



Department of

General Services



In The Know Diversity Meeting

State Procurement 101: ITBs, RFPs, & Construction Contracts



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General Services

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<https://www.tn.gov/generalservices/procurement.html>

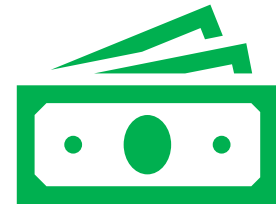


Agenda

- Types of Solicitations
- Solicitation Documents
- Key Terms and Instructions for Bidding
- Key Contract Terms and Conditions
- Importance of Pre-bids, Site Visits, and Questions & Comments
- Who to Contact

Types of Solicitations

- **Request for Information (“RFI”)**
 - **1)** Sent to potential suppliers for the purpose of developing strategy, building a database, or preparing for a future solicitation
 - **2)** Edison RFIs used to issue a “draft” of an upcoming solicitation to give suppliers an opportunity to review the solicitation and offer feedback and ask questions
 - Run online through Edison
- **Invitation to Bid (“ITB”)**
 - Competitive solicitation method that results in an award to the lowest cost bidder(s) that meets all mandatory and specification requirements
 - ITBs are run online through Edison; physical bids are still acceptable



Types of Solicitations

- **Request for Proposals (“RFP”)**

- Competitive solicitation method requiring written responses, used to award contract(s) based on respondent qualifications, experience, technical approach, and cost
- Evaluations completed by team of 3+ State employees
- RFP is sent to suppliers via email, responses are submitted as physical digital (i.e. USB drive) or paper responses

- **Request for Qualifications (“RFQ”)**

- Competitive solicitation method similar to RFP but cost is not an evaluated factor for qualification or award
- RFQ may be used **1)** ID respondents who meet qualifications that are then invited to participate in another solicitation type or **2)** to evaluate respondents for contract award
- Evaluations completed by team of 3+ State employees
- RFQ is sent to suppliers via email, responses are submitted as physical digital (i.e. USB drive) or paper responses



Solicitation Documents

ITB Solicitations

- Specifications
- Terms & Conditions
- Event Details (event #)
 - Bid questions/factors
- Evaluation Model / Cost Proposal
- Helpful Supplier Information
- Additional Attachments

ITB Listing:

<https://www.tn.gov/generalservices/procurement/central-procurement-office--cpo-/supplier-information/invitations-to-bid--itb-.html>

RFP & RFQ Solicitations

- RFP or RFQ (event #)
 - Attachment 6.2. Technical Proposal
 - Attachment 6.3. Cost Proposal
- *Pro Forma* Contract
- Amendments
- Additional Attachments

RFP Listing:

<https://www.tn.gov/generalservices/procurement/central-procurement-office--cpo-/supplier-information/request-for-proposals--rfp--opportunities1.html>

Key Terms & Instructions for BIDDING

ITB Solicitations

- Event Details
 - Due Date
 - Event Description
- Terms & Conditions
 - 1: Solicitation Background
 - Pre-Response Conference
 - Accommodation for People with Disabilities
 - Questions Deadline
 - 2: Award Criteria
 - 3: Solicitation Terms
 - Respondent Registration (Edison)
 - Clarifications; Negotiations
- Communications
- Response Submitted by Mail
- Exceptions or New Terms or Conditions
- Samples (if applicable)
- Department of Revenue Registration
- Inspection of Procurement File
 - Protest by Respondent
- GoDBE
 - Diversity Utilization Plan

Key Terms & Instructions for BIDDING

RFP & RFQ Solicitations

- 1. Introduction
 - RFP Communications
 - Assistance to Respondents with a Handicap or Disability
 - Pre-Response Conference
 - Notice of Intent to Respond
- 2. RFP Schedule of Events
- 3. Response Requirements
 - Response Form
 - Response Delivery
 - Response & Respondent Prohibitions
- 4. General Contracting Info

