



GOBIERNO DE PUERTO RICO
DEPARTAMENTO DE EDUCACIÓN
Oficina de Infraestructura y Reconstrucción

Request for Qualifications (RFQs) No.

PRDE (ER)-2022-001

For

Architectural and Engineering Services

By the

Puerto Rico Department of Education

RFQ Package #	RFQ Name	Scope of Work	Target Number of Consultants to Select
PRDE2022-001	Architectural and Engineering Services	Architectural and Engineering Services (with major sub consultants identified - M/E/P and Structural)	Minimum of 1

Issued Date: 3/9/2022

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Request for Qualifications (RFQs):
Architectural and Engineering Services
for Program Recovery Work
Puerto Rico Department of Education (PRDE)

1. INTRODUCTION AND GENERAL INFORMATION

The PRDE is the government agency that directly runs and operates Puerto Rico’s public schools’ system, acting both as a State Educational Agency (SEA), and as a Local Educational Agency (LEA). For the 2022-2023 school year, PRDE is expecting an enrollment of more than 260,000 students through the 860 open school’s campuses, distributed among the seven PRDE’s Educational Regions (“ORE’s): Arecibo, Bayamón, Caguas, Humacao, Mayagüez, Ponce, and San Juan.



Figure 1 PRDE Educational Regions

Due mainly to the damage caused by hurricanes Irma and María in 2017 and the 2020 earthquakes, the infrastructure of PRDE’s classrooms and administrative offices are in dire need of extensive repairs. The PRDE is in the process of implementing a series of projects to repair, rebuild and reconstruct public schools’ buildings that were severely damaged by those events.

PRDE issues this RFQ pursuant to Act 85 of March 29, 2018, (*“Ley de Reforma Educativa de Puerto Rico”*), which authorizes it to enter into such contracts as are necessary to fulfill its obligations under the law.

2. PURPOSE OF RFQ

This Request for Qualifications (“RFQ”) invites firms to submit Statements of Qualifications (“SOQs”) in order to identify and pre-qualify consultants in the fields of Architecture, Engineering (A/E) and other related consulting and specialty services more specifically described elsewhere in this RFQ (hereinafter the “Services”) to accelerate the professional work needed to reconstruct all public-school buildings. Proponents should be able to provide, either with their own employees or with subconsultants all the Services included in this RFQ. PRDE will select one or more proponents to address its needs for the Services. It is the intention of PRDE that the Proponents will assist in all A/E services needed in the pre-construction and construction phase of the reconstruction projects.

The Proponent selection process shall be conducted in accordance with the terms of this RFQ. Proponents are requested to propose services to be provided under the direction of PRDE. Each SOQ must be in the format specified in this RFQ, must include all of the required submittals specified herein and be submitted by the deadline set forth on Table 1 (the RFQ Schedule).

Based on the evaluations of the SOQs, PRDE expects to select, at its own discretion, one or more firms to enter into an agreement with PRDE for the provision of the Services. This RFQ has been prepared solely to solicit SOQs and is not binding on the PRDE. The firm(s) selected preliminarily shall be referred to herein as Design Consortium(s)s or “DC(s)s”.

PRDE shall proceed to negotiate a contract with the highest rated DCs. If negotiation with any of the selected DCs are not successful, PRDE, at its sole discretion may negotiate with the next highest rated firm(s). PRDE reserves the right to negotiate with more than one firm at a time, including firms that may not have submitted a SOQ under this RFQ until an acceptable contract is negotiated.

The term of any negotiated contract shall be of one (1) year and may be renewed by PRDE, at its discretion for four (4) one-year terms. During the term of the Agreement the PRDE may procure consultants’ services for more than one specific project and/or more than one category of services.

This RFQ is not a contract offer nor does it constitute a commitment by PRDE to award a contract. The only document that will be binding on the PRDE will be the Contract duly executed by and between the PRDE and the successful DC(s) after the selection process in adherence to all federal and state procurement and contracting laws and regulations, including registration with the Puerto Rico Comptroller’s Office.

Project Funding

This RFQ and the contract(s) to be executed between the PRDE and the successful DC(s) are governed by certain federal terms and conditions for federal grants.

