negotiating with Proponent No. 5. This process may be followed through all 12 Proponents until a Contract is successfully negotiated or Board decides to end negotiations and cancel the solicitation.

6) **Evaluation Form/Criteria:** All Proposals will be evaluated by an Evaluation Committee in accordance with the following Evaluation Form/Criteria:

7) **Evaluation Form/Criteria**

Evaluation Criteria Number	POINTS / RELATIVE WEIGHT	GRADED ITEM
1	10/0%	Overall Experience and Qualifications as a CMAR; this includes Performance on Previous similar Projects for the Owner and other clients
2	15/15%	Technical qualifications and experience of key project team members in CMAR work
3	15/15%	Knowledge of applicable regulations, professional standards, applicable regulations concerning Integrated Operation Center or Command Center projects
4	5/5%	Safety Program/Quality Control
5	15/15%	Design Assistance / Innovation
6	20/20%	Affirmative Action and MBE Participation
7	20/20%	Proposal Price (Scored per the provision entitled "Proposal Price Evaluation")
	100/100%	TOTAL SCORE

8) **Proposal Price Evaluation:** A Proponent's Proposal Price will be scored as follows:

Price	Criteria Points Awarded
Lowest Proposed Price (LPP)	100%
<= 10% increase of the LPP	90%
> 10% & <= 20% increase of the LPP	80%
> 20% & <= 30% increase of the LPP	70%
> 30% & <= 40% increase of the LPP	60%
> 40% & <= 50% increase of the LPP	50%
> 50% & <= 60% increase of the LPP	40%
> 60% & <= 70% increase of the LPP	30%
> 70% & <= 80% increase of the LPP	20%
> 80% & <= 90% increase of the LPP	10%
> 90% increase of the LPP	0 Points

Appendix 1 – Good Faith Effort (GFE) Criteria

NOTE: Include a response to GFE criteria and support documentation in Proposal only if the D/S/M/WBE goal is not achieved.

The following factors are taken into account when assessing a good faith effort response. These factors are minimally considered as good faith efforts and demonstrate specific initiatives made in attempting to achieve the applicable contract-specific Disadvantaged/Small/Minority/Women Business Enterprise (D/S/M/WBE) goal. These factors should not be considered as a template, checklist or some quantitative formula. Proposers are required to meet all factors outlined below and provide support documentation in order for the good faith effort plan to be assessed. Mere pro forma efforts are not good faith efforts to meet the D/S/M/WBE contract requirements. This means that a Contractor/proposer must show that it took all necessary and reasonable steps to achieve a D/S/M/WBE goal or other requirement of this GFE which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient D/S/M/WBE participation, even if they were not fully successful. DFW will evaluate the GFE on quality, quantity, and intensity of the different kinds of efforts that the Contractor/proposer has made, based on the regulations and the guidance in Code of Federal Regulations.

NOT SUBMITTING PROPER SUPPORT DOCUMENTATION IS NOT EVIDENCE OF A PROPER DEMONSTRATION OF GOOD FAITH EFFORT. SUBMITTAL OF THE CRITERIA, WITH NO ADDITIONAL DOCUMENTATION, WILL NOT BE CONSIDERED ADEQUATE DEMONSTRATION OF GOOD FAITH EFFORT. Proposers are not limited to these particular areas and may include other efforts deemed appropriate. Complete form and attach support documentation only if the D/S/M/WBE goal is not achieved. For additional guidance concerning Good Faith Efforts, please refer to the Electronic Code of Federal Regulations (CFR 49 part 26 Exhibit A).

