



**REQUEST FOR QUALIFICATIONS  
FOR  
CONSTRUCTION MANAGER AT RISK**

**COWLEY COLLEGE  
WELLINGTON CAMPUS**

# REQUEST FOR QUALIFICATIONS

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# COWLEY COLLEGE WELLINGTON CAMPUS

## REQUEST FOR QUALIFICATIONS

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May 1, 2017

Ref: Request for Qualifications (RFQ) for Construction Manager-At-Risk CC

### General

Cowley College (“CC”) is seeking statements of qualifications from firms interested in providing CC with Construction Manager-At-Risk Services for the construction of a new Campus in Wellington, Kansas to be located on East 10<sup>th</sup> Street (Highway 160) and William Drive. The selected firm will be expected to perform the services in accordance with the Scope of Services set forth in Section VII, below and in accordance with the requirements of this solicitation

The Request for Qualifications (RFQ) is the first step in a two-step process and provides the information necessary to prepare and submit qualifications for consideration and initial ranking by CC based on the listed criteria. CC reserves the right to request additional clarification on the written responses to this request for qualifications. Based on the initial ranking of firms submitting their statement of qualifications, CC may select three (3) or fewer of the top ranked firms to respond to a separate Request for Proposals in the second step of the process.

In the second step of the process, Request for Proposals (“RFP”), the selected Statement of Qualification respondents will be required to submit additional information to CC, including, but not limited to, a project approach fee proposal and construction schedule. CC will rank the proposals in the order that provide the “best value” for CC based on the published selection criteria and on the ranking evaluations. As part of the second step of the process, the respondents may be requested to make oral presentations to CC.

Selection Schedule: (Tentative schedule is subject to change.)

- |  |               |
|--|---------------|
| 1. RFQ posted and Advertised:            | May 1, 2017   |
| 2. Qualifications Due:                   | May 15, 2017  |
| 3. RFP issued to Short-Listed Companies: | May 22, 2017  |
| 4. Interviews:                           | June 1, 2017  |
| 5. Selection of CM:                      | June 15, 2017 |
| 6. Finalize CM Contract:                 | June 30, 2017 |

CC reserves the right to reject any or all qualification submittals or to accept any qualification submittals it considers most favorable to CC, or to waive irregularities in the qualification and submittal process. CC further reserves the right to reject all qualification submittals and terminate the solicitation process or seek new qualification submittals when such procedure is reasonably in the best interest of CC.

This RFQ solicitation does not in any way obligate CC to award a contract or pay any expense or cost incurred in the preparation and submission of qualification statements responding to this RFQ.

All applicable attachments contained in the RFQ shall be completed. Failure to do so may result in the firm’s Qualifications Submittal being declared non-responsive to the solicitation requirements and subject to disqualification.

Note: In addition to signature, Attachment Nos. 1, 3, and 4 must be notarized.

CC reserves the right to reject any or all submittals, negotiate changes in the scope of services sought, and waive technicalities or irregularities in the RFQ. This RFQ does not obligate CC to select a particular firm or individual for any of the services specified in the RFQ. CC shall not be responsible or liable for any expenses or costs incurred by any party responding to the RFQ. By submitting its Qualifications in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of “most-qualified” firm(s) will require subjective judgments by the Evaluation Committee.

Qualifications shall not include any information regarding respondent’s fees, pricing or other compensation. Such information will be solicited from the qualified firms who are selected by CC, in accordance with the published evaluation criteria, to participate in step 2 of the CMR selection process

**I. Document Submission:**

Those Companies interested in providing the Construction Manager at Risk Services for this Project must submit seven (7) bound copies of its Qualifications and one CD or flash drive in a PDF format to the Gordon & Associates Architecture by **May 15, 2017 at 3:00 p.m. Central Time**. Qualifications are to be submitted in a sealed package clearly marked “Qualifications for Cowley College - Wellington Campus Project – CM at RISK” to the attention of:

Cheri A. Hulse  
Gordon & Associates Architecture  
800 Main Street  
Winfield, Kansas 67156  
620-221-3770

Please complete and return the following documents in your statement of qualifications package:

- Response to Section V
- Attachment No. 1 Proposal/Contract Award
- Attachment No. 2 Contractor & Subcontractor Participation Form
- Attachment No. 3 Proposal Certifications
- Attachment No. 4 Disclosures

**II. Inquiries:**

Interested firms may make written inquiries only concerning this Request for Qualifications to obtain clarification of the requirements. Written inquiries shall be submitted no later than 5:00 P.M. (local time) on May 12, 2017, and must be addressed to:

Gordon and Associates Architects  
800 Main St, Suite 308  
Winfield, KS 67156  
620-221-3770  
Attn: Cheri Hulse (cherih@gordonarch.com)

**III. Document Format and Content:**

- A. Responses shall be submitted in 8 ½” x 11” sizes. Responses must be typed and should not include any unnecessarily elaborate or promotional material. The form, content and sequence of the response should follow the outline presented below.
  
