

K.8

BUY AMERICAN CERTIFICATION

The Offeror hereby certifies that each end product, except the end products listed below, is a domestic end product, and that components of unknown origin are considered to have been mined, produced, or manufactured outside the United States.

EXCLUDED END PRODUCTS

COUNTRY OF ORIGIN

K.9

TYPE OF BUSINESS ORGANIZATION

The Offeror, by checking the applicable box, represents that

(1) It operates as:

- a corporation incorporated under the laws of the State of _____
- an individual,
- a partnership,
- a nonprofit organization, or
- a joint venture; or

(2) If the Offeror is a foreign entity, it operates as:

- an individual,
- a joint venture, or
- a corporation registered for business in _____
(Country)

SECTION L - INSTRUCTIONS, CONDITIONS AND NOTICES TO OFFERORS

L.1 PRE-PROPOSAL CONFERENCE AND SITE VISIT:

Prospective Offerors must attend a pre-proposal conference/site visit of the proposed work to inspect and familiarize themselves with the extent of the work. Failure to thoroughly investigate said job conditions will not be accepted as a proper basis for considering an alleged error in offer or for payment of extras under, or revision to, the contract or in any other way as grounds for asserting a claim against the District.

L.1.1 A pre-proposal conference to discuss the contents of this solicitation and other pertinent matters will be held preceding the site visit (see L.1.2) on May 9, 2012 at 11:00 a.m. at the following address:

Department of General Services
Contracts & Procurement Division
2000 14th Street NW 5th Floor Conference Room
Washington, DC 20009

L.1.2 The site visit is scheduled following the pre-proposal conference, at the following location:

L.1.2.1 3412 Dent Place N.W.
Washington, DC 20007

L.1.3 Prospective Offerors will be given an opportunity to ask questions regarding this solicitation at the conference. The purpose of the conference is to provide a structured and formal opportunity for the District to accept questions from Offerors on the solicitation document as well as to clarify the contents of the solicitation. Attending Offerors must complete the Pre-Proposal Conference Attendance Roster at the conference so that Offeror attendance can be properly recorded.

L.1.4 Impromptu questions will be permitted and spontaneous answers will be provided at the District's discretion. Verbal answers given at the pre-offer conference are only intended for general discussion and do not represent the Department's final position. All oral questions must be submitted in writing following the close of the pre-proposal conference by May 13, 2012 by 3:00 p.m. in order to generate an official answer. Official answers will be provided in writing to all prospective Offerors who are listed on the official Offerors list as having received a copy of the solicitation. Answers will also be posted on the DGS website at www.dgs.dc.gov.

L.2 POST AWARD CONFERENCE:

A post award conference with the Contractor is required. It will be scheduled within 10 calendar days after the date of contract award. The Contractor will be notified of the exact date and time. The conference will be held at the following address:

Department of General Services
Contracts and Procurement Division
2000 14th Street, NW – 5th Floor
Washington, D. C. 20009

L.3 CONTRACT AWARD:

- L.3.1** The District intends to award a single contract resulting from this solicitation to the responsible Offeror whose offer conforming to the solicitation will be most advantageous to the District, cost or price, technical and other factors, specified elsewhere in this solicitation considered.
- L.3.2** This procurement is being conducted in accordance with the provisions of Section 4712 of the Department's Procurement Regulations (27 DCMR 4712).

L.3.3 **Initial Offers**

The District may award a contract on the basis of initial offers received, without discussion. Therefore, each initial offer should contain the Offerors best terms from a standpoint of cost or price, technical and other factors.

L.4 PROPOSAL FORM, ORGANIZATION AND CONTENT:

- L.4.1** All Offerors must address in narrative the following as part of the introduction of the Technical Proposal required at Section L.5:
- L.4.2** Offerors shall submit **one (1) signed original** plus **six (6) copies** of the written proposals in two (2) separate parts, titled "Technical Proposal" and "Price Proposal". Proposals shall be typewritten in 12 point font size on 8.5" by 11" bond paper. Telephonic, telegraphic, and facsimile proposals will not be accepted. Each proposal shall be submitted in a sealed envelope conspicuously marked:

"Proposal in Response to Solicitation No. DCAM-12-CS-0116 Historic Wood Windows Replacements at Engine Company No. 5"

