

**CITY OF RICHMOND  
DEPARTMENT OF PROCUREMENT SERVICES  
RICHMOND, VIRGINIA  
(804) 646-5716  
August 7, 2014**



Request for Qualification J140028164R  
Richmond Riverfront Plan – Priority 1 Implementation Project – Construction  
Manager at Risk

Due Date: Friday, August 22, 2014  
Time: 3:30P.M.

Receipt Location: City Hall, 900 East Broad Street, 11<sup>th</sup> floor, Room 1104

**Request for Proposal Prepared by:**

Name: Oscar Knott, CPP, VCO

Title: Contract Specialist Supervisor

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City of Richmond, Department of Procurement Services

900 East Broad Street, Room 1104, Richmond, VA 23219

<http://www.richmondgov.com/Procurement/BidsProposals.aspx>

Signature Sheet

My signature certifies that the qualifications as submitted complies with all Terms and Conditions as set forth in RFQ J140028164R – Richmond Riverfront Plan – Priority 1 Implementation Project – Construction Manager at Risk.

My signature also certifies that this firm has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest or potential conflict of interest to the City of Richmond, and that there are no principals, officers, agents, employees, or representatives of this firm that have any business or personal relationships with any other companies or persons that could be considered as a conflict of interest or a potential conflict of interest to the City of Richmond, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the City of Richmond.

I hereby certify that I am authorized to sign as a Representative for the Firm:

**Complete Legal Name of Firm:** \_\_\_\_\_

**Order from Address:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Remit to Address** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Fed ID No.:** \_\_\_\_\_

**\*Virginia License Number** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Name (type/print):** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Telephone:** (\_\_\_\_) \_\_\_\_\_ **Fax No.:** (\_\_\_\_) \_\_\_\_\_

***EMAIL:*** \_\_\_\_\_

**Date:** \_\_\_\_\_

To receive consideration for qualification award, this signature sheet should be return to the Department of Procurement Services as it shall be a part of your response.

\* Please note that state law requires most business entities to register with the Commonwealth of Virginia’s State Corporation Commission to obtain legal authorization to transact business in Virginia

**CITY OF RICHMOND, VIRGINIA  
DEPARTMENT OF PROCUREMENT SERVICES**

**REQUEST FOR QUALIFICATIONS**

1.0 **Overview.**

1.1 **Purpose of Request for Qualifications.** The purpose of this Request for Qualifications is to obtain from interested contractors (“Applicants”) their applications for prequalification (“Qualification Statements”) so that the City may establish a list of contractors prequalified to submit proposals to act as Construction Manager at Risk on the City’s Richmond Riverfront Plan – Priority 1 Implementation Project (the “Project”). A copy of the adopted Plan may be found at the following link: [http://www.richmondgov.com/PlanningAndDevelopmentReview/documents/2013-01-22FinalRichmondRiverfrontPlan\\_R2.pdf](http://www.richmondgov.com/PlanningAndDevelopmentReview/documents/2013-01-22FinalRichmondRiverfrontPlan_R2.pdf).

1.2 **Two-Step Process.** The City will employ a two-step procurement procedure for selection and award of a contract for a contractor to act as Construction Manager at Risk on the Project, as follows:

1.2.1 **Step One.** Step One includes the submission and evaluation of Qualification Statements pursuant to this Request for Qualifications to determine those prospective contractors with capabilities and programs that meet the minimum requirements for this project. The City will conduct the prequalification as required by City Code §§ 74-48(f) and 74-50(g).

1.2.2 **Step Two.** Step Two includes the solicitation and evaluation of proposals submitted by contractors prequalified in Step One pursuant to a Request for Proposals. If the Applicant is not prequalified in Step One, the Applicant will not be allowed to submit a proposal for this project. The City will award a contract in accordance with the requirements of City Code § 74-48 based on the evaluation of proposals received from selected prequalified contractors. The City will issue a notice to proceed for construction services for the Project subject to the successful negotiation of (1) any value engineering and constructability recommendations from the selected contractor, (2) a Guaranteed Maximum Price within the project budget and, (3) an agreed-upon construction schedule.

1.3 **Background.**

A. The overall summary scope of work for construction of the Project consists of approximately four (4) Priority 1 elements from the adopted Richmond Riverfront Plan (“Plan”). These elements are:

1. Brown’s Island Dam Walk (BIDW) (*The vision for the Brown’s Island Dam Walk is laid out on pages 23 – 25, 29, 31, 33 – 34, 36 – 38 and 46 of the Plan*)

*with additional details regarding public art and lighting as discussed on pages 168 – 169)* The construction of power plants at the eastern end of the Haxall Canal, starting in 1904, necessitated the construction of the Brown's Island Dam to ensure a steady and regulated flow to the power plant's steam turbines. The sluice gates of the Brown's Island Dam could be adjusted to regulate the flow into the Haxall Canal. The sluice gates are no longer existent, but the concrete piers and dam sections, iron support trusses and iron walkways remain forming the primary elements of the proposed Brown's Island Dam Walk.

At present, the northernmost section of the Brown's Island Dam is used as an interpretive overlook connected to Brown's Island itself. Beyond the interpretive overlook there is a missing section of iron trestle that separates the overlook from the primary section of the Brown's Island Dam. At the southern bank of the James River, the concrete piers and trusses of the original dam are no longer existent. This area is heavily overgrown and extensive wetlands extend east and west of the overgrown concrete dam remnant. A new elevated section of the proposed Brown's Island Dam Walk will be constructed through this area to connect to the south bank of the James River. On high ground on the south bank of the James River, a new improved walkway will be constructed to connect to existing Manchester walkways and the project Missing Link Trail. The Schematic Design, as of February 28, 2014, can be found at this link:

[http://www.richmondgov.com/PlanningAndDevelopmentReview/documents/2013\\_0304\\_RVA1301\\_SD\\_BROWNS\\_ISLAND\\_DAM\\_WALK-ILLUSTRATIVE.pdf](http://www.richmondgov.com/PlanningAndDevelopmentReview/documents/2013_0304_RVA1301_SD_BROWNS_ISLAND_DAM_WALK-ILLUSTRATIVE.pdf)

2. Lehigh Park & Terraces (*The vision for the Lehigh Terraces is laid out on pages 95 – 99 of the Plan with additional details regarding public art and lighting as discussed on pages 168 – 169*) In 2015, the Lehigh Cement silos will be demolished providing for the construction of the Lehigh Park & Terraces. This section has not been designed yet, but construction will cover an open shaded green offering options for passive recreation on the north side of the VA Capital Trail (constructed under separate contract) while River Terraces step down to provide public water access on the south side of the Trail. Landscaping will be provided as well as potential small water craft launches, parking and street improvements, and other improvements incidental thereto. Design for this phase of the Project has not begun, but estimated construction costs are estimated at \$2.0 million +/- . A design contract will be entered into with the Hargreaves Associates design team early in Fiscal Year 2015 (post-July 1, 2014).
3. Chapel Island Trail (*The vision for the Chapel Island Access Trail and River Terraces, also known as the Chapel Island Terraces, is laid out on pages 80 – 87 of the Plan with additional details regarding public art and lighting as discussed on pages 168 – 169*) The project involves construction of an accessible multi-use path that extends from Great Shiplock Park to the eastern terminus of the Pipeline Walk, via the 14<sup>th</sup> Street Watercraft Take Out. The multi-use path will be securely separated from the operations of the Department

of Public Utilities and will incorporate existing footpaths, roadways, bridges, and canal structures to the extent practical. Design for this portion of the Project has not begun, but estimated construction costs are \$1.5 million +/-.

