

ADDENDUM #2 – February 24, 2025

Re: Request for Proposals
New Parking Structure
Middle Tennessee State University
SBC Project No. 166/009-01-2024

From: Middle Tennessee State University
1301 E. Main St., Box 44
Murfreesboro, TN 37132

To: All Prospective Proposers

This Addendum forms a part of the RFP documents and modifies the original RFP Documents and all subsequent addenda.

This Addendum consists of seven (7) pages and attached AIA 201.

Questions sent as of February 14, 2025, and during the Pre-Proposal Conference:

1. Item 3.2.3 of the RFP specifically prohibits photographs of any kind, however “charts, spreadsheets and appendices” appear to be allowed. Is it safe to assume that legitimate business graphics which assist in explanations will not be considered photographs even if not technically a chart or spreadsheet?
 - a. Yes, it is reasonable to assume that legitimate business graphics (such as diagrams, infographics, or conceptual illustrations) that aid in explanation are allowable. Only Photographs depicting relevant project experience are permissible in the RFP response.

2. Item 4.3.5 of the RFP indicates that the apparent selected proposer must sign the contract as drawn by Owner. Please confirm that the AIA A201-2017 draft 04.01.2023 is the intended form of General Conditions to be joined with Attachment 6.1 Pro Forma Master Contract to make a complete contract.
 - a. Yes, the **AIA A201-2017** document, dated **April 1, 2023**, is the intended form of General Conditions to be incorporated with the **Attachment 6.1 Pro Forma Master Contract** to form the complete contract. This combination outlines the rights, responsibilities, and relationships of the owner, contractor, and architect for the construction project.

3. The CM/GC Master Contract Attachment A item 1.8.5 references that “the CM/GC shall negotiate and execute a mutually agreeable agreement including the approved GMP.” Please confirm at what point post-selection but before GMP may full terms and conditions be reviewed between Owner and the CM/GC.
 - a. Based on standard CM/GC contracting practices, this typically occurs during preconstruction services after selection but before the Guaranteed Maximum Price (GMP) is finalized and approved.

4. The CM/GC Master Contract Attachment A item 2.5.3 references aspects of self-performed work: Please define or provide examples of “coordination of trade contracts and minor Project facilitation” that would NOT be considered self-performed.
 - a. This typically refers to management and oversight tasks rather than direct construction work. Examples may include: Scheduling and sequencing subcontractor activities. Ensuring compliance with safety and quality control measures, Facilitating communication between trades and resolving conflicts, Providing temporary site logistics such as laydown areas and access coordination, and Assisting in permitting and inspections without direct trade work. These activities are generally considered part of the CM/GC’s management responsibilities rather than self-performed construction work.

5. Are there any circumstances under which the CM/GC could self-perform work exceeding the 3% threshold if, for instance, it submitted its own separate bid along with other potential subcontractors in accordance with SBC trade contract public bid guidelines?
 - a. **Exceptions to the 3% Limit:** There are circumstances under which the CM/GC may exceed the 3% threshold:

Unresponsive Bidding: If a trade package has been solicited at least twice and received no responses, the CM/GC may be allowed to self-perform that specific trade work. In such cases, the CM/GC, Owner, and Designer will negotiate a cost for the trade package based on the trade package cost provided as part of the GMP. The 3% limit does not apply to this self-performed work.

Coordination and Facilitation: The CM/GC may also self-perform work related to the coordination of trade contracts and minor project facilitation. This work is generally considered part of the CM/GC's management responsibilities and is not subject to the 3% self-performance limit.

Owner (TBR & MTSU) approval: With Owner approval, the CM/GC can self-perform trade work, but only through a sealed bid process including bid soliciting other trade contractors.. If CM/GC is the lowest and best bid, they will have the ability to perform this work.

6. The CM/GC Master Contract Attachment A item 2.16 makes reference to Wage Rate Determination(s). As this is a building project, not state highway, will prevailing wages be utilized and if so, how will this be evaluated and enforced?
 - a. Prevailing wage rates will not apply to this contract.