GOOD FAITH EFFORT FACTORS
Whether the contractor/vendor/Proposer conducted market research to identify small business contractors and suppliers and solicit through all reasonable and available means the interest of all certified D/S/M/WBEs that have the capability to perform the work of the contract. This may include attendance at any pre-Proposal or pre-proposal meetings to discuss subcontracting and supplier opportunities (acceptable documentation shall include copies of the meeting sign-in sheets with contractor name noted as signed-in) and business matchmaking meetings and events, advertising and/or written notices, posting of Notices of Sources Sought and/or Requests for Proposals, written notices or emails to all D/S/M/WBEs listed in the State and/or Local respective directories of firms that specialize in the areas of work desired (as noted in the D/S/M/WBE directory) and which are located in the area or surrounding areas of the project.
Whether the contractor/vendor/Proposer advertised in general circulation, trade association, and/or D/S/M/WBE focused media concerning subcontracting and supplier opportunities (acceptable documentation shall be copies of advertisement, newspaper page where advertisement was posted or print media confirmations);

<p>Whether the contractor/vendor/Proposer should solicit this interest as early in the acquisition process being at least five (5) business days prior to Proposal opening as practicable to allow the D/S/M/WBEs to respond to the solicitation and submit a timely offer for the subcontract. The Contractor/proposer should determine with certainty if the D/S/M/WBEs are interested by taking appropriate steps to follow up initial solicitations at least three (3) business days prior to Proposal opening to determine with certainty whether the DBEs were interested (appropriate steps may be demonstrated by second contact attempts by letter, facsimile transmission, telephone communication or email, if Contractor/proposer failed to make contact on its first attempt).</p>
<p>Whether the contractor/vendor/Proposer selected portions of the work to be performed by D/S/M/WBEs in order to increase the likelihood that the D/S/M/WBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units (for example, smaller tasks or quantities) to facilitate D/S/M/WBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces. This may include, where possible, establishing flexible timeframes for performance and delivery schedules in a manner that encourages and facilitates D/S/M/WBE participation.</p>
<p>Whether the contractor/vendor/Proposer provided interested D/S/M/WBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation with their offer for the subcontract. The ability or desire of a contractor/vendor/Proposer to perform the services of a contract with its own workforce does not relieve the contractor/vendor/Proposer of the responsibility to meet the contract goal or demonstrate good faith efforts to do so (The Contractor/proposer shall make a moderate and reasonable adjustment to the normal and practiced industry standard that demonstrates a reasonable willingness to divide up scopes of work to provide more opportunities for D/S/M/WBEs to Proposal/quote).</p>
<p>Whether the contractor/vendor/Proposer negotiated in good faith with interested D/S/M/WBEs. It is the Contractor's/proposer's responsibility to make a portion of the work available to D/S/M/WBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available D/S/M/WBE subcontractors and suppliers, so as to facilitate D/S/M/WBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of D/S/M/WBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional Agreements could not be reached for D/S/M/WBEs to perform the work.</p>
<p>Whether the contractor/vendor/Proposer using good business judgment would consider a number of factors in negotiating with subcontractors, including D/S/M/WBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using D/S/M/WBEs is not in itself sufficient reason for a Contractor's/proposer's failure to meet the contract D/S/M/WBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the Contractor/proposer of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from D/S/M/WBEs if the price difference is excessive or unreasonable.</p>