- B. Document Content:

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Phone: 620.442.0430 Fax: 620-441.5350 Cowley.edu

- i. Transmittal Letter/Introduction (1 Page maximum): The letter of transmittal shall be addressed to Gloria Walker, Vice Pres. of Finance and Administration and must, at a minimum, contain the following:
  - Identification of the offering firm(s), including name, mailing address, e-mail address, telephone number and fax number of each firm;
  - Acknowledgement of receipt of RFQ amendments, if any;
  - Name, title, address and telephone number and fax number of a contact person for the firm(s);
  - Identification of any information contained in the response documents which the respondent deems to be, and establishes as, confidential or proprietary and wishes to be withheld from disclosure to others.
  - Signature of a person authorized to bind the offering firm to the terms of the response documents.
- ii. Table of Contents: Immediately following the transmittal letter and introduction, include a complete table of contents for material included in the response documents.
- iii. Company Profile, Qualification and Experience: Briefly furnish background information about your firm, including date of founding, legal form (sole proprietorship, partnership, corporation/state of incorporation), number and location of offices, and principal lines of business. Certify that the firm is legally permitted or licensed to conduct business in the State of Kansas for the services offered. Only individual firms or lawfully formed business organizations may apply (This does not preclude a respondent from using consultants.) CC will contract only with the individual firm or formal organization that submits a Qualification Document.
- iv. Proposed Staffing and Organization: This section should discuss the staff of the responding firm who would provide the Construction Manager-At-Risk (“CMR”) services.
- v. Key Personnel: Identify the Key personnel that would be assigned to CC and will provide CMR services for the Cowley College Wellington Campus construction project. Include an organizational chart of these key personnel and their roles. Please include the following:
  - a brief description of their unique qualifications as it pertains to this project,
  - availability and commitment of the respondent, its principal(s) and assigned professionals to undertake the project,
  - Respondent’s job functions and office location.
  - Designate the Principal-in-charge who is authorized to sign and enter into any resulting contract.
  - Detail the Project Manager and Superintendent’s experience in similar CMR projects,
  - Provide brief resumes (not more than one (1) page) for each key personnel.
- vi. Past Performance: This section should establish the ability of the respondent (and its sub- consultant), if any to satisfactorily perform the required CMR work. Provide examples of similar project experience; public institutions or public entities, preferred. CC may verify all information furnished. As a minimum, include the following per project experience:
  - Project Name, Location – Year Completed; contract delivery method
  - Brief project description describing your experience, work performed by your firm and work subcontracted.
  - Owner Name, title, and current phone number.
  - Construction budget vs. final Construction Cost and describe any difference between them.
- vii. Firm’s Financial Status:
  - Provide your financial statements for the last 3 years;
  - Indicate your total bonding capacity; available bonding capacity and current backlog;
  - Attach a letter of intent from a surety company indicating your firm’s ability to bond for the entire construction cost of the project. The surety shall acknowledge that the firm may be bonded for each stage/phase of the project, with a potential construction cost of \$10 million;
  - Identify if your firm is currently for sale or involved in any transaction to expand or to become acquired by another business entity? If so, please explain the impact both in organization and company direction and the estimated timing for the transaction to be completed.