- L.4.3** Offerors are directed to the specific proposal evaluation criteria found in Section M of this solicitation, Evaluation Factors. The Offeror shall respond to each factor in a way that will allow the District to evaluate the Offerors response. The Offeror shall submit information in a clear, concise, factual and logical manner providing a comprehensive description of program and services and delivery thereof. The information requested below for the technical proposal shall facilitate evaluation for all proposals. The technical proposal must contain sufficient detail to provide a clear and concise response fully reflecting the manner in which the Offeror proposes to fully meet the requirements in Section C.
- L.4.4** The original offer shall govern if there is a variance between the original offer and the copy submitted by the Offeror. Each Offeror shall return the complete solicitation as its offer.

project); and (iv) the time periods during which the individual will be assigned to the Project. This table should include all personnel that will be assigned to the Project.

L.5.3 Project Management Plan

Offerors are required to submit a Project Management Plan. The Project Management Plan should clearly explain how the Contractor intends to manage and implement the Project. It should demonstrate a knowledge of the process and impediments that must be overcome and ensure that sufficient staffing will be provided. At a minimum, the plan should; (i) identify the key personnel and their specific roles in managing the Project; (ii) identify the key milestone dates and provide a description of how these dates will be achieved; (iii) provide a skeletal schedule of the work and the phasing of construction; (iv) describe the cost control management structure that will be used to ensure the Project is delivered on-budget; and (v) describe the key challenges inherent in this Project and explain how they will be overcome or mitigated. The evaluators will also consider the experience that the Contractor and its team members have working together on similar projects.

L.5.4 Preliminary Schedule

Offerors should submit with their Project Management Plan a schedule that shows the anticipated manner in which the Project will be completed. The schedule should show sufficient level of detail so as to demonstrate the Offerors understanding of the Project and the key issues related to the Project.

L.5.5 LSDBE Compliance/Utilization

The District desires the selected Contractor to provide the maximum level of participation for Local, Small and Disadvantaged Business Enterprises as well as employment opportunities for District of Columbia residents. Offerors shall submit a LSDBE Utilization Plan that proposes how it intends to meet this goal.

L.5.6 Disclosure Form

Each Offeror shall submit a Disclosure Statement substantially in the form of Attachment J.7.

L.6 PART TWO – PRICE PROPOSAL:

- L.6.1 Table of Contents
- L.6.2 Pages 3 through 4 of the solicitation
- L.6.3 Attachments J.8, J.9 and J.10
- L.6.4 Original Executed Proposal Bond (Section K)
- L.6.5 Representations and Certifications (Part IV-Section K) completed and executed in accordance with the instructions included therewith.

L.7 ORAL PRESENTATIONS:

- L.7.1** At the District's option, Offerors considered to be responsive may be requested to provide a single oral presentation at the time and place specified by the District. Presentations shall be limited to 45 minutes plus a 15 minute question and answer period. Proposed key personnel for the Project may be requested to make the Oral Presentation. Offerors will receive a 24 hour notice if an oral presentation is required.
- L.7.2** Oral presentations will allow Offerors to present the material submitted in their Part One Technical Proposals, and to answer questions by the Technical Evaluation Committee. Offerors deemed to meet the minimum project requirements and determined to be in the competitive range will be notified of the exact time and location for these presentations if required.

L.8 PROPOSAL SUBMISSION DATE AND TIME, AND LATE SUBMISSIONS, LATE MODIFICATIONS, WITHDRAWAL OR MODIFICATION OF PROPOSALS AND LATE PROPOSALS**L.8.1 Proposal Submission**

Proposals must be submitted no later than 2:00 p.m. local time on May 23, 2012 to the Department of General Services, Contracts & Procurement Division, 2000 14th Street, NW, 5th Floor, Washington DC 20009. Proposals, modifications to proposals, or requests for withdrawals that are received in the designated District office after the exact local time specified above, are "late" and shall be considered only if they are received before the award is made and one (1) or more of the following circumstances apply:

- (a) The proposal or modification was sent by registered or certified mail not later than the fifth (5th) day before the date specified for receipt of offers;
- (b) The proposal or modification was sent by mail and it is determined by the CO that the late receipt at the location specified in the solicitation was caused by mishandling by the District, or
- (c) The proposal is the only proposal received or;
- (d) The Contracting Officer determines that the additional competition is in the best interest of the District.