At least a portion of the contracted services will be financed with funds from the Federal Emergency Management Agency's ("FEMA") Public Assistance Program ("PA"), Hazard Mitigation Grant Program (HMGP), the Federal Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") Program, and other allowable federal funds assigned to PRDE. As such, the funds are governed by FEMA, HUD rules and regulations, including CDBG regulations under 24 CFR 570, local, state, and federal laws, regulations, and directives; and 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The scope of these services has yet to be specifically defined, but is expected to include the following types of activities:

- School renovations to include repairs and/or replacement of roofing, interior and exterior walls, windows, building structure, ceilings, HVAC systems, electrical systems, fire alarm and security systems, site amenities and various other building elements;
- New Construction to include new facilities and new additions.

PRDE also intends to seek funding under the Hazard Mitigation Grant Program (HMGP) to perform various natural hazard mitigation projects at various facilities owned/operated by the PRDE.

The scope of these services has yet to be specifically defined, but is expected to include the following types of activities:

- Seismic retrofits (structural and non-structural) at various facilities, including academic, administrative, and/or athletic;
- Flood retrofits (including dry and wet floodproofing) at various facilities, including academic, administrative, and/or athletic;
- Wind retrofits (entire envelope) at various facilities, including academic, administrative, and/or athletic;
- Data collection and documentation for multiple hazard protection projects at various facilities, including academic, administrative, and/or athletic;
- Structural assessments, including seismic and wind load, for multiple hazard protection projects at various facilities, including academic, administrative, and/or athletic;
- Surveys, including finished floor elevation surveys, for multiple hazard protection projects at various facilities, including academic, administrative, and/or athletic;

- Environmental and/or historic preservation assessments and mitigation needs determinations for multiple hazard protection projects at various facilities, including academic, administrative, and/or athletic; and
- Similar work/activities to determine mitigation work to be performed, to document current conditions, and to design projects intended to provide specified levels of hazard protection for multiple hazard protection projects at various facilities, including academic, administrative, and/or athletic.

Such work will be tasked and tracked separately from other tasked work and will be subject to separate deliverable requirements.

The selected DC(s) must be knowledgeable of the allowable costs for this funding stream to avoid the potential for disallowed costs. Proponent, by submitting a SOQ, acknowledges and accepts that all applicable local and federal contract provisions will be included in any contract with the PRDE, including but not limited to provisions found at 2 CFR Part 200. Proponents must be aware that local and federal administrative, civil, and criminal responsibility might ensue from providing false or misleading information to obtain the contract awards.

Attachment A (Contract Form) to this RFQ substantially contains all of the required terms and conditions that must be acknowledged by the Proponents as part of each Proposal.

3. RFQ SCHEDULE

The following is the proposed schedule for the submittal and evaluation of SOQs. PRDE reserves the right to amend for convenience any or all of the dates indicated herein. All times listed are Atlantic Standard Time (AST).

RFQ Schedule	
Event	Time and Date
RFQ Document Issued:	March 9, 2022
Final date for submission of questions and requests for clarifications:	March 29, 2022 5:00 PM local time
Statement of Qualifications Due Date:	April 7, 2022 2:00 PM local time
Selection of firms:	TBD

Late submittals will not be accepted or evaluated.

Submittal Instructions: Proposals shall be submitted in sealed envelopes and delivered to:

“DEPARTAMENTO DE EDUCACIÓN NUEVA SEDE” (Nueva sede del Departamento de Educación, calle Federico Acosta 150, San Juan, 00918, Puerto Rico).

The SOQ shall contain the name “RFQ for Architectural and Engineering Services” along with the RFQ Number PRDE(ER)-2022-001 and should be directed to the “Oficina de Infraestructura y Reconstrucción”

Proponents shall deliver three (3) copies of each SOQ as follows:

- 3 Signed Original Proposal in a 3-Ring Binder with Financial Statements, clearly marked as the Original
- 1 Exact Copy of the Original Proposal on a Jump Drive, including Financial Statements, submitted along with the Original Proposal
- 1 Exact Copy of the Original Proposal submitted by shared document link emailed to aerfq@de.pr.gov

4. RFQ QUESTIONS:

Any questions related to the RFQ shall be submitted by email only to the following electronic mail address: : aerfq@de.pr.gov

Responses to questions submitted by the deadline will be answered and posted on the PRDE website at www.de.pr.gov. Specific questions pertaining to the RFQ that are received after the deadline will not be answered, except at the discretion of the PRDE.