4. Other Priority 1 projects identified in the adopted Plan for which funding is secured during the term of this Agreement, which may include, but not be limited to, Public Art installation and lighting improvements.
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- B. Overall comprehensive design work for the Project is under development, and Design Development Documents for BIDW will be 100 percent complete when the Request for Proposals is issued. The Request for Proposals will detail the planned value engineering and constructability recommendation, review and possible incorporation process with the selected Construction Manager at Risk contractor, the design team and the City. The Construction Manager at Risk will be engaged in time to validate the estimate of construction costs at the design development stage and will assist in refining and managing the project scope and constructability analysis.
  - C. The location of the projects flank both sides of the James River in Downtown Richmond, Virginia.
  - D. Construction work is planned in phases with BIDW proceeding first, with Lehigh Park & Terraces and Chapel Island Trail following as funding is available. BIDW is scheduled to start early 2015 with construction complete by September 1, 2015. Lehigh Park & Terraces and the Chapel Island Trail will be constructed following the completion of the BIDW.
  - E. The following provides general descriptions of the primary areas of construction work (the “Work”) to be performed by the Construction Manager at Risk contractor on the Project:
    1. Facility construction, including bridge decking repair replacement, marine construction including pier repair/replacement, pathway improvements including base, final pavement, stairway construction, lighting, etc. Demolition and removal of the existing Brown’s Island Dam decking and associated materials.
    2. Site construction consists of work on including erosion and sediment control measures, clearing and grubbing, building pad preparation, utilities including a stormwater management, electrical and plumbing, temporary and permanent parking areas and driveways, concrete walks, areas of concrete and segmented retaining walls, and other miscellaneous site work. .
  - F. The City of Richmond has engaged a Program Management firm to represent the City in all aspects of the identified projects.

## 2.0 **General Instructions.**

2.1 **Incorporation of City Laws, Policies and Procedures.** This Request for Qualifications is subject to the provisions of Chapter 74 of the City Code, as amended, and the Policies and Procedures of the Department of Procurement Services, as amended, which are hereby expressly incorporated into this Request for Qualifications by reference. Applicants may inspect copies of these documents at the City's website, [www.RichmondGov.com](http://www.RichmondGov.com).

## 2.2 **Explanations to Applicants.**

2.2.1 **Inquiry.** All inquiries requesting clarification of this Request for Qualifications should be made in writing no later than seven business days prior to the date set for receipt of Qualification Statements to the person (the "Contracting Officer") identified on the cover sheet of this Request for Qualifications. If submitting an inquiry by facsimile transmission, the Applicant should notify the Contracting Officer by telephone that the Applicant is faxing the inquiry. All inquiries should clearly state the number of this Request for Qualifications. Because each Applicant may have different needs for information, that Applicant must make whatever inquiries it deems necessary in order to respond to the Request for Qualifications. Inquiries that the Contracting Officer determines to be pertinent to all solicited Applicants will be answered by addenda to all Applicants known to have received this Request for Qualifications.

2.2.2 **Form of Explanation.** No oral explanation in regard to the meaning of this Request for Qualifications will be made and no oral instructions will be given before the determinations of prequalification. Any explanation, interpretation or modification of the Request for Qualifications that is pertinent to all Applicants will be made only by an addendum duly issued by the City, a copy of which will be transmitted to each Applicant known to have received the Request for Qualifications. The City shall not be responsible for any other explanations or interpretations anyone presumes to make on behalf of the City before the expiration of the ultimate time set for the receipt of Qualification Statements.

2.2.3 **Addenda.** From time to time, addenda may be issued that will provide clarifications or supplemental information about the Request for Qualifications documents. All Applicants receiving Request for Qualifications documents issued by the City will be provided copies of addenda. All addenda will become a part of this Request for Qualifications at the time the City issues each such addendum. The Applicant shall be solely responsible for verifying the existence of and complying with all addenda items.

2.3 **No Contact Policy.** Any contact with any City representative concerning this Request for Qualifications other than that outlined in section 2.2 ("Explanations to Applicants") above is prohibited.

- 2.4 **No Liability for Costs.** The City shall not be liable for any costs incurred by the Applicant or any other person in connection with the preparation or submission of Qualification Statements or any other materials pursuant to this Request for Qualifications.
- 2.5 **Accuracy and Completeness.** By signing and submitting a Qualification Statement pursuant to this Request for Qualifications, the Applicant represents that the information contained in such Qualification Statement is true, accurate and complete at the time of submission and warrants that such information will remain true, accurate and complete throughout the life of the prequalification process, the procurement process and any contract awarded to the Applicant pursuant thereto.
- 2.6 **Notification of Changes.** By signing and submitting a Qualification Statement pursuant to this Request for Qualifications, the Applicant acknowledges that the Applicant is solely responsible for notify the Contract Specialist in writing immediately of any changes in the information contained in the Qualification Statement. If the City finds that the Applicant has failed to so notify the Contract Specialist, the Applicant shall be deemed to have failed to provide to the City in a timely manner information requested by the City, and such failure shall constitute sufficient grounds for the City to deny prequalification to such Applicant pursuant to City Code § 74-50(g)(7).
- 2.7 **Misrepresentation.**
- A. If the City finds that the Applicant has knowingly misrepresented any information the Applicant submits to the City, the Applicant shall be deemed to have failed to provide to the City in a timely manner information requested by the City, and such failure shall constitute sufficient grounds for the City to deny prequalification to such Applicant pursuant to City Code § 74-50(g)(7).
- B. By issuing this Request for Qualifications, the City intends that MBE/ESB participation proposed as a part of the Qualification Statement be binding on the Applicant if and when the City awards a contract to the Applicant. If the City finds that the Applicant has knowingly misrepresented proposed MBE/ESB participation submitted with the Applicant's Qualification Statement, the Applicant shall be deemed to have failed to make or propose to make Good Faith Efforts as required by City Code § 74-50(b), and such failure shall constitute sufficient grounds for the City to deny prequalification to such Applicant pursuant to City Code § 74-50(g)(8).
- 2.8 **MBE/ESB Participation.**
- 2.8.1 **Policy.** It is the policy of the City of Richmond to increase the number of Minority Business Enterprises ("MBEs") and Emerging Small Businesses ("ESBs") (together, "MBE/ESB contractors" or "MBE/ESB subcontractors") who participate meaningfully in all City construction contracts. To this end, the City encourages all prime contractors to use good faith efforts to increase the participation of MBE/ESB subcontractors to the highest level that is reasonably achievable for any particular field of contracting.