<p>Whether the contractor/vendor/Proposer did not reject D/S/M/WBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union status) are not legitimate causes for the rejection or non-solicitation of Proposals in the contractor's efforts to meet the project goal. Another practice considered an insufficient good faith effort is the rejection of the D/S/M/WBE because its quotation for the work was not the lowest received. However, nothing in this paragraph shall be construed to require the Contractor/proposer or prime contractor to accept unreasonable quotes in order to satisfy contract goals.</p>
<p>Whether the contractor/vendor/Proposer prime contractor's inability to find a replacement D/S/M/WBE at the original price is not alone sufficient to support a finding that good faith efforts have been made to replace the original D/S/M/WBE. The fact that the contractor has the ability and/or desire to perform the contract work with its own forces does not relieve the contractor of the obligation to make good faith efforts to find a replacement D/S/M/WBE, and it is not a sound basis for rejecting a prospective replacement D/S/M/WBE's reasonable quote.</p>
<p>Whether the contractor/vendor/Proposer make efforts to assist interested D/S/M/WBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.</p>
<p>Whether the contractor/vendor/Proposer make efforts to assist interested D/S/M/WBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.</p>
<p>Whether the contractor/vendor/Proposer effectively use the services of available minority/women community organizations; minority/women contractors' groups; Local, State, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of D/S/M/WBEs.</p>
<p>Whether the contractor/vendor/Proposer in determining whether a Contractor/proposer has made good faith efforts, it is essential to scrutinize its documented efforts. At a minimum, DFW will review the performance of other Contractors/proposers in meeting the contract goal. For example, when the apparent successful Contractor/proposer fails to meet the contract goal, but others meet it, DFW may reasonably raise the question of whether, with additional efforts, the apparent successful Contractor/proposer could have met the goal. As provided in §26.53(b)(2)(vi), the Contractor must submit copies of each D/S/M/WBE and non-D/S/M/WBE subcontractor quote submitted to the Contractor when a non-D/S/M/WBE subcontractor was selected over a D/S/M/WBE for work on the contract to review whether D/S/M/WBE prices were substantially higher; and contact the D/S/M/WBEs listed on a contractor's solicitation to inquire as to whether they were contacted by the prime. Pro forma mailings to D/S/M/WBEs requesting Proposals are not alone sufficient to satisfy good faith efforts under the rule.</p>
<p>Whether the contractor/vendor/Proposer promise to use D/S/M/WBEs after contract award is not considered to be responsive to the contract solicitation or to constitute good faith efforts.</p>

FOR DFW BUSINESS DIVERSITY & DEVELOPMENT USE ONLY:

Plan Reviewed by: _____

Date: _____

Signature of D/S/M/WBE Liaison: _____

Recommendation: Approval: _____ Denial: _____ **(rev 10/18/16)**

Appendix 2 – D/S/M/WBE Certificates

INSERT D/S/M/WBE CERTIFICATES HERE

Appendix 3 – Forms

- Form 1 – Business Disclosure Form
- Form 2 – Workforce Composition Form
- Form 3 – Questionnaire
- Form 4 – Commitment to Minority Business Enterprise (MBE) Participation Form (Constriction Phase)
- Form 4.1 – Commitment to Minority Business Enterprise (MBE) Participation Form (Pre-Construction Services)
- Form 5 – Pre-Construction Services Schedule of Subcontractors
- Form 6 – Intent to Perform Contract as a MBE Subcontractor (Pre-Construction Services)
- Form 7 – Verification of Contracting Prohibitions

**Form 1
Business Disclosure Form**

**DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD
BUSINESS DISCLOSURE FORM**

It is recommended this form be completed by a governing person, governing authority, or legal counsel.

Information about Entity Submitting Proposal/Offer

(This information must match the information provided on the Proposal/Offer.)

Business Name:					
Business Address:			Mailing Address:		
City	State	Zip	City	State	Zip
Business Web Address:					
Business Phone:			Business Fax:		
Contact Person:			Contact's Phone No.:		
Contact's E-Mail Address:					

Entity Ownership Information (Check the appropriate box and provide requested details below.)

business Structure: (Please check only one box) <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Joint Venture <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation ("C")	
IF CORPORATION, please check all the type(s) below that are applicable: <input type="checkbox"/> For Profit <u>or</u> <input type="checkbox"/> Non Profit <input type="checkbox"/> Public <u>or</u> <input type="checkbox"/> Private <input type="checkbox"/> S Corporation <input type="checkbox"/> Professional <input type="checkbox"/> Parent-Subsidiary <input type="checkbox"/> Close	
State of Incorporation, Registration or Formation: State: Month: Year:	
Name(s) of Owner(s) or Partners (or Owner of DBA if applicable) Please indicate if any such individual(s) were employed by DFW Airport and the dates employed:	
Name(s) of Joint Venture Participants, if applicable Please indicate if any such individual(s) were employed by DFW Airport and the dates employed:	
<u>UNLESS PUBLICLY TRADED</u> list all individuals, partnerships, corporations or other entities having <u>at least 10% ownership</u> in the business <u>and indicate their percentage of ownership</u>. Please indicate if any such individual(s) were employed by DFW Airport and the dates employed. Attach additional sheets if necessary.	
Form Completion Date:	
Failure to properly complete and submit this form with the Proposal/offer may cause the Proposal/offer to be considered non-responsive (Form Revised 10/13)	