Any additional interpretations, corrections, or changes to this RFQ and specifications will be made by addendum and published on PRDE’s website. Sole issuing authority of addenda shall be vested in PRDE’s Office of Infrastructure and Recovery or its authorized representative.

Respondents shall acknowledge receipt of all addenda on **Attachment B, Acknowledgement of Receipt of Addenda Form of this RFQ.**

Communications with other representatives of the Government of Puerto Rico or relevant entities of the Federal Government regarding any matter related to the contents of this RFQ are prohibited during the submission and selection processes. Failure to comply with these communications restrictions may result in rejection of the Proponent’s SOQ and may result in disqualification from participation in future processes. **Oral responses or clarifications made by any PRDE employee or resource will not be binding on PRDE.**

5. UNAUTHORIZED COMMUNICATIONS; CONE OF SILENCE:

No Proponent, principal member of the Proponent, contractors or proposed subcontractors, nor any agent, consultant, attorney or anyone acting on behalf of the Proponent or any of its principal members or proposed subcontractors, shall communicate with PRDE’s employees, or consultants working on the project regarding this RFQ or any SOQ to be filed by any

proponent, including its own SOQ, or undertake any other communication related to this RFQ up to the time of the award of a contract, except in meetings officially scheduled by the PRDE. Any violation of the restriction imposed by this section regarding communications may constitute grounds for rejection of a SOQ at any time.

Unless specifically provided otherwise in this RFQ, the Cone of Silence does not apply to the following:

- a. Communications with PRDE's Legal Division and its staff and attorneys.
- b. Oral communications at pre-bid conferences.
- c. Oral presentations before the Evaluation Committee meetings.
- d. Contract negotiations.

6. CONTRACT TERM AND NEGOTIATION OF FEES

The contracts awarded under this RFQ will be for the acquisition of professional and highly technical consulting A/E services as described in this RFQ. The most qualified proponents will be selected subject to the final negotiation of fair and reasonable fees and terms and conditions. The contract term shall be for an initial period of one (1) year with an option to be renewed by PRDE for four (4) additional periods of one year under the same terms and conditions.

PRDE will enter into negotiations with the highest qualified DCs with whom contract fees should be negotiated as a result of the Evaluation Committee's scores from the Statements of Qualifications. Should PRDE be unable to negotiate a satisfactory fees structure with any selected DC, at a price determined by PRDE to be fair and reasonable to PRDE as a Government of Puerto Rico agency, negotiations with that Proponent will be formally terminated. Contracts will be awarded to those DCs meeting the requirements under this RFQ that accept rates and other terms and conditions negotiated by PRDE and applicable to all awardees.

Funding for each contract will be approved in writing on a project and/or fiscal year basis, which runs from July 1 to June 30. PRDE reserves the right to increase or decrease contract limits over the total duration of the contract term as new projects are developed.

Selection of a DC and award of a contract does not guarantee that any project awards will be made to said Proponent. PRDE is under no obligation to grant a minimum amount of work or guarantee a minimum payment of fees during the term of the agreement.

7. SUMMARY OF REQUIREMENTS AND SCOPE OF SERVICES

PRDE is seeking to enter into contracts with consultants in the A/E professional Services area who can be immediately available on an “as needed” basis. Although there will be state and other federal funding available for the repair and reconstruction projects, most of the consulting A/E services will be requested for the repairs and reconstruction work approved by FEMA as permanent repair work (Category E Works) for damages caused by hurricane María and the series of Earthquakes registered on 2020. The Category E Works needed include services for approximately 860 schools. All DCs contracted through this RFQ will report and work directly with PRDE’s Office of Recovery and Infrastructure (Oficina de Infraestructura y Reconstrucción) and PRDE’s Program Management Office, which is a PRDE consultant.