- Provide details of any past or pending litigation, or claims filed, against your firm that may affect your performance under a Contract with CC.
  - Identify if your firm is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If so, specify date(s), details, circumstances, and prospects for resolution.
- viii. Subcontracting:
- Describe your methodology for advertising, evaluating and selecting trade contractors for as a Construction Manager at Risk.
  - As the Construction Manager at Risk, describe your relationship with the local subcontracting community.
- ix. Business Relationship Strength: for the purpose of this RFQ, this shall mean the definition and commitment of the respondent towards a mutually successful “relationship” between the CMR and the CC for the duration of the Project.
- Respondent’s Qualification Statement must include their definition, proposal and commitment to forge, foster and maintain a mutually successful “relationship” with CC. At a minimum, your response must include: (a) your definition of a mutually successful “relationship” between your firm and CC; and (b) your firm’s commitment to a mutually successful “relationship” in the form of at least three, and not more than five, specific, obtainable criteria, activities, agreements or requirements that shall, subject to negotiation and mutual consent, become features of the awarded contract and shall guide the CC-CMR relationship for the duration of the Project.
- x. Respondent’s Ability to Establish Budgets and Control costs on Past Projects:
- Describe your fiduciary responsibility as a Construction Manager at Risk using Guaranteed Maximum Price contracts for publicly funded projects.
  - Describe your cost estimating methods. From any of three (3) projects listed in response to Section V.B.5 of this RFQ, describe how the estimates were developed, how often they were updated and the degree of accuracy achieved.
  - From any three (3) projects listed in response to Section V.B.5 of this RFQ, describe your cost control methods during construction including examples of techniques used and the degree of accuracy achieved.
  - Describe your methodology for working with the Project Architect/Engineer and their consultants to deliver a Guaranteed Maximum Price and to maintain the GMP throughout the design and construction process.
  - Provide a sample of a cost estimate used to establish a contract amount from any project you listed in Section V.B.5 of this RFQ.
  - CC intends to accept a Guaranteed Maximum Price prior to completion of Construction Documents. Describe 1) Your process for ensuring that the Design Documents provide the information necessary to arrive at a complete GMP, including all CC requirements with reasonable contingencies, and 2) Your process for subsequently ensuring that the 100% Construction Documents align with the project scope in the previously accepted GMP proposal documents.
- xi. Respondent’s Ability to Meet Schedules on Past Projects:
- Describe how you will develop, maintain and update the project schedule during design and construction.
  - Describe your approach to assuring timely completion of this project, including methods for schedule recovery, if necessary. From any three (3) of the projects listed in response to Section V.B.5 of this RFQ; provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.
  - Describe how you develop and maintain work schedules during design and construction to coordinate with the Owner’s project schedule. From any three (3) projects listed in response to Section V.B.5 of this RFQ, provide examples of how these techniques were used.

- xii. Respondent’s Knowledge of Current Construction Methodologies, Technologies and Best Practices:
- Describe your quality assurance program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from any three (3) projects listed in response to Section V.5 of this RFQ.
  - Describe your procedures for implementing industry’s “best practices” as defined by the Construction Industry Institute and similar organizations for:
    - Establishing and tracking project objectives
    - Using project scope definition resources (i.e. Project Definitions Rating Index (PDRI)) in order to obtain complete and accurate design and construction documents from the A/E
    - Partnering
    - Cost tracking
    - Change (order) management systems
    - Total quality management for each phase, including close-out and commissioning
  - Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.
- xiii. Respondent’s Ability to Identify and Resolve Problems on Past Projects:
- Describe your understanding of the administrative challenges and opportunities associated with providing Preconstruction and Construction services on this project, and your strategy for resolving these issues.
  - Describe your plan for communicating constructability, phasing, value engineering and other budget options in a form that will quickly facilitate the CC’s decision making.
  - For any combination of three (3) projects listed in response to Section V.B.5 of this RFQ, describe any conflicts with CC, Consultants, Architect/Engineer, or subcontractors and describe the methods used by the Respondent to resolve those conflicts.
- xiv. Safety Record and Training:
- How do you ensure a safe work site?
  - What safety training programs do you have in place for your employees; subcontractors?
  - Provide details of any and all safety violations your company was cited by OSHA or any other regulatory entity.
  - For the projects you listed in Section V.B.5, how many lost days of work were recorded due to safety violations or accidents?
- xv. Additional Information: In addition to the information required as described above, companies may submit other supplemental information that it feels may be useful to the College in evaluating its proposal.

**IV. Evaluation Criteria**

Selection of the most qualified firm(s) will be made on the basis of demonstrated competence and qualifications to perform the CMR services. An Evaluation Committee will review the statement of qualifications submitted in response to the solicitation. Evaluation factors for the selection of the firm(s) are as follows:

Evaluation Criteria	Available Points
Professional Qualifications and Experience (See description at Section III.B.iii, III.B.xii)	25
Staffing and Organization (See description at Section III.B.iv)	25
Past Performance (See description at Section III.B.V, x, xi, xiii)	25

Firm's Financial Status (See description at Section III.B.vii)	15
Business Relationship Strength (See description at Section III.B.ix)	5
Safety Record & Training (See description at Section III.B.xiv)	5
Total Weighted Points	100

CC reserves the right to request additional clarification and oral interviews from a short-list of the top rated firms solely on the written responses to this request for qualifications.