& Requirements

- RFP Amendment
- Professional Licensure & Dept. of Revenue Registration
- Disclosure of Response Contents
- 5. Evaluation & Contract Award
 - Evaluation Categories & Max Points
 - Evaluation Process
 - Contract Award Process

Key CONTRACT Terms and Conditions

ITB Solicitations

- Specifications
- Terms & Conditions
 - 5: Term of Contract
 - 6: Payment Terms
 - Max/Estimated Liability
 - Compensation Firm vs. Price Changes
 - Invoice Requirements
 - 7. Mandatory Terms
 - Minimum Order
 - Delivery
 - Communications & Contacts
 - Termination for Convenience & Cause
 - 8. Special Terms
 - Authorized Users
 - Extraneous Terms & Conditions
 - Additional Lines, Items, or Options
 - Edison Line Items Pricing Contract
- Assignment & Subcontracting
- Prohibition of Illegal Immigrants
- Limitation of State & Contractor's Liability
- Statewide Contract & Diversity Reports
- Insurance

Key CONTRACT Terms and Conditions

RFP & RFQ Solicitations > Pro Forma Contracts

- A: Specifications/Scope
 - Warranty
- B: Term of Contract
- C: Payment Terms
 - Max/Estimated Liability
 - Compensation Firm vs. Price Changes
 - Payment Methodology
 - Invoice Requirements
- D: Mandatory Terms
 - Communications & Contacts
 - Termination for Convenience
- E: Special Terms
 - & Cause
 - Assignment & Subcontracting
 - Prohibition of Illegal Immigrants
 - Limitation of State & Contractor's Liability
 - Insurance
- E: Special Terms
 - Additional Lines, Items, or Options
 - Extraneous Terms & Conditions
 - Statewide Contract
 - Statewide Contract & Diversity Reports

Pre-bids, Site Visits, and Questions & Comments

- **ITB** → Terms & Conditions Section 1: Pre-Response Conference & Questions Deadline; Event Details
- **RFP & RFQ** → Section 1. Pre-Response Conference, Section 2. RFP Schedule of Events

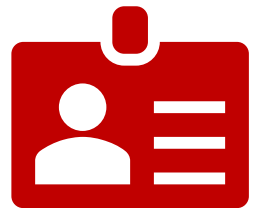
2. RFP SCHEDULE OF EVENTS

2.1. The following RFP Schedule of Events represents the State's best estimate for this RFP.

| EVENT | TIME (central time zone) | DATE |
|---|-----------------------------|------------|
| 1. RFP Issued | | 09/01/2021 |
| 2. Disability Accommodation Request Deadline | 2:00 p.m. | 09/06/2021 |
| 3. Pre-response Conference | 9:30 a.m. | 09/10/2021 |
| 4. Notice of Intent to Respond Deadline | 2:00 p.m. | 09/13/2021 |
| 5. Written "Questions & Comments" Deadline | 2:00 p.m. | 09/21/2021 |
| 6. State Response to Written "Questions & Comments" | | 10/08/2021 |
| 7. Response Deadline | 2:00 p.m. | 10/22/2021 |

Who to Contact

- **Solicitation Coordinator**
- Go-DBE
- Compliance coordinator with Federal laws
- **ITB** → Terms & Conditions Section 3: Communications & Contacts
- **RFP & RFQ** → Section 1.4. RFP Communications
- CPO Directory:
<https://www.tn.gov/generalservices/procurement/central-procurement-office--cpo-/cpo-directory-.html>



Questions



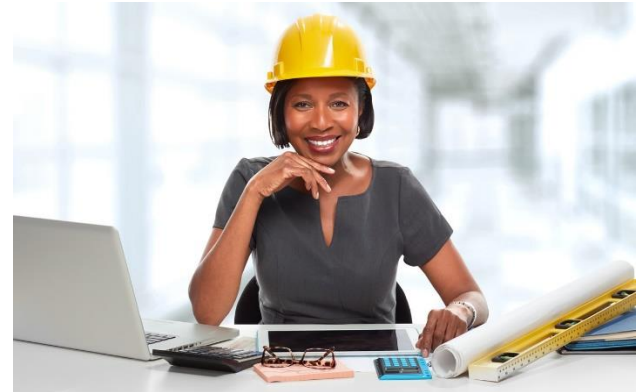


TM

STREAM Procurement Group

Contact Information STREAM Procurement

Tammy Robbins, *Procurement Manager*
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Nickie Smith, *Procurement Specialist*
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Phone: (615) 428-9840