**Form 2
Work Force Composition Form
(PRIME CONTRACTOR)**

NAME OF PROPONENT FIRM / CONTRACTOR _____

DATE _____

Classification	American Indian or Alaskan Native			Asian or Pacific Islander			Black			Hispanic			White			Total Number of Full Time Employees				
	M	F	%	M	F	%	M	F	%	M	F	%	M	F	%	M	F	ALL	%	
M=Male / F=Female																				
Officials and Managers																				
Professionals																				
Technicians																				
Sales Workers																				
Administrative Support Workers																				
Craft Workers																				
Laborers and Helpers																				
Service Workers																				
TOTAL																				

Definitions in accordance with Equal Employment Opportunity (EEO)

American Indian or Alaskan Native	A person having origins in any of the original peoples of North America, and who maintain their culture through a tribe or community
Asian or Pacific Islander	A person having origins in any of the original people of the Far East, Southeast Asia, India, or the Pacific Islands. These areas include, for example, China, India, Korea, the Philippine Islands, and Samoa.
Black	A person having origins in any of the black racial groups of Africa.
Hispanic	A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
White	A person with origins in Europe, North Africa, or the Middle East.

REMARKS:

Form 3 Questionnaire

Proponent's disclosures must fully answer all questions posed by Board. Such disclosure must be submitted at the time of the Qualifications Statement submission and included as a part of the Qualifications Statement.

For the purposes of this disclosure form:

1. "Proponent" means, and disclosure is required for, each Proponent and its constituent Persons (e.g. members, firms, partners, joint ventures, or similar Persons), and all Subconsultants/Subcontractors (at any tier), and such Subconsultants'/Subcontractors' constituent Persons (e.g. members, firms, partners, joint ventures, or similar Persons).
2. "Affiliate" means:
 - a. any Person that, directly or indirectly through one of more intermediate Persons, controls, is controlled by or is under common control with Proponent or its constituent Persons (e.g. members, firms, partners, joint ventures, or similar Persons); or
 - b. any Person that, directly or indirectly through one of more intermediate Persons, controls, is controlled by or is under common control with Subconsultant/Subcontractor or its constituent Persons (e.g. members, firms, partners, joint ventures, or similar Persons).
3. "control" means that the controlling Person: (i) possesses, directly or indirectly, the power to direct or cause the direction of the management and policies of the controlled Person, whether through the ownership of voting securities or by contract or otherwise; or (ii) has direct or indirect ownership in the aggregate of fifty-one (51%) or more of any class of voting or equity interests in the controlled Person.

The following information must be provided:

1. Please provide the names and business addresses of Proponent and each of Proponent's officers, directors, affiliates and other employees, agents or representatives for this project at Dallas/Fort Worth International Airport. Describe accurately, fully and completely their respective relationships with Proponent, including their ownership interests and their anticipated role in the management and operations of Proponent.
2. Please describe the general development of Proponent's business during the past ten (10) years, or such shorter period that Proponent has been in business.
3. List any lawsuits or administrative actions to which Proponent is currently a party or has been a party (either as a plaintiff or defendant) during the past ten (10) years based upon fraud, theft, breach of contract, misrepresentation, safety, wrongful death or other similar conduct. For each lawsuit or administrative action, list all parties and indicate the role such party played in the lawsuit or administrative action and transaction out of which it arose (e.g. bonding company, insurance company, an owner, etc.). State the project giving rise to the lawsuit or administrative action, explain the basis for all claims and state whether a settlement was reached or a judgment was entered, specifying the terms of the settlement or judgment and identifying each party against whom a judgment was entered.⁷

⁷ Proponents are cautioned to err on the side of inclusiveness when answering this question and should provide detailed information concerning all possible lawsuits or administrative actions that may be responsive to the question. Further, if a Proponent is/has been involved in any lawsuit or administrative action in which Board is/was a party, Board may reject Proponent's proposal and find Proponent non-responsible based upon the facts applicable to the lawsuit or administrative action. A Proponent's failure to list a responsive lawsuit or administrative action in which Board is/was a party will result in the automatic rejection of its Proposal as non-responsive.