The table below summarizes the professional services needed with the associated general scope of work. Proponents must include in their SOQs and be able to render all of the following A/E and other specialized services as well as those outlined in **Attachment J**:

RFQ Package #	RFQ Name	General Scope of Work
PRDE2022-001	Architctural and Engineering Services	Architctural and Engineering Services means professional services of an architectural or engineering nature, or incidental services, that members of the architectural and engineering professions, and individuals in their employ, may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, conceptual designs, plans and specifications, value engineering, construction administration phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, cost estimating, scheduling, technical procurement, permitting, engineering reports, document control, project reporting, mechanical engineering, electrical engineering, structural engineering, archaeological studies, historic preservation services, environmental assistance and other related services.

The DC shall provide progress reports to PRDE regarding the management of design services, including the services provided by all its subcontractors.

Proponents interested in submitting a SOQ must include all the required services. Proponents shall be well-versed in the specific services, with appropriate and demonstrable experience

in handling and resolving engineering/architectural, permitting regulations, reporting and presentations.

The selected Design Consortiums or DCs under this RFQ must have extensive experience in the design of large and complex architectural and/or engineering projects, preferably related to public schools' systems. Experience with hazard mitigation projects is desirable and should be included in Proponent's SOQ. Successful Proponents shall be required to explain their relevant experience, capacities, and capabilities.

Upon selection and contract signature, the response of the selected DC(s) must be immediate, rapid, and efficient with engagement on the assigned project(s) and doing so with appropriate cost controls, accountability procedures, written reports, and submittals to ensure compliance with FEMA, PRDE and other appropriate agency regulations and reporting requirements, as well as any other federal, state, or local regulations that may apply.

Time is of the essence in the completion of the contracting process and the engaging of resources for a fast project start. Proponents should consider this when developing their SOQs and will include a proposed timeline for start-up of an assigned project that will not exceed 15 consecutive calendar days.

8. GENERAL REQUIREMENTS

a. Staffing and Key Personnel

All Proponents must name and provide resumes for Key Staff that would be assigned to the projects. PRDE reserves the right, but not the obligation, to review proposed staff resumes prior to or after deployment to validate the qualifications of personnel and require the Selected Proponent to make staffing changes, as PRDE deems appropriate, without added cost billed to PRDE. Selected Proponent shall promptly notify PRDE's Contract Manager as changes occur.

b. General and Contracting Requirements

Type of Organization and Team Organization: The Proponent's SOQ shall identify the type of firm or organization (corporation (PSC), partnership (LLP, LLC), or Joint Venture (LLP, LLC, PSC), etc.) that will serve as the contracting party taking into consideration that all engineering work shall be commissioned to a professional or a professional services organization in accordance with Act 173 of August 12, 1983, as amended ("Act of the Puerto Rico Examining Board of the Engineers, Architects, Surveyors and Landscapers") and Act 319 of May 15, 1938, as amended ("Act to Create the Board of Engineers and Surveyors"). The Proponent and all subconsultants or members of a joint venture must be organized under the laws of the Government of Puerto Rico, or a foreign entity authorized to do business in Puerto Rico under the laws of the Government of Puerto Rico. The history, ownership, organization,

and background of the proposed contracting party shall be provided including the following information.

- Name of all partners, officers, and stockholders who own five percent (5%) or more of shares or participation in the organization.
- If the Proponent is a subsidiary of a parent company, indicate when the subsidiary was created and its place in the corporate structure of the parent company.
- If the proposed contracting party is a joint venture or partnership, the above required information must be submitted for each member of the joint venture or partnership.
- If a subsidiary is formed or the proposed contracting party is newly created to respond to this RFQ, the reasons for this must be fully disclosed.
- The SOQ shall describe the contracting party's proposed contractual relationships with all partners and subconsultants for each type of services required under the RFQ.
- The SOQ shall describe which services are to be self-performed by the contracting party and which services will be rendered by subconsultants. All subconsultants must be fully identified.
- A proposed organizational chart, including all subconsultants, must be included in the SOQ.