2.8.2 **Meaning of “Good Faith Efforts.”** Good faith efforts include, but are not limited to, (i) meeting the MBE/ESB participation goal set for the project, (ii) joint venture arrangements or mentor/protégé relationships with MBE/ESB contractors, or (iii) any verifiable efforts that contribute to the growth and development of MBE/ESB contractors in the construction industry, and (iv) ensuring that subcontractors make good faith efforts in lower tier subcontracting. Ways to document evidence of good faith efforts include:

- A. Describe efforts to target identified divisions of work identified in the specifications.
- B. Explain why other divisions of work were not suitable for subcontracting.
- C. Attend the pre-bid meeting.
- D. Send or fax letters to all MBE/ESB contractors at the pre-proposal meeting as well as those on the list provided by staff not less than seven days prior to the deadline for the submission of Qualification Statements.
- E. Provide a telephone log of follow-up phone calls made to MBE/ESB contractors concerning the Project, including dates and times of calls, names of individuals placing and receiving calls and results of the calls.
- F. Provide a written statement indicating good faith negotiations with any competitive MBE/ESB bids and specifically identify the MBE/ESB subcontractors.
- G. Include a complete list of all MBE/ESB bids received, noting name, address and bid amount.
- H. Provide all reasons for rejected bids.
- I. State whether any bonding requirement was waived and, if not, why.

2.8.3 **Project Goal.** The City continues to incorporate inclusive procurement diversity practices into an economic policy. As such, the staff takes special care to identify MBE/ESB contractors within the context of the nature and scope of each project and to assess potential MBE/ESB availability in Richmond’s geographic market area. After careful review of the project requirements and the availability of potential contractors, the proposed goal for the Martin Luther King Jr. Middle School Project is **twenty percent (20%)**. The City may change the goal established for this project prior to the deadline for submission of proposals under Step Two of this procurement process.

2.8.4 **Assistance in Meeting Goals.** The Office of Minority Business Development will work to support the efforts of all Applicants seeking to meet the City’s goals for MBE/ESB participation. A listing of MBEs and ESBs in the Richmond-Petersburg Metropolitan Statistical Area is available on the City’s website ([www.RichmondGov.com](http://www.RichmondGov.com)). Applicants



should contact the Contracting Officer with any questions or comments regarding the proposed MBE/ESB goal for the Project.

**2.9 Submission.**

- A. Qualification Statements must be received and time-stamped at the offices of the Department of Procurement Services no later than 3:30 p.m. Eastern Time on Friday, August 22, 2014. The City will not accept late Qualification Statements. Qualification Statements received after the time and date set forth in this section will be returned unopened at the Applicant's expense.
- B. The Applicant must submit an original (marked as such) and seven copies of the Applicant's Qualification Statement signed by the Applicant's contractually binding authority. Failure to comply with any submission requirements may result in denial of prequalification.
- C. The Applicant must submit its Qualification Statement in a sealed container with a label on the outside showing the following information:
  - 1. Qualification Statement for: Richmond Riverfront Plan – Priority 1 Implementation Project – Construction Manager at Risk
  - 2. Name of Applicant
  - 3. Address of Applicant
  - 4. RFQ No.: J140028164
  - 5. Receipt and Closing Date: Thursday, July 24, 2014 at 3:30 p.m. ET
- D. All Qualification Statements must be addressed and delivered by the date and time specified on the cover sheet of this Request for Qualifications to the Contracting Officer.

- 2.10 Proprietary Information.** All Qualification Statements submitted under this solicitation will become the property of the City and will not be returned. However, if the Applicant checks the "Proprietary Information" box on the cover sheet submitted, the Applicant will be deemed to have requested, as allowed by City Code § 74-50(d), that all information voluntarily submitted by the Applicant pursuant to this Request for Qualifications be considered a trade secret or proprietary information subject to City Code § 74-5(f). If the Applicant so requests, the City will return such proprietary information after the award of the contract or contracts resulting from this Request for Qualifications.

2.11 **Cancellation of Request for Qualifications.** The City may cancel this Request for Qualifications as deemed by the City in its sole discretion to be in the best interest of the City.

3.0 **Qualification Statements.** The Qualification Statement must be signed by an authorized representative of the Applicant. The Qualification Statement must be typed, bound, and presented in sections separated by tabs as described in the paragraphs that follow. Each copy of the Qualification Statement shall be bound in a single volume where practical. All documentation submitted with the Qualification Statement shall be included in that single bound volume. Elaborate brochures and other representations beyond those required to present a complete and effective Qualification Statement are neither required nor desired. Pages in the submittal must be consecutively numbered. To be considered substantive and responsive, the Qualification Statement must address all requirements of this Request for Proposals. Information supplied must be current and up-to-date. Any other information thought to be relevant, but not specifically applicable to the categories enumerated within this section 3.0 (“Qualification Statement”), should be provided as an appendix to the Qualification Statement. If the Applicant supplies publications in response to a requirement, the response must include a reference to the document number and page number. Publications provided without this reference will be considered to be not relevant to this Request for Qualifications. Qualifications should be prepared simply and economically, providing a straightforward, concise description of the Applicant’s capabilities to complete the Project. The emphasis should be on completeness and clarity of content. The Qualification Statement must include all the information defined in this section 3.0 (“Qualification Statement”) and be organized as follows: (i) signed cover sheet, (ii) transmittal letter and (iii) qualifications organized into the tabs as provided below.

3.1 **Tab 1 – General Information.** This tab must include all of the following information:

- A. The Applicant’s name.
- B. The Applicant’s mailing address.
- C. The Applicant’s street address, if different from the mailing address.
- D. The Applicant’s contact person.
- E. The Applicant’s contact person’s telephone number.
- F. The Applicant’s contact person’s facsimile transmission number.
- G. The Applicant’s contact person’s electronic mail address.
- H. The Applicant’s state contractor’s license number.

- I. The Applicant's designated employee registered with the Virginia Board for Contractors.
- J. The type of the Applicant's organization (e.g., corporation, partnership, individual, or joint venture) and the following information as applicable:
  1. If a corporation:
    - a. The state of incorporation;
    - b. The date of incorporation;
    - c. The Federal I. D. number;
    - d. The name and years in position of the president, vice president, secretary and treasurer; and
    - e. Whether the corporation is a Subchapter S corporation.
  3. If a limited liability company:
    - a. The state in which the limited liability company is organized;
    - b. The date organized;
    - c. A list of all managers of the limited liability company, including the name, telephone number and years as a manager for each manager; and
    - d. A list of all members, including the name, telephone number, years as a member and membership interest for each member.
  3. If a partnership:
    - a. The state in which the partnership was formed;
    - b. The date organized;
    - c. The type of partnership; and
    - d. A list of all general partners, including the name, telephone number, years as a general partner and partnership interest for each general partner.
  4. If individually owned, the number of years in business.