4. Provide details if Proponent has been charged with a criminal offense within the last ten (10) years.
5. Describe any citation or notices of violation which Proponent received from any government agency regarding any of Proponent's work during the past ten (10) years. Include OSHA violations, except for de minimis dollar amounts.
6. Please state whether any of the following events have occurred in the last ten (10) years with respect to Proponent. If any answer is yes, explain fully the circumstances surrounding the subject matter of the affirmative answer:
 - a. Whether Proponent, or affiliate currently or previously associated with Proponent, has ever filed a petition in bankruptcy, taken any actions with respect to insolvency, reorganization, receivership, moratorium or assignment for the benefit of creditors, or otherwise sought relief from creditors.
 - b. Whether Proponent, or affiliate currently or previously associated with Proponent, was subject of any order, judgment or decree not subsequently reversed, suspended or vacated by any court permanently enjoining Proponent from engaging in any type of business practice.
 - c. Whether Proponent, or affiliate currently or previously associated with Proponent, was the subject of any civil or criminal proceeding in which there was a final adjudication adverse to Proponent which directly arose from activities conducted by Proponent which submitted a bid, proposal or qualifications statement for the subject project.
 - d. Whether Proponent, or affiliate currently or previously associated with Proponent, has been debarred or suspended from the participation in any procurement conducted by any governmental entity or other legal entity engaged in competitive public procurements.
7. State whether any employee, agent or representative of Proponent who is or will be directly involved in the work, in the last ten (10) years: (i) has or had, directly or indirectly, a business relationship with Board; (ii) directly or indirectly has received revenues from Board or (iii) directly or indirectly has received revenues from conducting business on Board property or pursuant to any contract with Board.
8. State whether any employee, agent or representative of Proponent who is or will be directly involved in the project has or had within the last ten (10) years a direct or indirect business relationship with any elected or appointed Board official or with any Board employee.
9. List:
 - (a) any current contract under which Proponent or an Affiliate (as a prime contractor or Subcontractor/Subconsultant) provides work or work to Board or any Person doing business at the Airport; and
 - (b) pending contract (e.g. not finalized and executed) under which Proponent or an Affiliate (as a prime contractor or Subcontractor/Subconsultant) will provide work or work to Board or any Person doing business at the Airport.
10. List any other Board solicitations (including those being done or that will be done on Board's behalf; e.g. Construction Manager at Risk procurements under Chapter 2269 of the Texas Government Code) that Proponent or an Affiliate (as a prime contractor or Subcontractor/Subconsultant) is currently participating in or intends to participate in during the next 6 months.

NOTE: Proponent may complete this Disclosure and Questionnaire Form by answering the questions on a separate submittal that is organized according to the numbered inquiries in this form. In addition to providing detailed narrative answers to the questions posed in this Disclosure and Questionnaire Form, Proponent may attach any other documents that may provide information responsive to the subjects addressed in this form.

I declare that I have examined this Disclosure and Questionnaire Form and all attachments to it, if applicable, and, to the best of my knowledge and belief, and all statements contained in it and all attachments, if applicable, are true, correct and complete.

Date: _____

Proponent:

By: _____

Name: _____

Title: _____

**Form 4
 COMMITMENT TO MINORITY
 BUSINESS ENTERPRISE (MBE) PARTICIPATION FORM (Construction Phase)**

(This form is required as part of the Proposal submission.)

The MBE goal for Solicitation/Contract # 9500618 is 20% for the Construction Phase only.