**V. Scope of Services**

The Board of Trustees intends to construct a new campus on 18 acres of unoccupied ground east of Wellington, Kansas. The initial campus will consist of two buildings and an improved site.

Project Description: Of the two buildings, one will house administration functions and classrooms. The second building will house trades and technology classrooms and laboratory/ shop spaces. The site work will consist of installing all utilities, providing all roads/drives and sidewalks to interconnect the buildings and parking. Landscaping, grading and on-site water detention will also be included in the project. Master Planning will include provisions for future building and site expansions.

Project Estimates:	Site Improvements	\$1,000,000.00
	Building No. 1	\$2,400,000.00
	Building No. 2	<u>\$3,200,000.00</u>
	Total:	\$6,600,000.00

This amount is serving as a benchmark for the secured funding. The college is eager to move forward on this project in an efficient manner. The Facility Assessment Study is currently being completed by Gordon and Associates Architects and will be finalized with input from the selected Construction Manager. The company ultimately selected by the College will provide full CMR service for the Construction of the site improvements and two buildings as directed by the College.

**Project Schedule:**

The College and the Design Team anticipate the following construction schedule for this Project. (All dates are approximations and are subject to change).

Complete Civil Design Package:	September 1, 2017
Begin Site Work:	September 15, 2017
Release Structural Footing/ Foundation Package:	November 1, 2017
Begin Building No. 1 Construction:	November 15, 2017
Building No. 1 Move-in:	July 15, 2018
Begin Building No. 2 Construction:	April 1, 2018
Building No. 2 Move-in:	December 15, 2018

Space use programming for the campus is underway. The Programming Document will be completed as selection of the CMR concludes. The project delivery method for this project will be "Construction Manager at Risk" format as described in AIA Document A133-2009 (Standard Form of Agreement Between Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price) ("CM Agreement" or A133).

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The Construction Manager-at-Risk (CMR) responsibilities:

A. Pre-construction Phase Services:

- The Construction Manager-at-Risk (CMR) shall provide a preliminary evaluation of the CC program and Project budget requirements, each in terms of the other.
- Visit the site to insure an accurate understanding of the existing conditions as required.
- Participate in meetings as a member of the Project Team that consists of the Project Architect, CC, and other consultants as required during the development of the Project.
- CMR shall recommend to the Project Team a schedule for procurement of long-lead time items which will constitute part of the Work as required or meet the Project Schedule.
- Preparation of a specific project management plan.
- Consult with the Architect and CC regarding site use and improvements, and the selection of materials, building systems, and equipment.
- Provide recommendations on construction feasibility, actions designed to minimize adverse effects of labor or material shortage; time requirements for procurement, installation and construction completion; and factors related to construction cost including estimated of alternative designs or materials and preliminary budgets.
- Prepare Preliminary cost estimate utilizing area, volume or similar conceptual estimate techniques.
- Prepare a detailed estimate, with supporting data, using the CC approved Schematic Design Documents.
- When Design Development Documents have been prepared by the Architect and approved by the CC, the CMR shall prepare a more detailed estimate with supporting data.
- If the CMR exceeds previously approved estimates or CC budgets, the CMR will make appropriate recommendations to the Architect and CC to bring the project estimates and budgets to within CC budgets.
- Publicly advertise for and select subcontractors in coordination with CC.
- Review all Drawings, Specifications, and other Construction Documents as they are developed by the Architect during design development and construction documents design phase of the Project.
- When the Drawings and Specifications are sufficiently complete, the CMR shall propose a Guaranteed Maximum price (GMP), which shall be the sum of the estimated Cost of the Work and the CMR Fee.