- K. Whether the Applicant has ever operated under another name and, if so, the other name, the number of years in business under this other name, and the state license number under this name.
- L. If the organization is a subsidiary or affiliate of another organization, the name and address of each parent or affiliate organization.
- M. The following statement, signed by the Applicant's contractually binding authority:

The Applicant for prequalification, by submitting its Qualification Statement, certifies and represents that the information that the Applicant provides in response to this Request for Qualifications is accurate and complete as of the date of such submission. If the Applicant provides no information in response to any of the requirements of this Request for Qualifications, then the Applicant, by submitting its Qualification Statement, certifies and represents that such requirements do not apply because no information exists that would respond to the requirement. The Applicant further covenants that, during the time between the submission of its Qualification Statement and the City's issuance of a decision prequalifying or not prequalifying the Applicant, the Applicant will furnish the City with any changes or additions to such information necessary to ensure that this information remains accurate, complete and up-to-date.

- 3.2 **Tab 2 – Financial Ability.** Bonding will be required to ensure performance of the contract for the Project and the payment of subcontractors. This tab must include a letter from a surety company (i) confirming that the surety company is listed in the United States Department of the Treasury's Circular 570, (ii) confirming that the surety company licensed to transact surety business in the Commonwealth of Virginia, (iii) confirming prior overall bonding limits and specific bonds with status information for projects in the \$11,500,000 cost range and (iv) confirming that the Applicant can secure bonding from the surety company for this Project in an amount equal to or greater than the amount established by the City. A certificate indicating bonding limits only is not acceptable. Failure to provide all of the information required under this tab creates a presumption that the Applicant does not have sufficient financial ability to perform the contract for the Project.
- 3.3 **Tab 3 – Judgments.** This tab must state whether the Applicant's organization, or any officer, director or owner thereof, has had judgments entered against it or them within the last ten years for the breach of contracts for governmental or nongovernmental construction, including, but not limited to, design-build or construction management. If such judgments have been entered against it or them, the Applicant must include in this tab the following information for each judgment:
  - A. The person or entity against whom judgment was entered;

- B. The style of the case (e.g., *plaintiff v. defendant*) in such a way that the name of the plaintiff and the name of the defendant are stated clearly;
- C. The case number and name of the highest court in which the case was heard;
- D. The date of the final judgment in the case;
- E. A description of the nature of the breach of contract;
- F. The relationship of the defendant to the Applicant (if the defendant is not the Applicant); and
- G. Contact information (including names, addresses and telephone numbers) of persons who can provide additional information.

### 3.4 **Tab 4 – Convictions and Debarment.**

3.4.1 **Convictions.** This tab must state whether the Applicant’s organization (including any predecessor entity), or any officer, director, owner, project manager, procurement manager or chief financial official thereof, has:

- A. Ever been fined or adjudicated of having failed to abate a citation for building code violations by a court or local building code appeals board.
- B. Ever been found guilty on charges relating to conflicts of interest.
- C. Ever been convicted on criminal charges relating to governmental or nongovernmental contracting, construction, bidding, bid rigging or bribery.
- D. Ever been convicted under:
  1. Chapter 74, Article VIII (§§ 74-341—74-352) of the Code of the City of Richmond or Chapter 43, Article 6 (§§ 2.2-4367—2.2-4377) of the Code of Virginia;
  2. The Virginia Governmental Frauds Act (Va. Code §§ 18.2-498.1—18.2-498.5);
  3. Title 59.1, Chapter 4.2 (§§ 59.1-68.6—59.1-68.8) of the Code of Virginia;
  4. Section 40.1-49.4 of the Code of Virginia; or
  5. Any substantially similar law of the United States or another state.

3.4.2 **Debarment.** This tab must state whether the Applicant’s organization (including any predecessor entity), or any officer, director, owner, project manager, procurement

manager or chief financial official thereof, is currently debarred from doing federal, state or local government work for any reason.

3.4.3 **Information to Be Provided.** For each instance of conviction or debarment stated under this tab, the Applicant shall provide, as applicable:

- A. The person or entity against whom judgment was entered;
- B. The style of the case (e.g., *jurisdiction v. defendant*) in such a way that the name of the prosecuting jurisdiction and the name of the defendant are stated clearly for a conviction or the name of the jurisdiction for a debarment;
- C. The case number and name of the highest court in which the case was heard;
- D. The date of the final order in the case or the date of the debarment;
- E. The law or laws the violation of which the defendant was convicted or the reasons for the debarment;
- F. The relationship of the defendant or debarred party to the Applicant (if the defendant or debarred party is not the Applicant); and
- G. Contact information (including names, addresses and telephone numbers) of persons who can provide additional information.

3.5 **Tab 5 – Compliance.**

- A. This tab must indicate the following:
  - 1. Whether the Applicant's organization (including any predecessor entity) has ever been terminated on a contract for cause;
  - 2. Whether the Applicant's organization (including any predecessor entity), within the last five years, has made payment of actual damages or liquidated damages (or both) for failure to complete a project by the contracted date;
  - 3. Whether the Applicant's organization (including any predecessor entity), within the last three years, has received a final order for willful or repeated (or both) violations for failure to abate issued by the United States Occupational Safety and Health Administration, the Virginia Department of Labor and Industry or any other government agency; and
  - 4. Whether any surety has ever paid any performance bond claim or payment bond claim (or both) on behalf of the Applicant's organization (including any predecessor entity).

- B. For each instance in subsection (A) above, the Applicant must:
1. State the date of the termination, order or payment;
  2. Describe the project involved;
  3. Explain the circumstances relating to the termination, order or payment; and
  4. Provide contact information (including names, addresses and telephone numbers) of persons who can provide additional information.

**3.6 Tab 6 – Experience.**

**3.6.1 Construction Manager at Risk Project Experience.** The Applicant must provide detailed and specific past experience in providing construction manager at risk services on construction projects involving bridge or other relevant steelwork and construction projects in a marine environment subject to review and jurisdiction by various Federal, State, and local government agencies, projects that correspond to the requirements of the Project. The applicant may identify a sub-contractor that can demonstrate the specified experience in bridge/steelwork and marine construction work in lieu of the Applicant providing the specified experience levels in these areas. If the Applicant identifies a sub-contractor to achieve the required experience, the Applicant shall submit a notarized agreement between the Applicant and sub-contractor stipulating the agreed upon scope of work that the sub-contractor shall perform and stating the parties will enter into a contract for the same. If the Applicant is a joint venture or limited partnership entity, the Applicant must identify the lead entity of the joint venture or limited partnership arrangement, and the Applicant must provide all of the following information for each and every entity included in the joint venture or limited partnership. The Applicant and a sub-contractor if utilized to satisfy the minimum requirements must jointly identify no fewer than three comparable construction management at risk projects or projects utilizing a Guaranteed Maximum Price type delivery method, each exceeding \$7,000,000 in value; that the Applicant has completed in the last ten years. The Applicant must provide the following information for each project listed:

- A. Project name, location and owner;
- B. Project construction contract delivery method;
- C. Detailed project description;
- D. Detailed project team description from owner to prime subcontractors and suppliers;
- E. Initial construction budget and final construction cost, including basis and method of any increases or decreases;

- F. Initial project schedule to include the scheduled notice to proceed and final completion dates and the actual notice to proceed and final completion dates;
- G. Initial and final project size in gross square feet with explanation of any changes;
- H. Type of construction (i.e., new, renovation, expansion or combination);
- I. Name of the project manager (i.e., the individual responsible for the overall management and success of the project);
- J. Name of the project superintendent (i.e., the individual responsible for coordinating and managing the day-to-day work on the site);
- K. The owner's name and representative who served as the day-to-day liaison during the construction phase, including current telephone number;
- L. The Architect/Engineer's name and representative who served as the day-to-day liaison during the construction phase of the project, including current telephone number; and
- M. Length of business relationship with the owner

References will be contacted regarding listed projects and shall be considered relevant based on specific project participation and experience with the Applicant. The City reserves the right to contact any other references at any time during either step of the procurement process.