Authorized to do business in Puerto Rico: All Proponents, if incorporated, must show they are in good standing with the Puerto Rico State Department ("State Department"). All Proponents that are foreign corporations (out-of-state) must file the necessary documents with the Division of Corporations of the State Department requesting authorization to do business in Puerto Rico, which shall have been requested prior to the date of submission of the Statement of Qualification hereunder. Failure to demonstrate compliance with this requirement may result in rejection of the Statement of Qualification without further consideration.

Relationship Between Team Members. The SOQ must indicate the history of the professional relationship between members of the DC (including sub-consultants), including past similar projects. Relationships at the contractual party level and at the individual level should be identified. The SOQ must also indicate the location of each party's offices and identification of all Key Personnel (including sub-consultants).

Joint and Several Liability: In the event that Proponent, or its successors or assigns, if any, is comprised of more than one individual or other legal entity (or a combination thereof),

then, and in that event, each and every obligation or undertaking herein stated to be fulfilled or performed by Proponent shall be the joint and several obligation or undertaking of each such individual or other legal entity.

RUP and RUL: To participate in this RFQ, it is mandatory for the Proponent(s) to be registered in the *Registro Único de Profesionales (RUP) de la Administración de Servicios Generales de Puerto Rico*. If the Proponent is a partnership (LLP, LLC) or a Joint Venture (LLC, LLP, PSC) duly organized by the laws and regulations of Puerto Rico, both (partnership (LLP, LLC) or Joint Venture (LLC, LLP, PSC) must be registered as such in the “*Registro Único de Licitadores*” (*RUL*) de la Administración de Servicios Generales de Puerto Rico, or in the Registro Unico de Profesionales (RUP), all in accordance with established regulations of the Puerto Rico General Services Administration. Evidence of registration in the RUP or RUL must be provided in the SOQ. SOQs that fail to include such evidence may not be considered for evaluation. This requisite applies to all sub-consultants.

Proponent’s Good Standing and Notification of Disbarments, Legal Issues, Ownership Structures, and Conflicts: If any of the Respondent’s principals, officers, directors, or partners has been debarred, suspended, or otherwise lawfully precluded from participating in any public procurement activity, the Proponent shall disclose that information in its offer. Failure to provide such information and complete **Attachment C, Proponent’s Good Standing, Limited Denial of Participation (LDP)/Suspension or Debarment Status, Legal Issues, Ownership Structures, and Conflicts** shall result in the rejection of the SOQ. In addition to this form, Proponent must submit evidence of being registered under the System of Award Management (SAM). PRDE will corroborate this information.

Each Proponent must be in good standing with PRDE and the Government of Puerto Rico, and with any Federal or local agency that has or had a contractual relationship with the Proponent. Therefore, if a state, federal or local agency has terminated any contract with a Proponent for default, the Proponent will not be eligible to submit a SOQ in response to this RFQ. In addition, the Proponent must disclose in **Attachment C**, the following information as part of their statement of qualifications: actual, apparent and potential conflicts; ownership interests; identification of Officers, Directors, and Partners of Proponent entities; and overlapping ownership interests or Directorships in other companies.

Confidentiality of Statement of Qualification: PRDE shall have no obligation to treat any information submitted in connection with a Statement of Qualification as proprietary or confidential unless (i) the Proponent so identifies such information in its as proprietary or confidential, and (ii) PRDE determines that the information is proprietary or a trade secret and legitimately requires such treatment or that it must otherwise be protected from publication according to law. PRDE’s obligations with respect to protection and disclosure of such information shall always be subject to applicable law. If the Proponent desires to identify any information in its Statement of Qualification as proprietary or confidential, it

shall limit such designation to only those portions that constitute proprietary information, trade secrets, or other confidential matters or data. Identification of the entire Statement of Qualification or entire sections of the or other overly broad designations as confidential or proprietary are strongly discouraged and may result in the Statement of Qualification being deemed unresponsive.