B. Construction Phase Services:

- Provide overall management of Project construction including all trades and subcontractors.
  - Estimated project duration is approximately 545 calendar days.
  - Construct the Work in strict accordance with the Construction Documents and as required by the Prevailing Building Code within the time required by the Project Schedule approved by CC.
  - Organize and maintain a competent, full-time staff at the Project site with clearly defined authority and communication.
  - Develop a Critical Path Method Schedule for organizing the construction activities, monitor and direct the progress of the work.
  - Attend CC regularly scheduled Project progress meetings and fully advise the Project Team of the Project status including schedule, cost, quality and changes.
  - Coordinate delivery and installation of CC procured materials and equipment.
  - Obtain building permits and special permits for permanent improvements as required by law or the Construction Documents.
  - Coordinate, monitor and inspect the work of Subcontractors to ensure conformance with the Construction Documents.
  - Be responsible for all construction means, method, techniques, sequences and procedures, and for coordinating all portions of the work.
  - CMR shall promptly correct any defective work at the CMR sole expenses.
- C. Post Construction Phase Services:
- Prepare as-built drawings and collect all construction close-out documents for distribution to the CC.
  - Assist in obtaining occupancy permits.
  - Provide services during warranty periods.
  - Timely prepare a punch list of defective work.

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- Provide walk-thru and additional punch list of defective items prior to the end of one (1) year warranty period.

**VI. Eligibility for Award:**

- A. In order for a respondent to this solicitation to be eligible for selection for Step 2 of the selection process and subsequently to be eligible to be awarded the contract, the Qualification submittal must be responsive to the solicitation and CC must be able to determine that the respondent is responsible and has the resources and capacity to perform the resulting contract satisfactorily.
- B. Responsive Qualification submittals are those that comply with all material aspects of the solicitation, conform to the solicitation documents and meet the requirements set forth in this solicitation. Qualification submittals, which do not comply with all the terms and conditions of this solicitation, will be rejected as non-responsive.
- C. Responsible respondents, at a minimum, must meet the following requirements:
  - Have adequate financial resources, or the ability to obtain such resources as required during the performance of any resulting contract:
  - Be able to comply with the required performance schedule, taking into consideration all existing business commitments:
  - Have a satisfactory record of past performance:
  - Have necessary personnel and management capability to perform any resulting contract:
  - Be qualified as an established firm regularly engaged in the type of business necessary to fulfill the contract requirements:
  - Certify that the firm is not delinquent in any tax owed the State of Kansas; signing and submitting the proposal is so certifying to such non-delinquency:
  - Be otherwise qualified and eligible to receive an award under applicable laws and regulations.
- D. Respondents(s) may be requested to submit additional written evidence verifying that the firm meets the minimum requirements described in Section VIII. (c), and as necessary to perform the requirements of the solicitation and be determined a responsible proposer. Failure to provide any requested additional information may result in the proposal being declared non-responsive and the proposal being rejected.
- E. A Respondent is not eligible to be considered for award of this solicitation or any resulting contract or to be a subcontractor of the Respondent or prime contractor if the person assisted in the development of this solicitation or any part of this solicitation or if the person participated in a project related to this solicitation when such participation would give the person special knowledge that would give that person or a prime contractor an unfair advantage over other bidders.
- F. A Respondent shall not be eligible to be considered for this solicitation if the Respondent engaged in or attempted to engage in prohibited communications as described in Section VIII of this solicitation.

**VII. Indemnification:**

Respondents shall indemnify, pay for the defense of, and hold harmless CC and its officers, agents and employees of and from any and all liabilities, claims, debts, damages, demands, suits, actions and causes of actions of whatsoever kind, nature or sort which may be incurred by reason of Respondent's negligence, recklessness, or willful acts and/or omission in rendering any services hereunder. Respondent shall assume full responsibility for payments of federal, state and local taxes or contributions imposed or required under the social security, Workers' Compensation or income tax law, or any disability or unemployment law, or retirement contribution of any sort whatever, concerning Consultant or any employee and shall further indemnify, pay for the defense of, and hold harmless CC of and from any such payment or liability arising out of or in any manner connected with Respondent's performance under this Agreement.