7. Regarding Attachment 6.4 Section C, is the labor burden “not to exceed 39%” only applicable for the listed conditions within that line item and NOT the burden associated with the proposed Construction Services General Conditions?
 - a. The labor burden cap of 39% is a standard applied to contracts with the State of Tennessee. This cap is intended to limit the percentage added to direct labor costs to account for expenses such as taxes, insurance, and benefits.

8. Regarding Attachment 6.4 Section C as it pertains to monthly cost for employees, are fixed hourly billing rates (inclusive of labor burden) allowable as part of the final GMP contract?
 - a. CM/GC will be compensated monthly on a monthly based per submitted rates in attachment 6.4.

9. Regarding Attachment 6.4 Section D regarding the proposed technical approach to inclusivity of diverse businesses, no scoring criteria is listed. How will this section contribute to the overall evaluation?
 - a. In the evaluation of proposals, while specific scoring criteria for this section may not be detailed, it contributes to the comprehensive evaluation of your proposal.

10. Are subsidiary or related companies of the awarded CM/GC able to bid for scopes of the work?
 - a. Yes, a subsidiary or related company of the CM/GC is able to bid for scopes of the work, but only through a sealed-bid process with competing sub-contractors not affiliated with the CM/GC. The CM/GC is also prohibited from steering the project design to utilize proprietary building techniques or processes that can only be performed by an affiliated group of the CM/GC that will create a non-competitive trade-bid environment.

11. To confirm, we will need to have our 5 printed copies of the technical response spiral bound for distribution? Does the cost proposal also need to be spiral bound?
 - a. Based on the RFP's instructions, you are required to submit five printed copies of your technical response, each spiral-bound to ensure they lay flat on a desktop. The cost proposal, however, is submitted separately in a sealed envelope and does not require spiral-binding.

12. Confirming that the “no photographs” statement is accurate. Does this include headshots of team members on resumes and pictures of their project portfolios?

- a. Only Photographs depicting relevant project experience are permissible in the RFP response.

13. Does the no photos rule apply to graphics (i.e. icons and other visually-supportive elements)?

- a. No, the rule does not apply to graphics..

14. Can you please confirm this includes the demolition of all existing apartments including those outside of the Parking Garage footprint (ie: within blue dashed line 1) are also to be included in the demo scope for this RFP? Appears to be approx. 15 other bldgs. Outside of the Parking construction zone.

- a. The demolition scope for the Womack Lane Apartments includes all existing apartment buildings and central service building including sidewalks, utilities and other site improvements not just those within the parking garage footprint. The project scope specifies the demolition of the entire Womack Lane housing complex, which directly adjoins the north and east sides of the new parking structure site.

15. Will we be required to provide construction fencing around the entire Womack site during demo? Or just maintain fencing similar to the blue dashed lines?

- a. Construction fencing must be installed and maintained around the entire Womack Lane site during demolition to ensure safety and security, preventing unauthorized access to hazardous areas. After the demolition phase is complete and all debris has been cleared, the fencing shall be adjusted to enclose only the new parking garage construction area.

16. I would like to confirm who is the pm with architect Anecdote, structural engineer EMC Structural Engineering and parking consultant THA Consulting.

- a. Anecdote PM: Steve Johnson
- b. EMC PM: Mark Savage
- c. THA PM: Jordon Rappin

17. Do we need to use the Project Reference Form exactly as provided, or can we recreate it with the same information in a different format to accommodate space and page limits?

- a. Submit proposal information on the forms provided in the RFP document section B.2. Project Reference Forms.

18. RFP paragraph 3.2.3 states no photos. Can project images be included as part of our project case study sheets and resumes?

- a. Only Photographs depicting relevant project experience are permissible in the RFP response.