L.9 WITHDRAWAL OR MODIFICATION OF OFFERS:

An Offeror may modify or withdraw its proposal upon written, telegraphic notice, or facsimile transmission if received at the location designated in the solicitation for submission of offers, but not later than the closing date and time for receipt of proposals.

L.10 LATE SUBMISSIONS, LATE MODIFICATIONS, AND LATE WITHDRAWALS:

- L.10.1** Offers, modifications to offers, or requests for withdrawals that are received in the designated District office after the exact local time specified above, are "late" and shall be

considered only if they are received before the award is made and one (1) or more of the following circumstances apply:

L.10.1.1 The offer or modification was sent by registered or certified mail no later than the fifth (5th) calendar day before the date specified for receipt of offers; or

L.10.1.2 The offer or modification was sent by mail and it is determined by the CO that the late receipt at the location specified in the solicitation was caused by mishandling by the District after receipt.

L.10.2 Postmarks

The only acceptable evidence to establish the date of a late proposal, late modification or late withdrawal sent either by registered or certified mail shall be a U.S. or Canadian Postal Service postmark on the wrapper or on the original receipt from the U.S. or Canadian Postal Service. If neither postmark shows a legible date, the proposal, modification or withdrawal shall be deemed to have been mailed late. When the postmark shows the date but not the hour, the time is presumed to be the last minute of the date shown. If no date is shown on the postmark, the proposal shall be considered late unless the Offeror can furnish evidence from the postal authorities of timely mailing.

L.10.3 Late Submissions

A late proposal, late request for modification or late request for withdrawal shall not be considered, except as provided in this section.

L.10.4 Late Proposals

A late proposal, late modification or late withdrawal of a proposal that is not considered shall be held unopened, unless opened for identification, until after award and then retained with unsuccessful proposals resulting from this solicitation.

L.10.5 Late Modifications

A late modification of a successful proposal that makes its terms more favorable to the District shall be considered at any time it is received and may be accepted.

L.11 HAND DELIVERY OR MAILING OF OFFERS TO:

Department of General Services
Contracts & Procurement Division
2000 14th Street, N.W. - 5th Floor
Washington, DC 20009

L.12 EXPLANATION TO PROSPECTIVE OFFERORS

If a prospective Offeror has any questions relating to this solicitation, the prospective Offeror shall submit the question in writing to the CO. The prospective Offeror shall submit questions no later than ten (10) days prior to the closing date and time indicated for this solicitation. The District will not consider any questions received less than ten (10) days before the date set for submission of proposals. The District will furnish responses promptly to all prospective Offerors. An amendment to the solicitation will be issued if the CO decides that information is necessary in submitting offers, or if the lack of it would be prejudicial to any prospective Offeror. Oral explanations or instructions given by District officials before the award of the contract will not be binding.

Amendments, if any, will be posted on the DGS website. Vendors are responsible for checking the DGS website (www.dgs.dc.gov) daily in the event that amendments are made to a solicitation.

L.13 FAILURE TO SUBMIT OFFERS:

Recipients of this solicitation not responding with an offer should not return this solicitation. Instead, they should advise the DGS, CO, Contracts & Procurement Division 2000 14th Street, N.W., 5th Floor, Washington, DC 20001, by letter or postcard whether they want to receive future solicitations for similar requirements. It is also requested that such recipients advise the CO, of the reason for not submitting an offer in response to this solicitation. If a recipient does not submit an offer and does not notify the CO that future solicitations are desired, the recipient's name may be removed from the applicable mailing list.

L.14 RESTRICTION ON DISCLOSURE AND USE OF DATA

L.14.1 Offerors who include in their proposal data that they do not want disclosed to the public or used by the District except for use in the procurement process shall mark the title page with the following legend:

"This proposal includes data that shall not be disclosed outside the District and shall not be duplicated, used or disclosed in whole or in part for any purpose except for use in the procurement process.