STREAM Procurement Group (SPG) Overview

- State of Tennessee Real Estate Asset Management (STREAM) is one of eight authorized State Procurement Agencies (SPA). Below are all eight SPAs:
 - Austin Peay State University
 - East Tennessee State University
 - Middle Tennessee State University
 - State of Tennessee Real Estate Asset Management (STREAM)
 - Tennessee Board of Regents
 - Tennessee Technological University
 - University of Memphis
 - University of Tennessee
- SPG procurements are governed by the State Building Commission (SBC) By-Laws, Policy and Procedures which can be located at:
https://www.tn.gov/content/dam/tn/statearchitect/policy-&-procedures/SBC_POLICY_MASTER.pdf

Types of STREAM Procurement Projects

- **Improvement Projects**

- Improvement Projects are projects that create new space, build new things or demolish things
 - Examples of Improvement Projects
 - New buildings, even those that are not going to be occupied like guardhouses, boiler houses, storage sheds, etc.
 - Building additions
 - New park benches or statues
 - New drainage systems or other infrastructure systems
 - New in-ground headstone straightening systems
 - Expansions of parking lots onto areas previously unused for parking
 - New Fences
 - Installation of lighting in a parking lot
 - Changes in functional use of an existing structure
 - Remodeling of existing structures
 - New building system installations (security system or other system installation when the system was never installed previously)
 - Demolitions of existing structures

- **Maintenance Projects**

- Maintenance Projects are projects that (i) fix, improve or replace something that already exists, and (ii) have a set duration to complete of the work
 - Examples of Maintenance Projects
 - Equipment repairs and replacements
 - Roof repairs and replacements
 - Building systems upgrades and replacements (elevator, security, electrical, plumbing or other controls systems)
 - Repaving or restriping of parking lots
 - Paving of a parking lot that had previously been a gravel or dirt parking lot
 - Replacement of lighting systems
 - Replacements or repairs of floor coverings, windows, doors, paint, etc.

Diversity Language in RFQ and RFP

Provide documentation of the Respondent's commitment to diversity as represented by the following:

- (a) **Business Strategy**. Provide a description of the Respondent's existing programs and procedures designed to encourage and foster commerce with business enterprises owned by minorities, women, Tennessee service-disabled veterans, and small business enterprises. Please also include a list of the Respondent's certifications as a diversity business, if applicable.
- (b) **Business Relationships**. Provide a listing of the Respondent's current contracts with business enterprises owned by minorities, women, Tennessee service-disabled veterans and small business enterprises. Please include the following information:
 - (i) contract description and total value;
 - (ii) contractor name and ownership characteristics (i.e., ethnicity, gender, Tennessee service-disabled);
 - (iii) contractor contact name and telephone number.
- (c) **Estimated Participation**. Provide an estimated level of participation by business enterprises owned by minorities, women, Tennessee service-disabled veterans, and small business enterprises if a contract is awarded to the Respondent pursuant to this RFP. Please include the following information:
 - (i) a percentage (%) indicating the participation estimate. (Express the estimated participation number as a percentage of the total estimated contract value that will be dedicated to business with subcontractors and supply contractors having such ownership characteristics only and **DO NOT INCLUDE DOLLAR AMOUNTS**);
 - (ii) anticipated goods or services contract descriptions;
 - (iii) names and ownership characteristics (i.e., ethnicity, gender, Tennessee service-disabled veterans) of anticipated subcontractors and supply contractors.