NOTE: *The BDDD will only credit MBE participation that is certified by an approved certification entity at the time of Proposal submission. DBE certificates will no longer be accepted for MBE credit. Effective 10/1/12, in addition to having a valid certification, MBEs must also have a place of business in the Airport's market area⁸ at the time of Proposal submission for credit towards meeting a contract goal.*

The undersigned Contractor has satisfied the requirements of the Proposal specifications in the following manner (Please check (✓) the appropriate space):

_____ Self-Performance: The proposer, a certified MBE firm, is committed to meeting or exceeding the MBE goal through self-performance.

_____ Self-Performance & Percentage Participation: The proposer, a certified MBE firm, is committed to meeting or exceeding the MBE goal, with a minimum of _____% self-performance and a minimum of _____% MBE subcontracting participation on this contract.

_____ Percentage Participation: The proposer is committed to meeting or exceeding the MBE goal, with a minimum of _____% MBE subcontracting participation on this contract.

_____ The Contractor is unable to meet the MBE goal of _____% and is committed to a minimum of _____% MBE utilization on this contract and submits documentation demonstrating good faith efforts.

_____ The Contractor is unable to meet the MBE goal of _____% and submits documentation demonstrating good faith efforts.

Name of Prime Contractor: _____

Signature _____ Title _____

Printed Name _____ Date _____

MBE Commit Form Updated 12/2015

⁸ *The Airport's market area is defined as the North Texas Commission twelve-county area of Dallas, Tarrant, Collin, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall, and Wise counties.*

**Form 4.1
 COMMITMENT TO MINORITY
 BUSINESS ENTERPRISE (MBE) PARTICIPATION FORM (Pre-Construction Services)**

(This form is required as part of the Proposal submission.)

The MBE goal for Solicitation/Contract # 9500618 is 15% for Pre-Construction Services only.

NOTE: *The BDDD will only credit MBE participation that is certified by an approved certification entity at the time of Proposal submission. DBE certificates will no longer be accepted for MBE credit. Effective 10/1/12, in addition to having a valid certification, MBEs must also have a place of business in the Airport’s market area⁹ at the time of Proposal submission for credit towards meeting a contract goal.*

The undersigned Contractor has satisfied the requirements of the Proposal specifications in the following manner (Please check (✓) the appropriate space):

- Self-Performance: The proposer, a certified MBE firm, is committed to meeting or exceeding the MBE goal through self-performance.
- Self-Performance & Percentage Participation: The proposer, a certified MBE firm, is committed to meeting or exceeding the MBE goal, with a minimum of _____% self-performance and a minimum of _____% MBE subcontracting participation on this contract.
- Percentage Participation: The proposer is committed to meeting or exceeding the MBE goal, with a minimum of _____% MBE subcontracting participation on this contract.
- The Contractor is unable to meet the MBE goal of _____% and is committed to a minimum of _____% MBE utilization on this contract and submits documentation demonstrating good faith efforts.
- The Contractor is unable to meet the MBE goal of _____% and submits documentation demonstrating good faith efforts.

Name of Prime Contractor: _____

Signature _____ Title _____

Printed Name _____ Date _____

MBE Commit Form Updated 12/2015

⁹ *The Airport’s market area is defined as the North Texas Commission twelve-county area of Dallas, Tarrant, Collin, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall, and Wise counties.*

Form 5
Pre-Construction Services SCHEDULE OF SUBCONTRACTORS (PRELIMINARY)

Prime Proposer/Contractor: _____
 SBE MBE WBE NON-S/M/WBE

Contract Name: _____
 Contract/Solicitation Number: _____

As part of the procedures for the submission of a completed Proposal, all Proposers are required to identify ALL participating subcontractors applicable to the above project and include this form as part of the Proposal. Check all Certification Status categories that apply to each subcontractor; however, **only the shaded category shall be credited towards the established diversity goal.** Verify that the proposed subcontractor-for-credit has a place of business in the Airport's Relevant Market Area³ (not applicable to DBE goals). The submission of this information is considered an issue of responsiveness, and the Airport Board will not award a contract to any Contractor who has not supplied this documentation. Use additional sheets if necessary.