### **3.6.2 Proposed Project Team Staff, Functions and References.**

- A. The Applicant must name the actual project team staff to be assigned to this Project, describe their ability and experience and indicate the functional role of each staff member within the project team organization. It is expected that the proposed staff will be assigned to this Project unless otherwise approved by the City. The identified staff must be present at the time of any interviews if scheduled. At a minimum, the Applicant must list the Project Executive, Project Manager, Project Superintendent, Project Engineer, Project Administrator and Project Safety Officer. If a joint venture or limited partnership, the Applicant must fully answer all questions for key personnel assigned to the Project from all of the entities that comprise the joint venture or limited partnership.
- B. The following Project Team staff positions must have the minimum level of construction projects involving bridge/steel work and more specifically construction projects in a marine environment subject to review and jurisdiction by various Federal, State, and local government agencies, project construction experience as identified below to be considered qualified to hold the position on this Project. The



projects used to meet these minimum qualifications will be the same projects as used to provide the detailed information requested below.

<b>Staff Position</b>	<b>Position Held</b>	<b>Number of Projects in 10 Years</b>
Project Executive	Project Manager or Project Executive	3 CM@Risk projects
Project Manager	Project Manager	2 CM@Risk projects
Superintendant	Superintendant	2 projects

The Applicant must provide the following detailed information for each Project Team staff person listed:

1. Name and title;
2. Education and active registrations and licenses;
3. Total years for each person at specific positions and number of years with proposing firm;
4. List of construction manager at risk projects assigned to, value of construction work and specific project involvement including summary information regarding safety, quality, cost and schedule performance;
5. Owner and design team reference contacts with current telephone numbers for each project listed; and
6. List of any prior projects the person has worked on with Hargreaves Associates, Vanasse Hangen Brustlin, Inc., (VHB), Moffatt & Nichol Engineering and the associated project owner reference contacts with current telephone numbers.

### 3.6.3 **Project Methods.**

3.6.3.1 **Construction Management at Risk Structure.** The Applicant must describe in general terms, based on the Applicant’s construction management at risk experience, how the Applicant would deliver this Project successfully. The Applicant should address, at a minimum, value engineering and constructability procedures, guaranteed maximum price or other approach, contingencies, subcontract procurements and possible sharing of savings.

3.6.3.2 **Cost Management.** The Applicant must describe how it develops, manages and updates cost estimates, providing specific examples of successful recommendations implemented to maintain project budgets without sacrificing quality and describing the Applicant’s

subcontractor and supplier bidding process and explaining the benefits to the project owner.

**3.6.3.3 Schedule Management.** The Applicant must describe how it develops, maintains, utilizes and updates project schedules during construction. The Applicant must describe its approach, procedures, and methodology with regards to timely building commissioning, the punch-list process and completion, the owner occupancy process and project close-out processes.

**3.6.3.4 Quality Control Program.**

- A. The Applicant must provide a copy of one of the Applicant's recent quality control programs with a table of contents that the Applicant utilized on a project previously identified in response to section 3.6.1 ("Construction Manager at Risk Project Experience").
- B. The Applicant must describe the office and site Quality Control/Quality Assurance team and plan that it will use on this Project, including sufficient experience information.

**3.6.3.5 Safety Program.**

- A. The Applicant must provide the Applicant's current Safety Program's table of contents.
- B. The Applicant must provide a copy of the Applicant's NCCI current experience modification ("EMR") rating worksheet and the EMR worksheets for all entities identified as joint venture partners or team members.
- C. The Applicant must provide any additional planned safety procedures and information specific to past school projects.

**3.7 Tab 7 – MBE/ESB Participation.** This tab must include documentation to demonstrate evidence of the Applicant's past and proposed good faith efforts as described in section 2.8 ("MBE/ESB Participation"). In completing the M/ESB-1:RFQ form, Applicants should remember that proposed goals are not limited to first, second and third tier subcontracting. Successful prime contractors have also applied creatively viable methods such as mentor/protégé relationships and supply purchases to meet MBE/ESB participation goals. The prime contractor is responsible for ensuring that MBE/ESB subcontractors perform commercially useful work at the level of the contract commitment. The Applicant's documentation may include past good faith efforts on non-City projects as well as documentation provided by other organizations or localities on the Applicant's behalf. Also, this tab must include a MBE/ESB utilization plan for this Project. There are two components to an MBE/ESB utilization plan. First, the Applicant must provide a statement consistent with the City's proposed goal for this Project that includes the percentage and dollar amount of the Project that the Applicant

intends to subcontract and the percentage and dollar amount of the Project that the Applicant proposes to subcontract to MBE/ESB subcontractors. If the Applicant proposes a goal different from the City's proposed goal, the Applicant must provide a statement of the reason for doing so. This statement must be accompanied by a demonstration of your good faith efforts to achieve reasonable MBE/ESB participation on this Project. Finally, all forms (e.g., the Minority Business Enterprise and Emerging Small Business Participation Commitment Form for Prequalification for Request for Qualification, the MBE/ESB Past Good Faith Efforts Participation Form and the Good-Faith Minority Business Enterprise and Emerging Small Business Participation Efforts Documentation of Contacts form) must be signed and included in this tab.

#### 4.0 **Evaluation Process.**

4.1 **Opening of Qualification Statements.** At the designated time for receipt of Qualification Statements, the Department of Procurement Services will open and list the Qualification Statements for the record. This is not a public opening. The City reserves the right to request additional information that does not have a material effect on the Qualification Statement to assist in evaluating the Qualification Statement. Failure to respond by the time designated will be grounds for denial of prequalification, pursuant to City Code § 74-50(g)(7).

4.2 **Evaluation of Qualification Statements.** During the evaluation phase, the City will evaluate Qualification Statements to determine which Applicants are suitable for prequalification. This review is in three parts. First, the City will evaluate the financial ability, judgments, convictions, debarments and substantial noncompliance with contracts of the Applicant. Second, the City will evaluate the experience of the Applicant. Third, the City will evaluate the MBE/ESB participation submissions of the Applicant. These evaluations will be made as described below in this section. The City may request clarification on specific matters presented in the Application. The Applicant's failure to respond to such requests by the time designated may result in the denial of prequalification pursuant to City Code § 74-50(g)(7).