If, however, a contract is awarded to this Offeror as a result of or in connection with the submission of this data, the District will have the right to duplicate, use, or disclose the data to the extent consistent with the District's needs in the procurement process. This restriction does not limit the District's rights to use, without restriction, information contained in this proposal if it is obtained from another source. The data subject to this restriction are contained in sheets (insert page numbers or other identification of sheets)."

L.14.2 Mark each sheet of data it wishes to restrict with the following legend:

"Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal."

L.15 PROPOSAL PROTESTS:

Any actual or prospective Offeror or contractor, who is aggrieved in connection with the solicitation or award of a contract, must file with the D.C. Contract Appeals Board (Board) a protest no later than ten (10) business days after the basis of protest is known or should have been known, whichever is earlier. A protest based on alleged improprieties in a solicitation which are apparent at the time set for receipt of initial proposals shall be filed with the Board prior to the time set for receipt of initial proposals. In procurements in which proposals are requested, alleged improprieties which do not exist in the initial solicitation, but which are subsequently incorporated into the solicitation, must be protested no later than the next closing time for receipt of proposals following the incorporation. The protest shall be filed in writing, with the Contract Appeals Board, 441 4th Street, N.W., Suite 350N, Washington, D.C. 20001. The aggrieved person shall also mail a copy of the protest to the Contracting Officer for the solicitation.

L.16 SIGNING OF OFFERS:

L.16.1 The Offeror shall sign the offer and print or type its name on the offer form in the attached Offer Form Package. Each offer must show a full business address and telephone number of the Offeror and be signed by the person or persons legally authorized to sign contracts. Erasures or other changes must be initialed by the person signing the offer. Offers signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the CO.

L.16.2 All correspondence concerning the offer or resulting contract will be mailed to the address shown on the offer in the absence of written instructions from the Offeror or Contractor to the contrary. Any offer submitted by a partnership must be signed with the partnership name by a general partner with authority to bind the partnership. Any offer submitted by a corporation must be signed with the name of the corporation followed by the signature and title of the person having authority to sign for the corporation. Offerors shall complete and sign all Representations, Certifications and Acknowledgments as appropriate. Failure to do so may result in an offer rejection.

L.17 UNNECESSARILY ELABORATE PROPOSALS

Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective response to this solicitation are not desired and may be construed as an indication of the Offerors lack of cost consciousness. Elaborate artwork, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor desired.

L.18 RETENTION OF PROPOSALS

All proposal documents will be the property of the District and retained by the District, and therefore will not be returned to the Offerors.

L.19 PROPOSAL COSTS

The District is not liable for any costs incurred by the Offerors in submitting proposals in response to this solicitation.

L.20 ELECTRONIC COPY OF PROPOSALS FOR FREEDOM OF INFORMATION ACT REQUESTS

In addition to other proposal submission requirements, the Offeror must submit an electronic copy of its proposal, redacted in accordance with any applicable exemptions from disclosure in D.C. Official Code §2-534, in order for the District to comply with §2-536(b) that requires the District to make available electronically copies of records that must be made public. The District's policy is to release documents relating to District proposals following award of the contract, subject to applicable FOIA exemption under §2-534(a)(1).

L.21 CERTIFICATES OF INSURANCE

Prior to commencing work, the Contractor shall have its insurance broker or insurance company submit certificates of insurance giving evidence of the required coverages as specified in Section I.8 to:

Diane Wooden
Manger of Construction Services
Department of General Services (DGS)
2000 14th Street, N.W. – 5th Floor
Washington, D.C. 20009
Telephone: 202-727-2405
e-mail: diane.wooden@dc.gov

L.22 ACKNOWLEDGMENT OF AMENDMENTS

The Offeror shall acknowledge receipt of any amendment to this solicitation (a) by signing and returning the amendment; (b) by identifying the amendment number and date in the space provided for this purpose in Section A, Solicitation, Offer and Award form; or (c) by letter, telegram or e-mail from an authorized negotiator. The District must receive the acknowledgment by the date and time specified for receipt of proposals. An Offerors failure to acknowledge an amendment may result in rejection of its offer.