Name of Subcontractor(s)	Certification Status ² (check the applicable)				Relevant Market Area ³ (√)	Description of Material or Service Being Provided or Performed	Dollar Amount and Percentage of Work	
	SBE	MBE	WBE	NO			\$\$\$	%
	Dollar Amount & Percentage of Work to be completed by Non-MBE Subcontractors							
	Dollar Amount & Percentage of Work to be completed by MBE Subcontractors							
	Dollar Amount & Percentage of Work to be self-performed by the Prime							
	Total Dollar Amount & Percentage of Work (The Total Amount shall equal the amount proposed on summary of Proposal page).							100%

NOTE: Certification certificate(s) MUST be attached to this form or Proposal will be deemed non-responsive.

PRIME CONTRACTOR'S CERTIFICATION

The above information is true and complete to the best of my knowledge and belief. I further understand and agree that if awarded the contract, this certification shall be attached thereto and become a part thereof. Failure to provide accurate and complete information or exercise positive, good faith efforts (as defined by the Board's S/M/WBE Program) in support of the Board's small/minority/woman-owned business intent and objective may result in being considered non-responsive to the Board's requirements. Furthermore, it is understood and agreed that, if awarded a contract by the Airport Board, the Contractor will not make additions, deletions or substitutions to this certified list of S/M/WBE subcontractors without the consent of the Board's Vice President of Business Diversity & Development Department (BDDD) or designee through the submittal of the S/M/WBE Form 102, Request for Approval of Change to Final Schedule of Subcontractors if this is determined to be the final schedule. The BDDD reserves the right to ensure compliance with the Board's S/M/WBE programs as deemed necessary including but not limited to audits of submitted S/M/WBE information applicable to the Contractor/subcontractors participating on the contract.

Name and Title of Authorized Representative _____
 (Please print or type)

Signature: _____ Date: _____

Any named person, firm, partnership, corporation, association or joint venture as herein provided identified as providing work, labor, services, supplies, equipment, materials or any combination of the foregoing, under contract to a prime Contractor on an Airport contract at any tier.

² In order to credit the participation of small/minority and woman-owned businesses, firms must be certified as S/M/WBEs by a certification agency approved by the Airport Board as defined in the S/M/WBE Policies and Administrative Procedures.

³ In addition to having a valid certification, the S/M/WBE must have a place of business in the Airport's relevant market area at the time the Proposal is submitted for credit towards meeting an S/M/WBE goal. **Form 90_Updated 12/01/2015**

Form 6
INTENT TO PERFORM CONTRACT AS A MBE SUBCONTRACTOR¹ (Rev 12/1/2015)
(Pre-Construction)

The Airport requires that small, minority and woman-owned businesses be certified as S/M/WBEs by an approved certification agency as defined in the SBE and M/WBE Policy and Administrative Procedures. Effective 10/1/12, in addition to having a valid certification, MBEs, WBEs and SBEs must have a place of business in the Airport's market area¹⁰ at the time of Proposal submission for credit towards meeting a contract goal.

1. Contract / Solicitation Number: _____
2. Name of Prime Contractor: _____
3. Address, City, State and Zip: _____
4. E-Mail Address: _____ Telephone: _____
5. The Prime Contractor designates the following person as their high-level official designated to administer and coordinate the efforts to carry out the S/M/WBE policy on behalf of the Prime Contractor:
 _____ (Name and Title)

The undersigned MBE subcontractor is prepared to perform the following described work and/or supply the material listed in connection with the above project (where applicable specify "supply" or "install" or both):

- The undersigned MBE subcontractor has a place of business in the Airport's market area (*✓ if applicable*)
- The undersigned MBE subcontractor is not affiliated with the Prime Contractor as defined in the S/M/WBE Program Policies and Procedures.

1. Name of MBE Subcontractor: _____
2. Address, City, State and Zip: _____
3. E-Mail Address: _____ Telephone: _____
4. Scope of Work: _____
5. Price: \$ _____
6. MBE Certification # _____ Certification Agency: _____
7. 2nd Tier Subcontracting: _____ % of the proposed subcontract described above will be sublet and/or awarded to **Non-MBE** contractor(s).