##### 4.2.1 **Evaluation of Financial Ability, Judgments, Convictions, Debarments and Substantial Noncompliance with Contracts.**

4.2.1.1 **Financial Ability.** The City will evaluate the Applicant's response under Tab 2 (see section 3.2). A letter from a surety company that does not meet all of the requirements of section 3.2 ("Tab 2 – Financial Ability") or the absence of a letter meeting such requirements may be grounds for denial of prequalification, at the City's sole discretion, after review and consideration of the dates, amounts, facts and circumstances, pursuant to City Code § 74-50(g)(1).

4.2.1.2 **Judgments.** Pursuant to City Code § 74-50(g)(3), any judgments, whether one or more, entered against the Applicant's organization, or any officer, director or owner thereof, within the last ten years for the breach of contracts for governmental or nongovernmental construction, including, but not limited to, design-build or construction management, may

be grounds for denial of prequalification, at the City's sole discretion, after review and consideration of the dates, amounts, facts and circumstances, including, but not limited to, those submitted under Tab 3 (see section 3.3).

**4.2.1.3 Convictions.** Pursuant to City Code § 74-50(g)(5), any of the following with regard to the Applicant's organization (including any predecessor entity), or any officer, director, owner, project manager, procurement manager or chief financial official thereof during the past ten years, may be grounds for denial of prequalification, at the City's sole discretion, after review and consideration of the dates, facts and circumstances, including, but not limited to, those submitted under Tab 4 (see section 3.4):

A. Conviction on charges relating to conflicts of interest;

B. Conviction on charges relating to any criminal activity relating to contracting, construction, budding, bid rigging or bribery; or

C. Conviction under:

1. Chapter 74, Article VIII (§§ 74-341—74-352) of the Code of the City of Richmond or Chapter 43, Article 6 (§§ 2.2-4367—2.2-4377) of the Code of Virginia;
2. The Virginia Governmental Frauds Act (Va. Code §§ 18.2-498.1—18.2-498.5);
3. Title 59.1, Chapter 4.2 (§§ 59.1-68.6—59.1-68.8) of the Code of Virginia;
4. Section 40.1-49.4 of the Code of Virginia; or
5. Any substantially similar law of the United States or another state.

**4.2.1.4 Debarments.** Pursuant to City Code § 74-50(g)(6), if the Applicant's organization (including any predecessor entity), or any officer, director, owner, project manager, procurement manager or chief financial official thereof during the past ten years has been debarred by any agency or political subdivision of the Commonwealth of Virginia, by any agency of the United States or by any agency or political subdivision of another state, such debarment may be grounds for denial of prequalification, at the City's sole discretion, after review and consideration of the dates, facts and circumstances, including, but not limited to, those submitted under Tab 4 (see section 3.4).

**4.2.1.5 Substantial Noncompliance with Contracts.** Pursuant to City Code § 74-50(g)(4), the City, at the City's sole discretion, after review and consideration of the dates, facts and circumstances, including, but not limited to, those submitted under Tab 5 (see section 3.5), may deny prequalification if the Applicant has been in substantial noncompliance with the terms and conditions of prior construction contracts with the City without good cause or, if the City has not contracted with the Applicant in any prior construction contracts, if the Applicant has been in substantial noncompliance with the terms and

conditions of comparable construction contracts with another public body without good cause; provided that the facts underlying such substantial noncompliance were documented in writing in the prior construction project file and such information relating thereto was given to the Applicant at that time, with the opportunity to respond. The following constitute substantial noncompliance with prior construction contracts under the preceding sentence:

- A. The Applicant in the last three years has received a final order for failure to abate or for a willful violation by the United States Occupational Safety and Health Administration or by the Virginia Department of Labor and Industry or any other government agency;
- B. The Applicant has paid liquidated damages for failure to complete a project by the contracted date on more than two projects in the last five years;
- C. The Applicant has paid actual damages resulting from failure to complete a project by the contracted date on more than two projects in the last five years;
- D. The Applicant has been terminated for cause on a contract in the last five years;
- E. The Applicant was more than 30 days late, without good cause, in achieving the contracted substantial completion date where there was no liquidated damage provision on more than two projects in the last three years;
- F. The Applicant has received more than two cure notices on a single project in the past two years or more than one cure notice on five separate projects in the past five years (or both);
- G. The Applicant has had repeated instances on a project of installation and workmanship deviations which exceed the tolerances in the standards referenced in the contract documents, provided that documentation of such instances shall be the written reports and records of the owner's representatives on the project;
- H. The Applicant has finally completed a project more than 90 days after achieving substantial completion on two or more projects in the last three years for reasons within the Applicant's control; provided that documented delay of delivery of material necessary to perform remaining work or seasonal conditions that bear on performing the work or operating specific equipment or building systems shall be considered in mitigation; or
- I. The Applicant has had performance or payment bond claims paid on its behalf in the past three years.

4.2.2 **Evaluation of Experience.** The City will evaluate the responses submitted under Tab 6 (see section 3.6) of the Qualification Statements to determine whether the Applicant has appropriate experience to perform the Project. The City will use the following evaluation

criteria and maximum point values in ranking Applicants. Grading evaluation levels are: (1) poor, (2) satisfactory, (3) good, (4) very good and (5) exceptional. Any Applicant who does not receive a score of at least 75 out of the 100 available points will be deemed to not have appropriate experience to perform the project and will be denied prequalification pursuant to City Code § 74-50(g)(2).

- A. Construction management at risk project experience *(45 points)*
    - 1. Specific construction management at risk experience responses on marine and heavy steel construction projects (see section 3.61.1(A) through (J) and (M)) 25 points
    - 2. Specific reference check responses (see section 3.6.1(K) and (L)) 20 points
  - B. Proposed project team staff, functions and references *(30 points)*
    - 1. Specific project team responses (see section 3.6.2(B)(1) through (4) and (6)) 20 points
    - 2. Project team reference check responses (see section 3.6.2(B)(5)) 10 points
  - C. Project methods *(25 points)*
    - 1. Construction management at risk structure responses (see section 3.6.3.1) 5 points
    - 2. Cost management responses (see section 3.6.3.2) 5 points
    - 3. Schedule management responses (see section 3.6.3.3) 5 points
    - 4. Quality control program responses (see section 3.6.3.4) 5 points
    - 5. Safety program responses (see section 3.6.3.5) 5 points
- Total Points Available:            100 points**

**4.2.3 Evaluation of MBE/ESB Participation.**

- A. The City’s Office of Minority Business Development will score the information presented under Tab 7 (see section 3.7) of the Applicant’s Qualification Statement with regard to past and proposed good faith efforts on a scale of one to 100.
- B. Pursuant to section 74-50(g)(8) of the City Code, an Applicant that fails to make or propose to make good faith minority business enterprise and emerging small business participation efforts or to receive a score of at least 50% of the possible MBE/ESB

participation efforts percentage points shall not be prequalified to bid on or be awarded the contract.

