



DATE: August 11, 2022
 TO: Potential Respondents
 FROM: Elaine Robbins – Construction Contract Coordinator II
 SUBJECT: Questions #1
 RFP769-22-13510ER
 UNT Dallas STEM Building

***Please note that the UNTS webpage has changed – new link is:**
<https://finance.untsystem.edu/vendor-resources/bid-inquiry/bid-opportunities.php>

This document is being issued to answer questions that have been submitted as follows:

1. Upon review of the UNTD STEM RFP breakdown of costs allocation at the end of the RFP document, I wanted to clarify section VIII – insurance and bonds. I do not see sub bonds listed in this section and direction on what “bucket” sub bonds are to come from – fee, GCs, cost of work, etc.

In review of the CMAR Agreement section 11.2.10.8 indicates the CM’s fee is to cover sub bonds. Section 7.6 from the UGCs says you can’t charge fee on the CM’s bond amount – its solely a pass thru amount, and goes on to say that costs for sub bonds are not paid by the owner in GCs or cost of work.

As sub bonding would be a substantial cost on this project, I wanted to confirm that any costs for sub bonds are to be covered by the CMs fee and that they are not reimbursable costs.

Section VIII from the Cost Allocation document

VIII. Insurance & Bonds	UNTS OFFICE OF FACILITIES PLANNING AND CONSTRUCTION					
	Description	PreCon	Basic Fee	General Conditions	A/E Cost	Owner Cost
Builder's Risk Insurance			X			
Errors and Omissions				X		
General Liability			X			
Completed Operations Liability			X			
Excess Liability Coverage			X			
Workman's Compensation			X			
FICA Insurance*			X			
Federal Unemployment*			X			
State Unemployment*			X			
Payment Bond			X			
Performance Bond			X			
Off-Site Insurance		X				
Off-Site Taxes		X				
* Cost should take into consideration the annual maximums						

CMAR Agreement:

11.2.10.8 Any professional fees, training, memberships, employee or subcontractor incentives or bonuses, and any subcontractor bonding or Sub-Guard.

From the 2022 UGCs:

7.6 Bond Costs. The costs of bonds are a pass-through amount to the Owner. No markup amounts are to be included and documentation of bond costs are required in requests for payment. Any costs associated with subcontractor bonds or SubGuard-related items are not paid by the Owner in General Conditions or Cost of Work.

ANSWER: *The RFP breakdown of costs allocation is not intended to be an “all inclusive” list of every cost on the project, but a guide. The contract covers how the cost of sub bonds is allocated.*

2. The RFP states on page 13: “Pursuant to Section 231.006 of the Family Code, response must include names and social security numbers of each person with at least twenty-five percent (25%) ownership of the business entity submitting the response. Vendors that have pre-registered this information on the Texas Comptroller of Public Accounts Centralized Master Bidders List (CMBL) have satisfied this requirement. If not pre-registered, list the name and social security numbers for each person. Otherwise, this information must be provided prior to contract award.” Our interpretation given the last sentence of this paragraph is that this information does not need to be provided with our RFP response. Can you please confirm?

ANSWER: *Correct, you do not need to provide in your RFP response, but if awarded would need to provide info prior to contract.*

3. During the pre-proposal conference, it was mentioned that audited financial statements can be uploaded as a separate file and will be exempt from public record. Please confirm.

ANSWER: *Yes, you can upload your financial statements as a separate file – as long as the financial statements are marked “Confidential” they would be exempt from public record.*

4. The RFP states that the “Construction Manager shall prepare and update a Construction budget during the schematic design phase, design development phase, and at the sixty percent (60%) construction documents phase, for written approval by the Owner”. This implies there will be three total estimates, plus a fourth estimate to reconcile/confirm the GMP at 100% CDs. The sample contract, however, calls for the following in paragraph 5.3.2:

Construction Manager shall prepare and update construction cost estimates at: (i) fifty percent (50%) schematic design; (ii) one hundred percent (100%) schematic design; (iii) fifty percent (50%) design development; (iv) one hundred percent (100%) design development and fifty percent (50%) Construction Documents for written approval by Owner, such cost estimate to include estimating, updating, and reporting of all construction costs.

This implies there will be five estimates, plus a sixth estimate to reconcile/confirm the GMP at 100% CDs. Please confirm how many estimates should be included in our preconstruction phase fee.

ANSWER: Contractors will need to follow what the contract states. The 60% that the RFP states is for the GMP, it is not an estimate. But again, the contract is what should be followed.

5. With the addition of Criterion H and its additional questions, please consider increasing the page limit from thirty (30) pages to thirty-five (35) pages to adequately respond to these additional questions.

ANSWER: The page count will not be increased to thirty-five (35) pages. UNTS already increased the page count by five (5) pages to the thirty (30) page limit when new Criterion H was added to the document.

6. Since this is a RFQ Response, can you please clarify what needs to be submitted for the HUB documents? Does the HUB fillable form need to be submitted with the response in addition to Criterion G?

ANSWER: No, the HUB fillable form does NOT need to be submitted with your response. This is a RFP (Request for Proposal), not a RFQ (Request for Qualifications). The HUB plan will be required at GMP as stated in the 001100 Advertisement for Bids, under Historically Underutilized Business (HUB), "The HSP will become a part of the Construction Manager-at-Risk Agreement and need not be submitted until such time as the GMP is submitted for review and acceptance by Owner."

7. Is it acceptable to include a picture (and caption) on the divider pages, or would that be considered additional information and then count towards our total page count?

ANSWER: You can include a photo with a caption on divider tabs – as long as you are not including information regarding how you would perform the work or how you would respond to a criterion, divider tabs would not count as part of the page total.