PRDE shall have the right to use all portions of the Statement of Qualifications, other than those portions identified and marked as confidential or proprietary, as it considers necessary or desirable in connection with this RFQ; and by the submission of the Statement of Qualifications, the Proponent thereby grants to PRDE an unrestricted license to use such unrestricted portions of the Statement of Qualifications.

c. Negotiation of Fees and Contract Form

By submitting a SOQ, each Proponent agrees that if the SOQ is accepted, they will negotiate all fees in good faith and enter into a contract with PRDE substantially in the form attached hereto as **Attachment A**, Contract Form, for the term set forth in this RFQ, including all exhibits and attachments hereto. Each Proponent also accepts all terms and conditions of this RFQ and any amendments thereof. The SOQ and any additional information submitted by the Proponent or negotiated between Proponent and PRDE prior to final selection, together with this RFQ and any addenda hereto, will serve as confirmation of Proponent's acceptance of all terms and conditions therein.

All Proponents are advised that the Selected Proponent shall comply with all public contracting requirements set forth in the Treasury Department's Circular Letter No. 1300-25-14, dated March 10, 2014, in connection to payment of income, and personal and real property taxes. The Selected Proponent, upon Notice of Award, shall submit all certifications required under the cited circular letter.

d. Insurance Requirements

The selected DC(s) and all its subcontractors shall purchase and maintain without interruption for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work by the Proponent, its agents, representatives, employees or subcontractors, or anyone employed directly or indirectly by any of them. The duration of the insurance should be from the inception of the contract until the date of final payment. The Proponent, at its own expense, must promptly provide to PRDE, certificates of insurance giving evidence that coverage is in force. The Proponent is responsible for compliance of these requirements by its sub-consultants of all tiers. The Certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The Certificates are to be received and approved by the Agency before work commences and upon any contract renewal or insurance policy renewal thereafter. In addition to the Certificates, Contractor shall submit the declarations page

and the cancellation provision for each insurance policy. The Agency reserves the right to request complete certified copies of all required insurance policies at any time.

Proponents shall submit with their SOQ a Certificate of Insurance Coverage in the form attached to this RFQ as Attachment

- Commercial General Liability Insurance. Commercial General Liability Insurance must include limits of not less \$300,000 per occurrence and \$1,000,000 in the aggregate for this coverage. Coverage shall be for each occurrence and shall include, but not be limited to: all operations, contractual liability, independent contractors, products/completed operations. Defense and legal costs shall not erode the Per Occurrence or Aggregate Limits.

This insurance shall be endorsed to include the following policy forms:

CG 20 10 11 85 Additional Insured – Owners, Lessees or Contractors – (Form B).

In the absence of CG 20 10 11 85, the insurance shall include both of the following:

CG 20 10 AND CG 20 37, or its equivalent.

- Auto Liability Insurance: \$1,000,000 per occurrence. Proponent shall provide for its own vehicles and agrees and shall cause its sub-consultants or sub-contractors of all tiers to agree, to provide, at their own expense, Automobile Liability Insurance for claims arising from the ownership, maintenance, or use of a motor vehicle at, upon, or away from a Project Site. The insurance shall cover all owned, non-owned, and hired automobiles used in connection with the work, with the following minimum limits of liability:
 - \$1,000,000.00 Combined Single Limit Bodily Injury and Property Damage per Occurrence
 - If there is the exposure of transportation of hazardous materials the following endorsement shall be provided. Under this policy, Motor Carrier Endorsement, of the Motor Carrier Act of 1980, Form MCS-90, shall be provided by the Proponent.
 - Professional Liability Insurance: \$1,000,000 per occurrence and \$2,000,000 in the aggregate.
 - DCs shall provide Workmen’s Compensation Insurance (Fondo del Seguro del Estado) as required by the Workmen’s Compensation Act of the Commonwealth of Puerto Rico. The Consultant shall also be responsible for compliance with said Workmen’s Compensation Act by all its sub-consultants.
 - The Proponent shall furnish PRDE a certificate from the State Insurance Fund showing that all personnel employed in the work are covered. If imported technical personnel are

exempted, the Proponent shall furnish evidence of such exemption and certificate from the insurance carrier covering said personnel.

- Additional Insured Clause. All insurance policies with the exception of Workers Compensation and Professional Liability shall include the Commonwealth of Puerto Rico, the Puerto Rico Department of Education, its officers, agents, servants, employees and volunteers, including specifically PRDE's Program Manager, CBRE Heery Inc. as an additional insured.