- C. An Applicant's past performance with regard to its MBE/ESB participation efforts will be considered in the prequalification process.
- D. The City reserves the right to accept or reject any proposed goals. However, in configuring its proposed MBE/ESB participation goal, the Applicant will be awarded points for undertaking proven business development strategies as an element of this Project. If the Applicant has a bona fide joint venture with a MBE or ESB contractor, is legitimately mentoring a MBE or ESB contractor, is covering the bonding for a MBE or ESB contractor, or is providing apprenticeship opportunities, the Applicant will receive additional points in the evaluation of this criterion.

- 4.3 **Notification of Prequalification Decisions.** At least 30 calendar days prior to the date established for submission of proposals under the procurement of the contract to which this prequalification applies, the City shall advise in writing each Applicant that submitted a Qualification Statement whether that Applicant has been prequalified. The City, in the City's sole discretion, reserves the right to deny prequalification to any Applicant for any reason to the extent permitted by City Code § 74-50(g). In the event that an Applicant is denied prequalification, the written notification to such Applicant shall state the reasons for such denial of prequalification and the factual basis of such reasons. Any Applicant denied prequalification may appeal such determination as provided in City Code § 74-186. A decision by the City denying prequalification shall be final and conclusive unless the Applicant appeals the decision as provided by City Code § 74-186.

## **END OF REQUEST FOR QUALIFICATIONS**



**Minority Business Development**

900 East Broad Street  
 City Hall, 5th Floor  
 Richmond, VA 23219  
 Office: (804) 646-5947  
 Fax: (804) 646-0136  
[www.richmondgov.com/MBD](http://www.richmondgov.com/MBD)

**Minority Business Enterprise  
 And Emerging Small Business  
 Participation Commitment  
 for Prequalification (RFQ) Form**

PROJECT NAME / NO.	MBE/ESB PROJECT GOAL ESTABLISHED → BY THE CITY OF RICHMOND
--------------------	--

YES I, \_\_\_\_\_ shall commit to \_\_\_\_\_% MBE/ESB participation through:  
*Authorized Company Officer*

- \_\_\_\_\_ % FIRST, SECOND and/or THIRD TIER SUBCONTRACTING
- \_\_\_\_\_ % SUPPLY PURCHASES
- \_\_\_\_\_ % JOINT VENTURES
- \_\_\_\_\_ % MENTOR-PROTÉGÉ
- \_\_\_\_\_ % OTHER CREDIBLY VIABLE METHODS

I understand that this commitment obligates my firm to a substantial good faith effort to achieve the proposed MBE/ESB participation. Our proposal may earn up to 100 prequalification points under PROPOSED GOOD FAITH MINORITY PARTICIPATION EFFORTS. We further commit to reporting MBE/ESB utilization on a monthly basis using the City's MBE/ESB-3 form.

1. **IF YOU ARE PREQUALIFIED:** It is not necessary to include another **MBE/ESB-1 RFQ** form in the bid. The **MBE/ESB-1 RFQ** form submitted during the RFQ process stands as your firm's record of proposed MBE/ESB participation.
2. **IF YOU ARE THE SUCCESSFUL BIDDER:** You must submit the **MBE/ESB-2** form to report a **credible list** of legitimate MBE/ESB subcontractors, suppliers, and/or written statements of mentor/protégé or joint venture arrangement within five (5) business days to the Department of Procurement Services. Upon receipt of the **MBE/ESB-2** form, the Office of Minority Business Development will approve "Good Faith Efforts" and/or verify MBE/ESB participation before full contract execution.

NO I, \_\_\_\_\_ do not wish to earn up to 30 prequalification points for proposed MBE/ESB participation.  
*Authorized Company Officer*

I acknowledge that my declaration will forfeit the opportunity to earn up to 100 prequalification points, and shall directly impact the level of responsiveness of this application and shall become a matter of record. (*Explanation for declaration is encouraged but not required.*)

MINORITY BUSINESS ENTERPRISE	EMERGING SMALL BUSINESS
<div style="background-color: black; color: white; padding: 5px; writing-mode: vertical-rl; transform: rotate(180deg);">Definitions</div> <p>A business at least 51% of which is owned and controlled or 51% minority-owned and operated by minority group members or, in case of a stock corporation, at least 51% of the stock which is owned and controlled by minority group members. Minority group members are citizens of the United States who are African American, Hispanic American, Asian American, or American Indian.</p>	<p>A business that (1) has been certified by the Office of Minority Business Development for a period of seven years or less, (2) has annual gross receipts for each of its three fiscal years preceding application for certification of \$500,000 or less if engaged in the construction business or of \$250,000 or less if engaged in a non-construction business, (3) has fewer than ten employees, (4) is not a subsidiary of another business and does not belong to a group of businesses owned and controlled by the same individuals, (5) has its principal place of business within the City of Richmond Enterprise Zone, (6) possesses a City business license, and (7) pays personal property, real estate, and business taxes to the City of Richmond.</p>

THE UNDERSIGNED HEREBY CERTIFIES THAT S/HE HAS READ THE TERMS OF THIS COMMITMENT AND IS AUTHORIZED TO BIND THE BIDDER TO THE COMMITMENT HEREIN SET FORTH.

COMPANY NAME

AUTHORIZED OFFICER NAME



## **INSTRUCTIONS/ DEFINITIONS**

1. **FIRST, SECOND, AND/OR THIRD TIER SUBCONTRACTING** - The scope of work that is initially contracted by the prime contractor to a subcontractor is considered 1<sup>st</sup>-tier subcontracting. If that subcontractor further subcontracts all or a portion of the work, it becomes 2<sup>nd</sup>-tier subcontracting. Likewise, if the 2<sup>nd</sup>-tier subcontractor decides to subcontract a portion of the work, it is 3<sup>rd</sup>-tier subcontracting. The prime contractor will receive credit for 100% of the dollar value of the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>-tier subcontracting for MBE/ESB participation.
2. **SUPPLY PURCHASES** - The prime contractor will receive credit for 100% of the dollar value of supplies purchased from a MBE/ESB.
3. **JOINT VENTURE** - An arranged partnership of the MBE/ESB and one or more other firms to carry out a single, for-profit project, for which the parties combine their property, capital, efforts, skills, and knowledge, and in which the MBE/ESB is responsible for a distinct, clearly defined scope of work and whose share of the capital contributions, control, management, risks and profits of the joint venture are commensurate with its ownership interest. **MBE/ESB credit for legitimate joint ventures will be five (5) points toward the satisfaction of the MBE/ESB goal for a specified project.**
4. **MENTOR/PROTÉGÉ** - An arrangement based on a written development plan, approved by the City, which clearly sets forth the objective of the parties and their respective roles, the duration of the arrangement and the services and resources to be provided by the mentor to the protégé. **MBE/ESB credit for a legitimate mentor/protégé arrangement will be four (4) points towards the satisfaction of the MBE/ESB goal for a specified project.**
5. **OTHER CREDIBLY VIABLE METHODS - BLANKET BONDING** - the prime contractor covers the bonding requirement for the subcontractor. MBE/ESB credit for Blanket Bonding will be two (2) points toward the satisfaction of the MBE/ESB goal for a specified project.  
  