L.23 BEST AND FINAL OFFERS

If, subsequent to receiving original proposals, negotiations are conducted, all Offerors within the competitive range will be so notified and will be provided an opportunity to submit written best and final offers at the designated date and time. Best and final offers will be subject to the Late Submissions, Late Modifications and Late Withdrawals of Proposals provisions of the solicitation. After receipt of best and final offers, no discussions will be reopened unless the CO determines that it is clearly in the District's best interest to do so, e.g., it is clear that information available at that time is inadequate to reasonably justify contractor selection and award based on the best and final offers received. If discussions are reopened, the CO shall

issue an additional request for best and final offers to all Offerors still within the competitive range.

L.24 LEGAL STATUS OF OFFEROR

Each proposal must provide the following information:

L.24.1 Name, address, telephone number and federal tax identification number of Offeror;

L.24.2 A copy of each District of Columbia license, registration or certification that the Offeror is required by law to obtain. This mandate also requires the Offeror to provide a copy of the executed “Clean Hands Certification” that is referenced in D.C. Official Code §47-2862, if the Offeror is required by law to make such certification. If the Offeror is a corporation or partnership and does not provide a copy of its license, registration or certification to transact business in the District of Columbia, the Offeror shall certify its intent to obtain the necessary license, registration or certification prior to contract award or its exemption from such requirements; and

L.24.3 If the Offeror is a partnership or joint venture, the names and addresses of the general partners or individual members of the joint venture, and copies of any joint venture or teaming agreements.

L.24.4 The District reserves the right to request additional information regarding the Offerors organizational status.

L.25 FAMILIARIZATION WITH CONDITIONS

Offerors shall thoroughly familiarize themselves with the terms and conditions of this solicitation, acquainting themselves with all available information regarding difficulties which may be encountered, and the conditions under which the work is to be accomplished. Contractors will not be relieved from assuming all responsibility for properly estimating the difficulties and the cost of performing the services required herein due to their failure to investigate the conditions or to become acquainted with all information, schedules and liability concerning the services to be performed.

L.26 ACCEPTABLE OFFER GUARANTEES:

L.26.1 An offer guarantee in the amount of 5% of the offer price is required with all offers. If an Offeror fails to provide the required offer guarantee, such failure will require rejection of the offer.

L.26.2 Types of guarantees acceptable to the District of Columbia:

L.26.2.1A bond provided by a surety in accordance with 27 DCMR Chapter 4736.

L.26.2.2A certified check or irrevocable letter of credit issued by an insured financial institution in the equivalent amount of the security; or

L.26.2.3 United States government securities that are assigned to the District which pledge the full faith and credit of the United States.

L.27 ACCEPTANCE PERIOD:

The Offeror agrees that its offer remains valid for a period of one hundred twenty (120) calendar days from the date/time of the offer opening. However, if for administrative reasons, the District is unable to make an award within this time period, the CCO will request the Contractor and his/her surety to extend the offer bond for an additional ninety (90) days.

L.28 LOCAL OPERATING FACILITIES:

The Contractor shall provide and maintain its own operating quarters. Such quarters shall be of sufficient size and capacity and have the necessary facilities to adequately carry out the work to be performed under the contract.

_____	_____
LOCAL ADDRESS	TELEPHONE NUMBER
_____	_____
EMERGENCY CONTACT PERSON	EMERGENCY NUMBER
_____	_____
FAX NUMBER	CELLULAR NUMBER

L.29 TECHNICAL INFORMATION:

For technical information concerning this solicitation, please contact:

Diane Wooden
Manager of Construction Services
Department of General Services
2000 14th Street, N. W., 5th Floor
Washington, D. C. 20009
Tel: 202-671-2405
Fax: 202-442-9506
E-mail: diane.wooden@dc.gov

L.30 TITLE OF CORRESPONDENCE, HAND DELIVERY OR MAILING OF SOLICITATION:

All contractual correspondence must be directed to:

Diane Wooden
Manager of Construction Services
Department of General Services
2000 14th Street, N.W. – 5th Floor
Washington, D.C. 20009
Telephone: 202-671-2405
e-mail: diane.wooden@dc.gov

L.31 OFFER DOCUMENTS:

L.31.1 Persons who obtain, solicitation materials from anyone other than the District’s official website: www.dgs.gov , are hereby notified that any addenda/amendments issued under this solicitation, and not acknowledged by an Offeror could affect the offer amount and/or responsiveness determinations.