NOTE: In order to claim status as a Diversity Business Enterprise under this contract, businesses must be certified by the Governor's Office of Diversity Business Enterprise (Go-DBE). Please visit the Go-DBE website at <https://tn.diversitysoftware.com/FrontEnd/StartCertification.asp?TN=tn&XID=9265> for more information.

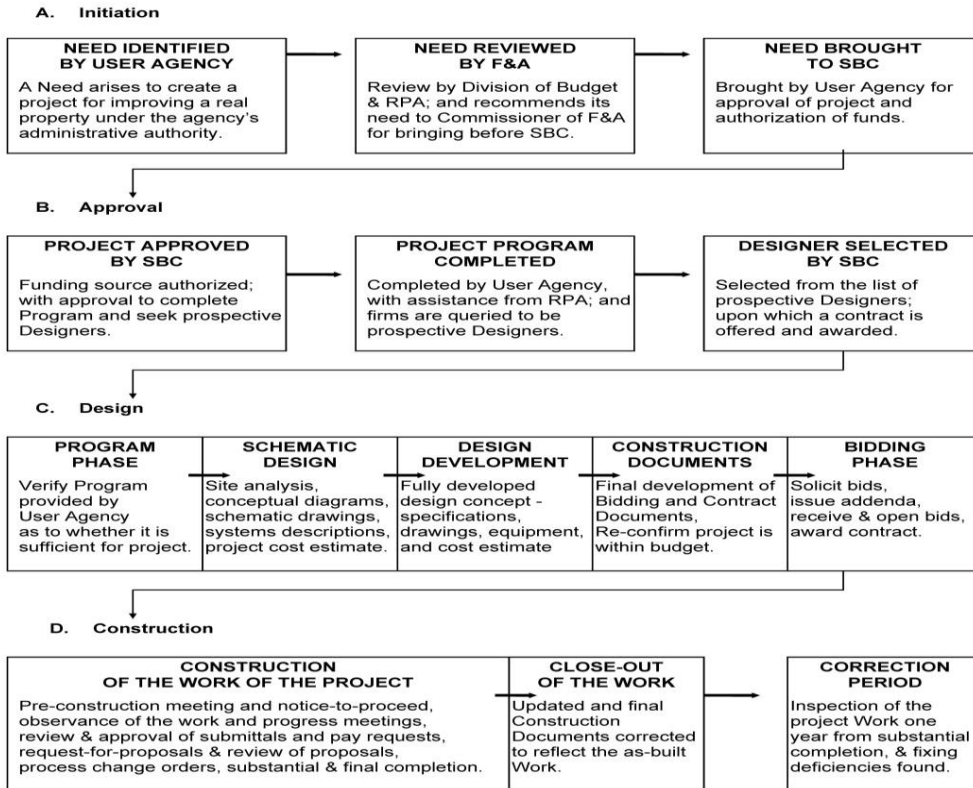
- (d) **Workforce**. Provide the percentage of the Respondent's total current employees by ethnicity and gender.

NOTE: Respondents that demonstrate a commitment to diversity will advance State efforts to expand opportunity to do business with the State as contractors and subcontractors. Response evaluations will recognize the positive qualifications and experience of a Respondent that does business with enterprises owned by minorities, women, Tennessee service-disabled veterans and small business enterprises and who offer a diverse workforce.

Project Flowchart

1.04 TYPICAL PROJECT FLOWCHART

This flowchart provides an overview of the entire project creation-to-completion process:



Overview

- Agency Identifies Need
- SBC approves project & funding
- Procurement Process



Procurement Process- Request for Qualifications

Request for Qualifications (RFQ) is a procurement tool that focuses on experience and expertise.

- SBC approves delivery method
- RFQ posted to STREAM website and Solicitation Notice sent to Potential Respondents
- Evaluation (Evaluation team to include a minimum of three State employees and Subject Matter Experts (Technical Advisors (TA))).
- Evaluation process complete and Evaluation Notice Issued to identify Qualified Respondent(s).