**Apprenticeship** - An apprentice that is bound to work for another for a designated amount of time in return for instruction in a trade or a business. **MBE/ESB credit for Apprenticeship will be one (1) point toward the satisfaction of the MBE/ESB goal for a specified project.**
6. **MINORITY BUSINESS ENTERPRISE (MBE)** - A business at least 51% of which is owned and controlled or 51% operated by minority group members or, in case of a stock corporation, at least 51% of the stock, which is owned and controlled by minority group members. Minority group members are citizens of the United States who are African American, Hispanic American, Asian American, and American Indian.
7. **EMERGING SMALL BUSINESS (ESB)** - A business that (1) has been certified by the Office of Minority Business Development (OMBD) for a period of seven years or less, (2) has annual gross receipts for each of its three fiscal years preceding application for a certification of \$500,000 or less if engaged in the construction business or of \$250,000 or less if engaged in non-construction business, (3) has fewer than ten employees, (4) is not a subsidiary of another business and does not belong to a group of businesses owned and controlled by the same individuals, (5) has its principal place of business within the City of Richmond Enterprise Zone, (6) possesses a City business license, and (7) pays personal property, real estate, and business taxes to the City of Richmond.



## MBE/ESB Past Good Faith Efforts Participation Form

**Office of Minority Business Development**

900 East Broad Street  
 City Hall, 9th Floor  
 Richmond, VA 23219  
 Office: (804) 646-5947  
 Fax: (804) 646-0136

<http://www.RichmondGov.com/MBD>

<b>COMPANY DATA</b>	<b>COMPANY NAME:</b>		<b>CONTRACT NAME/NO:</b>	
	<b>CONTACT NAME:</b>	<b>PHONE #</b>	<b>Fax#</b>	
	<b>Email Address:</b>			

**How long has your firm been in Business?**

If you can verify your firm has made past good faith efforts in the **Public or Private Sector** to engage MBE/ESB firms through subcontracting, joint venture, mentor-protégé, or apprenticeship opportunities over the past three (3) years, you may be eligible to earn additional points for this project. Please include valid documentation to support this claim. Feel free to attach additional pages, if necessary. **Enter Below Code for Ownership of each MBE Firm.**

1 = African American    2 = Hispanic American    3 = Asian American  
 4 = American Indian    5 = Other (Specify Below)

Yes – may be eligible – Complete section below       No – not eligible

PROJECT NAME / DATE	SCOPE OF WORK	Code	MBE/ESB COMPANY NAME/CONTACT PERSON/PHONE

<b>DEFINITIONS</b>	<b>MINORITY BUSINESS ENTERPRISE</b>	<b>GOOD FAITH MBE/ESB PARTICIPATION EFFORTS</b>		<b>EMERGING SMALL BUSINESS</b>
	A business at least 51% of which is owned and controlled or 51% operated by minority group members or, in case of a stock corporation, at least 51% of the stock which is owned and controlled by minority group members. Minority group members are citizens of the United States who are African American, Hispanic American, Asian American and American Indian.	The sum total of efforts by a particular business to provide equitable participation of minority business enterprise or emerging small business subcontractors. For past efforts, this sum total shall be comprised of the record of participation by minority business enterprises and emerging small businesses through subcontracting or joint ventures. For future efforts, it shall be comprised of such efforts, which are proposed to allow equitable participation of minority business enterprise or emerging small business subcontractors.		A business that (1) has been certified by the Office of Minority Business Development for a period of seven years or less, (2) has annual gross receipts for each of its three fiscal years preceding application for certification of \$500,000 or less if engaged in the construction business or of \$250,000 or less if engaged in non-construction business, (3) has fewer than ten employees, (4) is not a subsidiary of another business and does not belong to a group of businesses owned and controlled by the same individuals, (5) has its principal place of business within the City of Richmond Enterprise Zone, (6) possesses a City business license, and (7) pays personal property, real estate, and business taxes to the City of Richmond.

Bidder and the MBE/ESB agree that the MBE/ESB shall not subcontract or assign any work described herein to another entity without prior written approval of the City of Richmond.

**THE UNDERSIGNED HEREBY CERTIFIES THAT S/HE HAS READ THE TERMS OF THIS COMMITMENT AND IS AUTHORIZED TO BIND THE BIDDER TO THE COMMITMENT HEREIN SET FORTH.**

**SIGNATURE OF AUTHORIZED OFFICIAL:**

**DATE:**



**Office of Minority Business Development**  
900 East Broad Street  
City Hall, 9th Floor  
Richmond, VA 23219  
Office: (804) 646-5947

**Good-Faith Minority Business Enterprise  
and Emerging Small Business Participation Efforts  
Documentation of Contacts**

Request for Qualification or Request for Proposals No.: \_\_\_\_\_

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

Name of Contractor: \_\_\_\_\_

**Part I – Method of Contact**

How did you contact each Minority Business Enterprise or Emerging Small Business?

A. **Telephone.** For each firm contacted:

- State the name of the firm, the name of the person contacted, the telephone number contacted and the date of the contact.

B. **Fax.** For each firm contacted:

- State the name of the firm, the fax number contacted and the date of the contact.
- Attach a copy of the fax transmittal sheet indicating receipt of the fax.

C. **E-Mail.** For each firm contacted:

- State the name of the firm, the name of the person contacted by e-mail, the e-mail address at which you contacted the person and the date of the contact.
- Attach a copy of the e-mail sent. All copies of e-mails must include metadata indicating "From," "To" and "Cc" e-mail addresses as well as the date and time of the e-mail.

D. **Newspapers and Other Publications.** For each advertisement placed in a newspaper or other publication:

- State the name of the newspaper or other publication and the date or dates on which the advertisement was published.
- Attach a copy of both the published advertisement and any solicitation advertised.

E. **Other.** For methods of contact not included above:

- Describe the nature of the contact.
- As applicable, state the name of the person contacted, the name of the firm contacted and the date of the contact.
- Attach a copy of any written documentation of the contact.

**Attachment A sets forth the form in which the information required above must be submitted.**

**(Turn Over)**

**Attachment A – Form of Information Documenting  
Method of Contact**

<b>MBE/ESB Name Contact Person Address Phone Number Fed ID Number</b>	Telephone	Fax	Email	Newspaper or Other Publication	Other	Response of Contacted Firms	Enter Below Code for Ownership of each MBE Firm.
	Telephone # Date of Contact	Fax # Date of Contact	Email Address Date of Contact	Name of Newspaper or Other Publication Date (s) of Advertisement	Separate Written Statement with any supporting documentation for each contract	MBE/ESB Response Yes, No, No Response or Comment	1 = African American 2 = Hispanic American 3 = Asian American 4 = American Indian 5 = Other (Specify Below)
<b>ABC Co., Inc. Joe Johns 110 Main Street, Anywhere, USA (XXX) 555-5555 54-XXXXXX</b>	<b>(804) 555- 5555 01/28/09</b>	<b>(804) 555- 5555 01/28/09</b>	<b>ABC@gmail.com</b>	<b>Times Dispatch</b>	<b>See Attachment</b>	<b>Yes</b>	<b>1</b>

**Additional copies can be made**