**VIII. Prohibited Communications:**

- A. Except as provided in exceptions below, the following communications regarding this solicitation or any other invitation for bids, requests for proposal, requests for qualifications, or other solicitation are prohibited:
  - Between a potential vendor, subcontractor to vendor, service provider, Respondent, Offeror, lobbyist or consultant and any Trustee;
  - Between any Trustee and any member of a selection or evaluation committee

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- B. The communications prohibition shall be imposed from the day the solicitation is first advertised through the day the contract documents are signed by all parties. During this period, **no CC Trustee and no vendor shall communicate in any way concerning any pending solicitation involving the vendor**, subject to the penalties stated herein.
- C. In the event the Board refers the recommendation back to the staff for reconsideration, the communication prohibition shall be re-imposed.
- D. The communications prohibition shall not apply to the following:
  - Duly noted pre-bid or pre-proposal conferences.
  - Communications with the CC designated administrator of the construction project and hired architect firm. See General – Section II for contact protocols.
  - Emergency contracts.
  - Presentations made to the Board during any duly-noticed public meeting.
  - Nothing contained herein shall prohibit any person or entity from publicly addressing the Board during any duly-noticed public meeting, in accordance with applicable Board policies, regarding action on the contract.
- E. Any potential vendor, subcontractor vendor, service provider, bidder, offeror, lobbyist or consultant who engages or attempts to engage in prohibited communications shall not be eligible for the award of any resulting contract under this solicitation. Any other direct or indirect actions taken to unduly influence competitive purposes, to circumvent equal consideration for competitive bidders, or to disregard ethical and legal trade practices will disqualify bidders, vendors, service providers, lobbyist, consultants, and contractors from both this current and any future consideration for participation in CC orders and contracts.

**IX. Drug Policy**

CC is a drug-free workforce and workplace. The manufacture, sale, distribution, dispensation, possession or use of illegal drugs (except legally prescribed medications under physician’s prescription and in the original container) or alcohol by vendors or contractors while on CC’s premises is strictly prohibited.

**X. Conflict of Interest:**

If a firm, proposer, contractor or other person responding to this solicitation knows of any material personal interest, direct or indirect, that any member, official or employee of CC would have in any contract resulting from this solicitation, the firm must disclose this information to CC. Persons submitting a proposal or response to this solicitation must comply with all applicable laws, ordinances, and regulations of the State of Kansas. The Respondent to this solicitation must complete (as applicable), sign and submit Attachment No. 4, Disclosures – Financial Interest and Potential Conflict of interests with the proposal package.

Note: Attachment No. 9 shall be completed, signed and included in Response to CC. Enter N/A in those areas on the Attachments that are not applicable to your company. Failure to complete, sign and notarize (if applicable) these Attachments shall render your proposal non-responsive.

**XI. Ethics Conduct:**

Any direct or indirect actions taken to unduly influence competitive purposes, to circumvent equal consideration for competitive bidders, or to disregard ethical and legal trade practices will disqualify vendors and contractors from current and future consideration for participation in CC orders and contracts.

**XII. Submission Waiver:**

By submitting a response to this RFQ, the Respondent agrees to waive any claim it has or may have against Cowley College and its trustees, employees or agents arising out of or in connection with (1) the Administration, evaluation or recommendation of any offer or response; (2) any requirements under the solicitation, the solicitation or response package or related documents; (3) the rejection of any offer or any response or any part of any offer or response; and/or (4) the award of a contract, if any.

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**ATTACHMENT NO. 1**

**PROPOSAL/CONTRACT AWARD FORM**

PROJECT TITLE: Construction Manager-At-Risk ("CMR")

Name of Firm/Contractor: \_\_\_\_\_

Federal Employer Identification Number: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Receipt of Proposal Amendment Number(s):  
\_\_\_\_\_

In compliance with the requirements of this Request for Qualifications for Construction Manager-At-Risk, the undersigned hereby proposes to furnish all necessary resources required to perform the services in accordance with our Statement of Qualifications dated \_\_\_\_\_ and as mutually agreed upon by subsequent negotiations, if any.

The undersigned certifies that he/she has read, understands and agrees to be bound by the requirements and terms and conditions set forth in this Solicitation. The undersigned further certifies that he/she is legally authorized to make the statements and representations in the Solicitation and that said statements and representations are true and accurate to the best of his/her knowledge. The undersigned understands and agrees that when evaluating Statement of Qualifications, CC relies on the truth and accuracy of the statements and representations presented in the Statement of Qualification response.

Accordingly, CC has the right to suspend or debar the undersigned from its procurement process and/or terminate any contract award that may have resulted from this solicitation if CC determines that any statements or representations made were not true and accurate.