L.31.2 The District Government assumes no responsibility for furnishing any addenda/amendments to anyone who obtains solicitation materials through other than the official channels.

L.31.3 This solicitation and any amendments/addenda to proposal documents and proposal materials are only available electronically from www.dgs.dc.gov , click on the “Solicitation” icon, and then on “List of All Opportunities”. In the unlikely event that the DGS website is not functioning correctly or in the event that amendments to a solicitation are made, it is the responsibility of the supplier to check the print media for solicitation information or call DGS at (202) 724-4132. Print media may include The Washington Post, The Washington Times, The Informer, The Afro-American, The Commerce Business Daily, The Washington Examiner, or El Pregonero.

L.31.4 All Offerors downloading this solicitation from the DGS website shall submit to Diane Wooden, via e-mail at diane.wooden@dc.gov the following information:

- a. Name of company
- b. Contact Person name
- c. Telephone number
- d. Fax number
- e. e-mail address

L.32 EXAMINATION OF OFFER DOCUMENTS AND SITE OF WORK:

Offerors will be held to have:

L.32.1 Checked all measurements and visible features which would in any manner affect the work to be performed.

L.32.2 Verified conditions at the site.

L.33 PAYMENT AND PERFORMANCE BONDS:

In accordance with Title 27 DCMR §4736.4, at contract award, the Contractor shall provide both a payment bond and a performance bond each in an amount equal to 100% of the contract price.

L.33 GENERAL STANDARDS OF RESPONSIBILITY:

L.33.1 The prospective Contractor must demonstrate to the satisfaction of the District its capability in all respects to perform fully the contract requirements; therefore, in order to be determined responsible pursuant to 27 DCMR, 4706.1 (a) through (i), the prospective Contractor shall submit the following documentation, within five (5) days of the request by the District:

L.33.1.1 Evidence of financial resources adequate to perform the Contract, or ability to obtain them;

L.33.1.2 Evidence of ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments;

L.33.1.3 A satisfactory performance record;

L.33.1.4 A satisfactory record of integrity and business ethics;

L.33.1.5 The necessary organization, experience, accounting and operational controls and technical skills, or the ability to obtain them;

L.33.1.6 Evidence of compliance with the applicable District licensing and tax laws and regulations;

L.33.1.7 Evidence of the necessary production, construction and technical equipment and facilities or the ability to obtain them, and

L.33.1.8 Evidence of other qualifications and eligibility criteria necessary to receive an award under the applicable laws and regulations.

L.33.2 If the prospective Contractor fails to supply the information requested, the CO shall make the determination of responsibility or non-responsibility based upon available information. If the available information is insufficient to make a determination of responsibility, the CO shall determine the prospective Contractor to be non-responsible.

L.34 NON-RESPONSIVE PRICING

In general, the Department will consider a proposal non-responsive if Offerors price is greater than 150% of the median price submitted by other Offerors. The Department reserves the right to deem a proposal non-responsive if Offerors price is greater than 150% of the independent government cost estimate.

L.35 REJECTION OF SUBMISSIONS

The Department reserves the right, in its sole discretion:

L.35.1 To cancel this solicitation or reject all submissions.

L.35.2 To reject submissions that fail to prove the Offerors responsibility.

L.35.3 To reject submissions that contain conditions and/or contingencies that in the Department's sole judgment, make the submission indefinite, incomplete, otherwise non-responsive, or otherwise unacceptable for award.

L.35.4 To waive minor irregularities in any submission provided such waiver does not result in an unfair advantage to any Offeror.

L.35.5 To take any other action within the applicable Procurement Regulation or law.

L.35.6 To reject the submission of any Offeror that has submitted a false or misleading statement, affidavit or certification in connection with such submission or this Request for Proposals.

L.35.7 The District may also reject as unacceptable any offer submitted on forms not included in or required by the solicitation, or if the solicitation package is obtained from any source other than the District's official source. Offerors shall make no changes to the requirements set forth in the solicitation.

PART V
SECTION M - EVALUATION PREFERENCE POINTS

M.1 EVALUATION FOR AWARD

The contract will be awarded to the responsible Offeror whose offer is most advantageous to the District, based upon the evaluation criteria specified below. Thus, while the points in the evaluation criteria indicate their relative importance, the total scores will not necessarily be determinative of the award. Rather, the total scores will guide the District in making an intelligent award decision based upon the evaluation criteria.