- Note: for RFQ BV1 procurements the qualification process is part one of a two-part process. Those qualified through the RFQ BV1 process must meet a minimum threshold of points in order to be invited to bid. The bidding is part two and managed by the Contracts Group. The lowest qualified bid is recommended for contract award.

SPG Procured Through RFQs

- From 2019- SBC#529/079-02-2017 TN Tower 30th Floor Upgrades



- From 2020- SBC#529/000-03-2019 Real Estate Master Plan Consultant
- From 2021- SBC# 243/020-03-2010 Region 3 Headquarters Buildings Reroof

Procurement Process – Request for Proposal

- **Request for Proposal (RFP)** is a procurement tool that focuses on experience, expertise, and a COST component. Typically, Technical Proposals account for 60-70% of value and Cost Proposals for not less than 30%. The most frequent type of RFP is the Construction Manager/General Contractor (CM/GC).
- SBC approves delivery method
- RFP posted to STREAM website and Solicitation Notice sent to Potential Respondents
- Evaluation (Evaluation team to include a minimum of three State employees and Subject Matter Experts (Technical Advisors (TA))).
- Evaluation process complete and Evaluation Notice Issued to identify Respondent(s) to be recommended to the SBC for contract award.
- SBC Approval Sought

SPG Procured Through RFPs

- From 2019, SBC#680/006-01-2014 West TN Veterans Nursing Home



- From 2020, SBC#100/001-01-2020 Natchez Trace Survey
- From 2021, SBC# 140/001-04-2013 Lock System Upgrade for TDOC at ALL of the correctional facilities

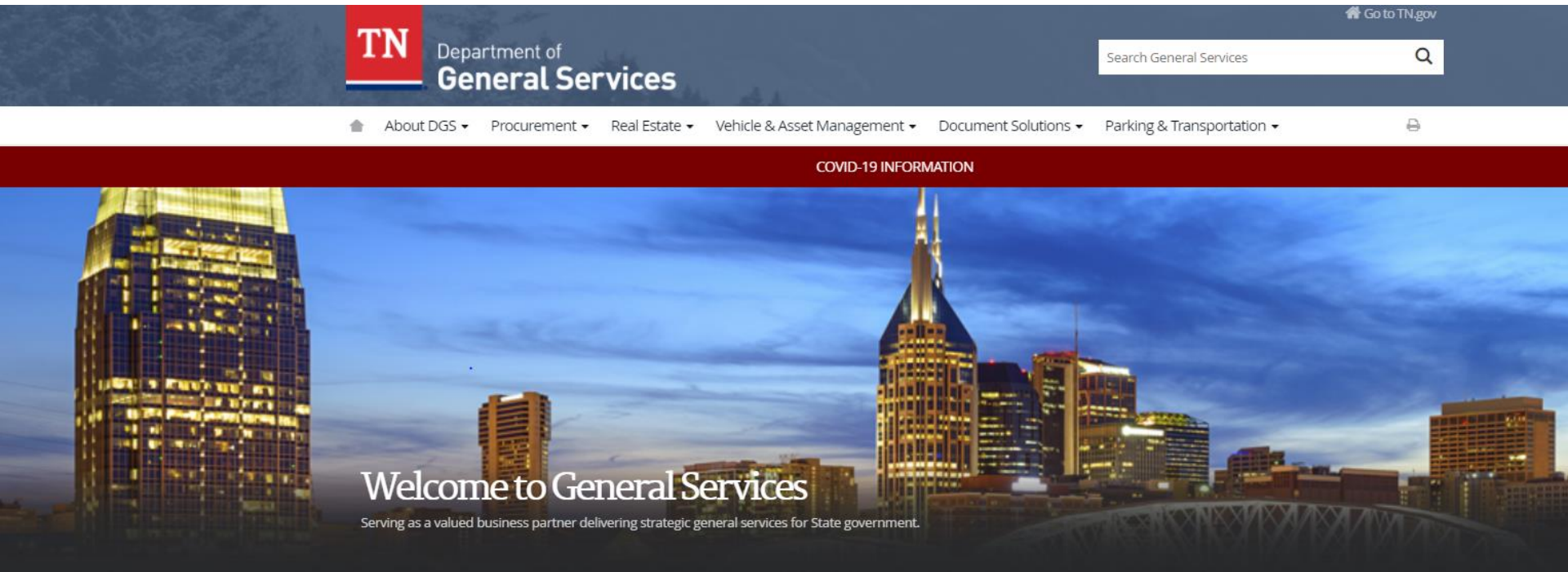
SPG Project Examples

Below are a few additional examples of projects procured through the SPG:

- New Tennessee State Museum
- New Library and Archives Building
- Cost Estimator Consultants
- Signage Consultant
- Environmental Consultant
- IDIQ Contracts for all three Grand Divisions
- Roofing projects, renovations, repairs, etc.
- Megasite project
- Renovations at the State Parks

Where to find SPG Upcoming Projects

- To find all upcoming projects; you will need to go to the Department of General Services website which is: <https://www.tn.gov/generalservices.html>



Where to Find Upcoming SPG Projects Cont.

- Click on the Real Estate Tab
- Click on Contractors. You should see this screen, and all of our projects are listed on the left

Real Estate

About STREAM

Lease Management



Surplus Real Estate



Strategic Real Estate Planning

Designers/Consultants



Contractors

Construction Bid List

Requests for Proposal (RFPs)

Requests for Qualification (RFQs)

Requests For Information (RFI)

Environmental Documentation

Bid Tabulations

Contact the STREAM Division

Contractors

One of the primary responsibilities of STREAM (State of TN Real Estate Asset Management) is to provide management oversight on construction of State capital projects. These projects encompass most of the State's construction and maintenance type projects across Tennessee with the exception of highway type projects. This work provides numerous job opportunities for construction-related contractors in all areas of expertise on both small maintenance and repair projects up to large complex multiple facility projects.

Contractor solicitations are structured to procure contractors on both a cost comparison and qualitative basis in a competitive manner in accordance with State laws. The most widely utilized procurement method is the Competitive Sealed Bidding approach which is open to all properly licensed contractors. A variation on this method using pre-qualified bidders may be used on certain projects requiring specialized services. Contractors or Construction Managers on large or complex projects may also be procured through a Competitive Negotiation process that considers technical value along with cost. A third opportunity is available to contractors that offer IDIQ (Indefinite Delivery Indefinite Quantity) Services for multiple projects. STREAM currently employs two IDIQ type contractors on multiple-year contracts to deliver small projects on a task order basis.



New Parking Garage @ Ball Park

Suggestions for Proposing

- DO:
 1. Check our website for any upcoming procurements
 2. Ensure that you are on our Proposer List so you can be notified of any upcoming projects (if you do not believe you are on this list, please email Nickie.Smith@tn.gov with your company name and email address)
 3. Read RFQ & RFP documents thoroughly
 4. Understand all project requirements
 5. Answer all questions in Section A, as this is a Pass or Fail section for your proposal

Suggestions for Proposing

- DO NOT:
 1. Under-prepare your proposal. Each project has specific needs and requires a proposal tailored to that project specifically
 2. Miss any important deadlines as this can affect your ability to propose successfully. (Section 2.1 of all procurements lays out the schedule with all important dates)
 3. Forget to sign and date needed documents

STREAM Bidding Process

- Design/Bid/Build (DBB) – similar to the Invitation to Bid (ITB) process is managed by the STREAM Contracts Group
- Lowest qualified bid is recommended for contract award

Solicitations can be located at the following website:

<https://www.tn.gov/generalservices/real-estate-/redirect-stream/contractors/construction-bid-list.html>

Contact in the STREAM Contracts Administrations Group for any questions:

Allen Ray

Email: Allen.Ray@tn.gov

Phone: 615-571-5620

Thank you!

Thank you for attending our presentation today & learning about more about State procurements, we appreciate you and hope to work with you in the future!





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Questions?