19. The Cost Proposal form sent with the RFP appears to be an older form that breaks out the cost of personnel individually, where the SAPC proposal asked for a monthly lump sum for the supervisory personnel. Both attached for reference. I believe most respondents prefer the lump sum as to not make public individual rates for the personnel when the files are made available for review.
- a. This is a TBR project therefore we are required to use TBR's RFP forms which are included in the RFP.
20. Please confirm that no bond (bid, performance, payment or otherwise) is required to be provided at this stage, only a verification letter as required in Section A.2 of the Technical proposal.
- a. Yes, that is correct.
21. Will there be another opportunity for responses requiring further clarification?
- a. We do not have another question or answer on the schedule.
22. Please confirm that no flash drive containing the cost proposal is required to be submitted, i.e. only the Technical Proposal requires a flash drive.
- a. Each proposer is required to submit five (5) copies of the Technical Proposal and a flash drive containing a complete electronic version of the technical response. The Cost Proposal must be submitted separately in a sealed package and does not require a flash drive. Therefore, only the Technical Proposal requires a flash drive.
23. Are provisions for an Owner's field office required to be included as part of the proposed General Conditions? If so, please provide requirements to be included.
- a. An owner's field office is not to be included in the scope of services.
24. Our assumption is that even small headshots on org charts or resumes are prohibited under Item 3.2.3. Please confirm.
- a. Yes, that is correct.
25. Regarding item B.2 of the Technical Proposal, please confirm that the project reference form should be the ONLY item for each project that is submitted, i.e. no photographs or other expository information other than what is asked for or can fit on page 2 of the form would be allowed. Please confirm.
- a. Yes, that is correct. For item B.2 of the Technical Proposal, each project reference must be submitted solely on the provided project reference form.
26. Please confirm whether or not proposing CM/GC's should include cost for Builder's Risk Insurance in the General Conditions cost
- a. Refer to line 27 on Cost Proposal 6.4B
27. Please provide the full measure of the expected construction contract including General Conditions, Supplementary Conditions, and any other sections or documents not included in the RFP documents.
- a. Please refer to the RFP document for all items.

28. Please confirm that no additional CM/GC fee will be granted for increased contract value unless such modifications exceed 2% of the agreed-to GMP.
- a. Yes, that is correct. No additional CM/GC fee will be granted for any increase in contract value unless modifications exceed 2% of the agreed-to GMP.
29. Please confirm that there is no stipulated system required for use by the CM/GC in the interest of tracking RFI's, Submittals, Cost Tracking, etc. other than what the CM/GC customarily uses such as Procore or equivalent programs.
- a. Yes, that is correct. There is no mandated system specified in the RFP for tracking RFIs, submittals, cost tracking, or other project management activities. CM/GCs may use their customary systems, such as Procore or equivalent programs, as long as these systems meet the project's requirements for tracking and reporting.
30. Regarding the development of the GMP, can Trade Subcontracts include allowances?
- a. Allowances are not traditionally used in a GMP without prior Owner approval.
31. For purposes of competitiveness and clarity between the CM/GC's during the Cost Proposal evaluation, please clarify what items SHOULD be considered as part of the list of Additional General Condition Items. For instance, one CM/GC may load substantial additional items as part of General Conditions to ensure costs are covered whereas another may purchase the same range of items through subcontractor trade bid packages therefore creating a disparity in General Conditions cost.
- a. These items are typically project specific in addition to the items listed that the General Contractor feels like they will need to complete the project.
32. There is a single line for Insurance on the Cost Proposal Form saying to include GL, Auto, Worker's Comp & Builder's Risk. Please confirm that CCIP is acceptable to use for GL and/or Worker's Comp if desired
- a. Refer to attachment 6.1 Pro Forma Master Contract D.2. Insurance Coverage along AIA 201 attached to this Addendum .
33. Please confirm that personnel cost including labor burden can utilize either a fixed hourly billing rate OR a fixed burden percentage / multiplier to capture relevant costs associated with salaried management personnel.
- a. The cost of staff should be clearly identified in the Disclosure of General Conditions as a monthly rate. 00 42 75.

34. Please confirm that the 39% maximum burden rate applies only to direct trade labor and not to salaried management staff or that it only applies to changes per the description on the line item in Section B.

- a. The maximum allowable burden rate is 39%. Salaried Management staff rate will be disclosed in the list of General Conditions and 39% maximum rate also applies.

END OF ADDENDUM #2

Addendum #2 dated February 24, 2025 is posted on:

<https://www.mtsu.edu/campusplanning/RFPQ.php>