 (Signature of Owner, President or Authorized Agent) (Name) _____ (Date)

DECLARATION OF PRIME CONTRACTOR

I HEREBY DECLARE AND AFFIRM that as a duly authorized representative of the Prime Contractor stated above, I have personally reviewed the material and facts set forth in this form. To the best of my knowledge, information and belief, the facts and representations contained in this form are true and the owner or authorized agent of the S/M/WBE firm stated above signed this form in the place indicated, and no material facts have been omitted. The undersigned affirms that the Prime Contractor has no ownership or financial interest in the S/M/WBE subcontracting firm stated above. Except as authorized by the Vice President of Business Diversity & Development Department or his designee, the undersigned shall enter into a formal agreement with the listed S/M/WBE firm for work as indicated by this form within ten (10) business days after receipt of the contract executed by the Airport. The undersigned will, if requested, provide said Vice President or his designee a copy of that agreement within five (5) business days of the written request. Pursuant to State Law, any person [entity] who makes a false or fraudulent statement in connection with the participation of a S/M/WBE in any locally funded project or otherwise violates applicable program requirements may be referred for prosecution.

 (Signature of Owner, President or Authorized Agent) (Name) _____ (Date)

¹ Any named person, firm, partnership, corporation, association or joint venture, as herein provided, identified as providing work, labor, services, supplies, equipment, materials or any combination of the foregoing, under Contract to a Prime Contractor on an Airport Contract at any tier.
¹⁰ The Airport's market area is defined as the North Texas Commission twelve-county area of Dallas, Tarrant, Collin, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall, and Wise counties.

Form 7 – Verification of Contracting Prohibitions

I, (authorized official) _____

_____ [insert name and title],
on behalf of Bidder/Proponent, verify that:

- 1) Bidder/Proponent does not engage in any of the activities listed in the clause entitled "Contracting Prohibitions" set forth in the solicitation documents and contract; and
- 2) This verification will apply to any contract awarded to Bidder/Proponent.

Date: _____

Bidder/ Proponent:

[Insert Name]

By: _____

Name: _____

Title: _____

Notary Public (Seal)

My Commission Expires: _____

Appendix 4 – The Contract

To be posed via Addenda

Appendix 5 – Bonding Letter

Attach a letter from a Bonding Agent, or other evidence of ability to provide Payment and Performance Bonds in the amount of \$30,000,000.

INSERT LETTER FROM BONDING AGENCY HERE

Appendix 6 – Solicitation Schedule

Integrated Operations Center - Construction Manager-At-Risk (CMAR) CONTRACT NO. 9500618

Advertisements	September 2, 9, 16, 2018
Proposal Document available on website	August 31, 2018
Pre-Proposal Conference DCC Rm 112	September 10, 2018, 2:00pm
Deadline for Questions	September 18, 2018, 5:00pm
Issue Addenda (if applicable)	September 26, 2018
Proposal Opening DCC Rm 112	October 03, 2018, 11:00am
Proposal Scoring	October 03 – October 17, 2018
Interviews (if applicable)	October 29 – November 02, 2018

Proposal in response to this RFP must be received by Board's Program Solicitation Manager, Travis Sanderfer, at the following address: Design, Code and Construction Department, 3003 South Service Road, DFW Airport, Texas 75261, no later than listed due date and time above. Any Proposal received after this time will not be considered and will be rejected and returned.

Solicitation Questions – All e-mails must be addressed to DFWAirportSolicitations@DFWAirport.com and include in the Subject Line "Questions Regarding Contract No.9500618 Integrated Operations Center - Construction Manager-At-Risk (CMAR)". Questions received after the designated submittal date will not be considered.

Appendix 7 – Proposal Price

Provided at www.dfwairport.com/business/solicitations

Appendix 8 – Conceptual Design Document

Provided for reference only.

Provided at www.dfwairport.com/business/solicitations