M.2 TECHNICAL RATING

M.2.1 The Technical Rating Scale is as follows:

<u>Numeric Rating</u>	<u>Adjective</u>	<u>Description</u>
0	Unacceptable	Fails to meet minimum requirements; e.g., no demonstrated capacity, major deficiencies which are not correctable; Offeror did not address the factor.
1	Poor	Major deficiencies which may not be correctable.
2	Minimally Acceptable	Minor deficiencies which may be correctable.
3	Acceptable	Meets requirements; no deficiencies.
4	Good	Exceeds some requirements; no deficiencies.
5	Excellent	Exceeds most, if not all requirements; no deficiencies.

M.2.2 Each proposal will be scored on a scale of 1 to 100 points. In addition, Offerors will be eligible to receive up to 12 preference points as described in M.5.2 of this RFP for participation by Local, Small or Disadvantaged Business Enterprises. Thus, the maximum number of points possible is 112. The contract will be awarded to the Offeror with the highest evaluated score.

M.3 TECHNICAL RATING (70 Points Maximum)

The technical rating is a weighting mechanism that will be applied to the point value for each evaluation factor to determine the Offerors score for each factor. The Offerors total technical score will be determined by adding the Offerors score in each evaluation factor. The points for each evaluation factor are noted below.

M.4 EVALUATION CRITERIA

Proposals will be evaluated based on the following evaluation factors in the manner described below:

M.4.1 Experience & References (20 points)

DGS desires to engage a Contractor with the experience necessary to perform the requirements as described in Section C of this RFP and Attachments J.1, of this solicitation. Offerors will be evaluated on the basis of the experience listed in L.5.1.

M.4.2 Key Personnel (15 points)

This factor considers the technical expertise to be accessed and provided by the Offeror to perform the District's requirements as described in Section C and Attachments J.1, and J.3 of this solicitation. This factor encompasses all components of the Offerors staff and staff related activities, including the Offerors organizational structure, the qualifications and expertise of the Offerors proposed staff, and the Offerors staff development initiatives.

Senior personnel assigned to this Project will be evaluated on the basis of its experience in completing construction projects on-time and on-budget. Proposals should identify, at a minimum, (i) the Project Executive; (ii) the Field Superintendent; and (iii) key project managers. The availability and experience of the key individuals assigned to this project will be evaluated.

M.4.3 Project Management Plan (10 Points)

Offerors shall submit a Project Management Plan that describes how the Contractor intends to manage and implement the Project. See Section L.5.3 for more detail.

M.4.4 Preliminary Schedule (15 Points)

Each offeror should prepare a preliminary construction schedule that shows how the Offeror intends to complete the Project in a timely manner. The schedule should be prepared using a critical path method and should show key logistics and activity durations. The schedule should demonstrate that the Offeror understands the Project and has a workable method to deliver the Project in a timely manner.

M.4.5 LSDBE Compliance/Utilization (10 Points)

Offerors shall submit a LSDBE Utilization Plan in accordance with Section L.5.5.

M.4.6 Price (30 points)

Offerors will be required to bid a lump sum for the Project work for CLIN 0001 listed in Section B of this RFP.

The price evaluation will be objective. Offerors will be required to bid a lump sum for the Project as well as pricing for CLIN 0001 listed in Section B of this RFP.

The Offeror with the lowest price will receive the maximum price points. All other proposals will receive a proportionately lower total score. The following formula will be used to determine each Offerors evaluated price score:

$$\frac{\text{Lowest price proposal}}{\text{Price of proposal being evaluated}} \times 30 = \text{Evaluated price score}$$

Proposals that are too far above or below the norm will not be evaluated.

M.4.7 PREFERENCE POINTS AWARDED PURSUANT TO SECTION M.5.2 (12 Points Maximum)

M.4.8 TOTAL POINTS (112 Points Maximum)

Total points shall be the cumulative total of the Offerors technical criteria points, price criterion points and preference points, if any.