Signed By: \_\_\_\_\_

Name: \_\_\_\_\_  
(Print)

Title: \_\_\_\_\_  
(Print)

State of \_\_\_\_\_

Sworn to and subscribed before me at \_\_\_\_\_, \_\_\_\_\_,  
(City) (State)

this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Notary Public for the State of: \_\_\_\_\_

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**ATTACHMENT NO. 2 - Construction Manager-At-Risk**  
**CONTRACTOR AND SUBCONTRACTOR PARTICIPATION FORM**

PROPOSER/OFFERER PRESENTS THE FOLLOWING PARTICIPANTS IN THIS SOLICITATION AND ANY RESULTING CONTRACT.

CONTRACTOR	TYPE OF WORK TO BE DONE		PERCENT OF CONTRACT EFFORT	
BUSINESS NAME: ADDRESS: CONTACT NAME: TELEPHONE #/E-MAIL ADDRESS:				
SUBCONTRACTOR(S)/ATTACH SEPARATE SHEET IF NEEDED				
BUSINESS NAME: ADDRESS: CONTACT NAME: TELEPHONE #/E-MAIL ADDRESS:				
BUSINESS NAME: ADDRESS: CONTACT NAME: TELEPHONE #/E-MAIL ADDRESS:				

SUBCONTRACTOR(S)/ATTACH SEPARATE SHEET IF NEEDED				
BUSINESS NAME:				
ADDRESS:				
CONTACT NAME:				
TELEPHONE #/E-MAIL ADDRESS:				
BUSINESS NAME:				
ADDRESS:				
CONTACT NAME:				
TELEPHONE #/E-MAIL ADDRESS:				

**ATTACHMENT NO. 3**  
**PROPOSER CERTIFICATIONS**

1. NON-DISCRIMINATION STATEMENT:

The undersigned certifies that he/she will not discriminate against any employee or applicant for employment or in the selection of subcontractors because of race, color, age, religion, gender, national origin or disability. The undersigned shall also take action to ensure that applicants are employed, and treated during employment, without regard to their race, color, religion, gender, age, national origin or disability. Such action shall include, but shall not be limited to, the following non-discriminatory employment practices: employment, upgrading or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other compensation and selection for training, including apprenticeship.

2. CERTIFICATION AND DISCLOSURE STATEMENT:

A person or business entity entering into a contract with shall disclose, in advance of the contract award, if the person or an owner or operator of the business entity has been convicted of a felony. The disclosure should include a general description of the conduct resulting in the conviction of a felony. The requested information is being collected in accordance with applicable law. This requirement does not apply to a publicly held corporation.

If an individual:

Have you been convicted of a felony? YES or NO

If a business entity: YES or NO

Has any owner of your business entity been convicted of a felony? \_\_\_\_\_

Has any operator of your business entity been convicted of a felony? \_\_\_\_\_

If you answered yes to any of the above questions, please provide a general description of the conduct resulting in the conviction of the felony, including the Case Number, the applicable dates, the State and County where the conviction occurred, and the sentence.

I attest that I have answered the questions truthfully and to the best of my knowledge.

Signed: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Address of Company: \_\_\_\_\_

State of \_\_\_\_\_

Sworn to and subscribed before me at \_\_\_\_\_,

(City)

(State)

this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_

Notary Public for the State of: \_\_\_\_\_

**ATTACHMENT NO. 4  
DISCLOSURES**

**FINANCIAL INTERESTS AND POTENTIAL CONFLICTS OF INTERESTS**

Disclosure of Potential Conflict of Interests: Describe any circumstances or relationships held by the Contractor/ Respondent that constitute or could reasonably be perceived as a Conflict of Interest pursuant to the College’s Conflict of Interests Policy 137.00 <http://www.cowley.edu/policy/policy137.html>.

Vendor shall disclose the financial interest and potential conflict of interest information identified in Sections 1 through 3 below as a condition of receiving an award or contract. Submit this information along with your bid, proposal, or offer. Completed forms must be NOTARIZED

Section 1 - Disclosure of Financial Interest in the Vendor

- A. If any officers or employees of CC (“individuals”) have one of the following financial interests in the vendor (or its principal) or its subcontractor(s), please show their name and address and check all that apply and (include additional documents if needed):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Ownership interest exceeding 10% \_\_\_\_\_

Ownership interest exceeding \$15,000 or more of the fair market value of vendor \_\_\_\_\_

Distributive Income Share from Vendor exceeding 10% of individual’s gross income \_\_\_\_\_

Real property interest with fair market value of at least \$2,500 \_\_\_\_\_

Person related to or married to individual has ownership or real property interest in Vendor \_\_\_\_\_

No individuals have any of the above financial interests \_\_\_\_\_

(If none, go to Section 2)

- B. For each individual named above, show the type of ownership/distributable income share:

sole proprietorship \_\_\_\_\_

stock \_\_\_\_\_

partnership \_\_\_\_\_

other (explain) \_\_\_\_\_

- C. For each individual named above, show the dollar value or proportionate share of the ownership interest in the vendor (or its principal) or its subcontractor (s) as follows:

If the proportionate share of the named individual(s) in the ownership of the vendor (or its principal) or subcontractor of vendor is 10% or less, and if the value of the ownership interest of the named individual(s) is \$15,000 or less of the fair market value of vendor, check here (\_\_\_).

If the proportionate share of ownership exceeds 10%, or the value of the ownership interest exceeds \$15,000 of the fair market value of vendor, show either:

the percent of ownership - \_\_\_\_\_%

or

the value of the ownership interest - \_\_\_\_\_\$

### Section 2 - Disclosure of Potential Conflicts of Interest

For each of the individuals having the level of financial interest identified in Section 1 above, and for any other CC individual not identified in Section 1 above check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes," please describe (use space under applicable section-attach additional pages as necessary).

- A. Employment, currently or in the previous eighteen (18) months, including but not limited to contractual employment for services for vendor.  
Yes \_\_\_ No \_\_\_

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- B. Employment of individual's spouse, father, mother, son, or daughter, including but not limited to contractual employment for services for vendor in the previous eighteen (18) months.  
Yes \_\_\_ No \_\_\_

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### Section 3- Disclosure of Gifts

For each of the individuals having the level of financial interest identified in Section 1 above, and for any other CC individual not identified in Section 1 above check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes," please describe (use space under applicable section-attach additional pages as necessary).

- A. Received a gift from vendor (or principal), or subcontractor of vendor, of \$250 or more within the preceding 12 months.  
Yes \_\_\_ No \_\_\_

B. Individual's spouse, father, mother, son, or daughter has received a gift from vendor (or principal), or subcontractor of vendor, of \$250 or more within the preceding 12 months.

Yes \_\_\_\_\_ No \_\_\_\_\_

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This disclosure is submitted on behalf of:

Name of Vendor: \_\_\_\_\_

Certification. I hereby certify that to the best of my knowledge and belief the information provided by me in this disclosure statement is true and correct. I understand that failure to disclose the information requested may result in my bid, proposal, or offer, being rejected. I understand that it is my responsibility to comply with the requirements set forth by CC as it relates to this disclosure. I also understand that I must submit an updated disclosure form within seven (7) days of discovering changes in the significant financial interests of the individuals I identified in Section 1 of this disclosure or if individuals that were not identified, later receive a financial interest in my company or a subcontractor of my company.

Official authorized to sign on behalf of vendor:

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C. Individual's spouse, father, mother, son, or daughter has received a gift from vendor (or principal), or subcontractor of vendor, of \$250 or more within the preceding 12 months.

Yes \_\_\_\_\_ No \_\_\_\_\_

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This disclosure is submitted on behalf of

Name of Vendor: \_\_\_\_\_

Certification. I hereby certify that to the best of my knowledge and belief the information provided by me in this disclosure statement is true and correct. I understand that failure to disclose the information requested may result in my bid, proposal, or offer, being rejected. I understand that it is my responsibility to comply with the requirements set forth by CC as it relates to this disclosure. I also understand that I must submit an updated disclosure form within seven (7) days of discovering changes in the significant financial interests of the individuals I identified in Section 1 of this disclosure or if individuals that were not identified, later receive a financial interest in my company or a subcontractor of my company.

Official authorized to sign on behalf of vendor:

Print Name: \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

AFFIX NOTARY SEAL ABOVE

State of \_\_\_\_\_

Sworn to and subscribed before me at \_\_\_\_\_,

(City)

(State)

this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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Notary Public for the State of: \_\_\_\_\_

"NOTE: RESPONDENT MUST COMPLETE THE ABOVE "DISCLOSURE OF FINANCIAL INTERESTS AND POTENTIAL CONFLICTS OF INTERESTS" FORM. FAILURE TO COMPLETE AND RETURN THIS FORM WITH YOUR OFFER MAY RESULT IN YOUR OFFER BEING CONSIDERED AS "NON- RESPONSIVE" TO THIS SOLICITATION."