M.5 PREFERENCES FOR CERTIFIED BUSINESS ENTERPRISES

Under the provisions of the “Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005”, as amended, D.C. Official Code § 2-218.01 *et seq.* (the Act), the District shall apply preferences in evaluating offers from businesses that are small, local, disadvantaged, resident-owned, longtime resident, veteran-owned, local manufacturing, or local with a principal office located in an enterprise zone of the District of Columbia.

M.5.1. APPLICATION OF PREFERENCES

For evaluation purposes, the allowable preferences under the Act shall be applicable to prime contractors as follows:

- M.5.1.1** Any prime contractor that is a small business enterprise (SBE) certified by the Department of Small and Local Business Development (DSLBD) will receive a three percent (3%) reduction in the offer price for a offer submitted by the SBE in response to this Request for Proposals (RFP).
- M.5.1.2** Any prime contractor that is a resident-owned business (ROB) certified by DSLBD will receive a five percent (5%) reduction in the offer price for an offer submitted by the ROB in response to this RFP.
- M.5.1.3** Any prime contractor that is a longtime resident business (LRB) certified by DSLBD will receive a five percent (5%) reduction in the offer price for an offer submitted by the LRB in response to this RFP.

- M.5.1.4** Any prime contractor that is a local business enterprise (LBE) certified by DSLBD will receive a two percent (2%) reduction in the offer price for an offer submitted by the LBE in response to this RFP.
- M.5.1.5** Any prime contractor that is a local business enterprise with its principal offices located in an enterprise zone (DZE) certified by DSLBD will receive a two percent (2%) reduction in the offer price for a offer submitted by the DZE in response to this RFP.
- M.5.1.6** Any prime contractor that is a disadvantaged business enterprise (DBE) certified by DSLBD will receive a two percent (2%) reduction in the offer price for an offer submitted by the DBE in response to this RFP.
- M.5.1.7** Any prime contractor that is a veteran-owned business (VOB) certified by DSLBD will receive a two percent (2%) reduction in the offer price for an offer submitted by the VOB in response to this RFP.
- M.5.1.8** Any prime contractor that is a local manufacturing business enterprise (LMBE) certified by DSLBD will receive a two percent (2%) reduction in the offer price for a offer submitted by the LMBE in response to this RFP.

M.5.2 MAXIMUM PREFERENCE AWARDED

Notwithstanding the availability of the preceding preferences, the maximum total preference to which a certified business enterprise is entitled under the Act is twelve percent (12%) for offers submitted in response to this RFP. There will be no preference awarded for subcontracting by the prime contractor with certified business enterprises.

M.5.3 PREFERENCES FOR CERTIFIED JOINT VENTURES

When DSLBD certifies a joint venture, the certified joint venture will receive preferences as a prime contractor for categories in which the joint venture and the certified joint venture partner are certified, subject to the maximum preference limitation set forth in the preceding paragraph.

M.5.4 VERIFICATION OF OFFEROR'S CERTIFICATION AS A CERTIFIED BUSINESS ENTERPRISE

M.5.4.1 Any vendor seeking to receive preferences on this solicitation must be certified at the time of submission of its offer. The CO will verify the Offerors certification with DSLBD or SLBOC, as appropriate, and the Offeror should not submit with its offer any documentation regarding its certification as a certified business enterprise.

M.5.4.2 Any vendor seeking certification or provisional certification in order to receive preferences under this solicitation should contact the:

Department of Small and Local Business Development

ATTN: CBE Certification Program
441 Fourth Street, NW, Suite 970N
Washington DC 20001

M.5.4.3 All vendors are encouraged to contact the DSLBD at (202) 727-3900 if additional information is required on certification procedures and requirements.

M.6 EVALUATION OF PROMPT PAYMENT DISCOUNT

M.6.1 Prompt payment discounts shall not be considered in the evaluation of offers. However, any discount offered will form a part of the award and will be taken by the District if payment is made within the discount period specified by the Offeror.

M.6.2 In connection with any discount offered, time will be computed from the date of delivery of the supplies to carrier when delivery and acceptance are at point of origin, or from date of delivery at destination when delivery, installation and acceptance are at that, or from the date correct invoice or voucher is received in the office specified by the District, if the latter date is later than date of delivery. Payment is deemed to be made for the purpose of earning the discount on the date of mailing of the District check.