Insurances must be placed with carriers having an A.M. Best's Guide rating of A-VII or better.

- All required policies of insurance shall be in a form acceptable to the PRDE and shall be issued only by insurance companies authorized to do business in Puerto Rico.
- Other Insurance. Any type of insurance or any increase of limits of liability not described above which a DC requires for its own protection or on account of any statute shall be its own responsibility and its own expense. PRDE shall not be responsible to provide any insurance coverage not specified above. The DC and its Sub-consultants of all tiers have the responsibility to make sure their insurance programs fit their particular needs, and it is their responsibility to arrange for and secure any insurance coverage, which they deem advisable, whether or not specified above.
- Additional Insurance Provisions: The following additional provisions are required:
 - Waiver of Subrogation on all policies, except Workers Compensation and Professional Liability
 - For any claims related to this project, the Proponent's insurance shall be primary
 - Proponent agrees to have and maintain the policies as set forth and described herein
 - The insurance obligations herein shall be 1) all insurance coverage and/or limits carried by the Proponent or 2) the minimum coverage required, whichever is greater
 - Hold Harmless and Indemnification Agreement
 - 90 Days' Notice of Cancellation, of Material Change or Non-renewal, including Non-Payment of Premium
 - Cancellation of coverage for any reason does not release the Proponent from fulfilling its obligations under the contract.

- Neither the acceptance of the completed work nor the payment thereof shall release the Proponent from the obligations of the insurance requirements or indemnification agreement
- The insurance companies issuing the policies shall have no recourse against the Commonwealth of Puerto Rico, the Puerto Rico Department of Education, its officers, agents, servants, employees and volunteers

Adherence to PR Law 173: This RFQ is for engineering/architectural, construction management and inspection services. The Selected Proponent is required to provide services related to the use of engineers, architects, and surveyors, and shall comply with contracting requirements in accordance with PR Law 173, August 12, 1988, as amended. DC(s) will include in the SOQ evidence of their personnel's Puerto Rico , as may be required by Law to perform the services contracted.

Equal Opportunity Employment and Use of Small, Minority, and Woman-Owned Businesses: PRDE is an equal-opportunity employer, and strongly encourages vendors to include and involve small, minority, and woman-owned businesses as part of their SOQs. Selected Proponent shall comply with all applicable state and federal labor laws and regulations including, without limitation, Fair Labor Laws, Equal Employment Opportunity Program requirements, unemployment tax, temporarily disabled tax, worker's compensation, and social security taxes.

The Code of Federal Regulations Title 40 Part 31.36(e), "Procurement," requires the Recipient and Prime Contractors to take all necessary affirmative steps to assure that minority-owned and women-owned businesses are afforded contracting opportunities. This policy applies to all contracts, subcontracts and procurements for services (including engineering and legal), supplies, equipment, and construction. The goal of this policy is to make MBE/WBE firms aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. To achieve this goal, the affirmative steps, otherwise known as "six good faith efforts," that must be followed are:

1. Include qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Ensure that small and minority and women's businesses are solicited whenever they are potential sources of products or services to be bid;
3. Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation by small and minority and women's businesses (i.e. provide alternative bidding scenarios);
4. Establish delivery schedules to encourage participation by small and minority and women businesses (i.e. timing and flexibility);

5. Use the services and assistance of the Small Business Administration, and the Minority Business Development Agency, U.S. Department of Commerce;
6. Require the Prime Contractor to take affirmative steps as outlined in items one through five above to subcontract with small and minority and women's businesses, if they award subcontracts,

"Good Faith" Effort Compliance Documentation:

The Recipient and Prime Contractors must provide documentation to support a "good faith" effort in the solicitation of MBE and WBE firms only. A Prime Contractor is a business concern that enters into written agreements directly with the Recipient, which includes agreements to provide services (including engineering and legal), supplies, equipment and construction. The submission of documentation to support a "good faith" effort in the solicitation of Small Business Enterprise is not required; however, the Recipient and Prime Contractor must maintain this documentation in their files for possible future reference. Documentation may include the following:

1. Copies of announcements/postings in newspapers or other media for specific contracting/subcontracting opportunities. Include language in announcements/postings that MBE/WBE firms are encouraged to bid.
2. Copies of announcements/postings of contracting/subcontracting opportunities in trade publications or minority media that target MBE and/or WBE firms.
3. Documentation of sources used to identify potential MBE/WBE firms.
4. Documentation of contacts with MBE/WBE firms, including the firm name, address, telephone number dates of phone calls, letters and the contract results.
5. Copies of direct solicitation letters sent to all MBE/WBE firms.
6. Copies of the MBE/WBE certification documentation for ALL proposed prime and subcontractor MBE/WBE firms.
7. Documentation showing Prime Contractor has made the six good faith efforts to seek qualified MBE/WBE subcontracts - to the extent they use subcontractors.

Searches should be done of potentially qualified MBW/WBE businesses. From these lists, identify those businesses in your area to directly solicit. Solicit businesses that you would reasonably expect to respond and submit a quote. To ensure the Recipient is given credit for good-faith outreach efforts, the Recipient should document the searches executed and the results of the searches, describe criteria used to determine who on the list(s) to directly solicit (probably area code or distance) and describe any other resources used to seek qualified MBE/WBE firms to solicit. The Recipient must pass the outreach guidance

to Prime Contractors because they are likewise required to make good faith outreach efforts when searching of MBE/WBE subcontractors. Prime Contractors are also required to document their outreach efforts just as project owners are.

e. Invoicing/Payment

Proponent shall submit invoices monthly to PRDE using the required format for services provided. Invoices shall be complete and correct and shall be documented in a manner that meets current federal requirements for reimbursement.

All invoices shall be submitted within thirty (30) days from the end of the month in which the work was performed. Invoices shall be provided in an acceptable format to PRDE, in both an electronic and hard copy format, with detailed daily reports from personnel and receipts provided as supporting documentation. The invoices shall be submitted in accordance with federal, state, and local rules, regulations, and laws.

All labor rates proposed represent the total labor-related cost, including all taxes, benefits, overhead, travel, meals, etc. No back-office administrative, reporting, invoice preparation, and/or clerical expenses will be paid.

Professional services provided by the DC are subject to a ten percent (10%) withholding tax at source under Section 1062.03 of the Puerto Rico Internal Revenue Code of 2011, as amended (the "PR Code"), 13 PR Laws Ann. §30273, and the regulations issued thereunder. PRDE shall withhold the applicable percentage from the gross amounts paid for these services, when any of those amounts constitutes gross income from sources within Puerto Rico, in accordance with 13 PR Laws Ann. §30151, unless the DC provides evidence of having a total or partial waiver with regard to the withholding tax at source on payments for services rendered or a determination letter from the Puerto Rico Treasury Department confirming that it is exempt from Puerto Rico income tax in conformity with PR Code Section 1101.01, 13 PR Laws Ann. § 30471. PRDE shall forward such amounts to the Secretary of the Treasury of Puerto Rico and shall comply with reporting requirements under PR Code Section 1062.03.

As provided in PR Act No. 48-2013, as amended (the "Act"), and the official interpretations issued thereunder by the Secretary of the Treasury of Puerto Rico, all contracts for professional services, advisory, advertising, training or guidance, issued by an agency, department or instrumentality of the Commonwealth of Puerto Rico, public corporation, as well as the Legislature and the Judicial Branch, a special contribution equivalent to one point five percent (1.5%) of the services paid under this Agreement will be imposed and will be allocated to the Puerto Rico General Fund. This special contribution will be withheld by the Puerto Rico Treasury Department or by the governmental entity, as applicable, upon making the payment for professional services rendered under this Agreement, unless the DC holds a determination letter from the Puerto Rico Treasury Department confirming that it is a non-profit organization exempt from Puerto Rico

income tax in conformity with PR Code Section 1101.01,13 PR Laws Ann. § 30471. The special contribution for professional services established by the Act shall not, under any circumstances, be taken or construed as a credit or deduction against the tax on fixed income.

f. Invoices Approval

Invoices will be processed for payment only after approval by PRDE. Approval for payment shall not be granted until appropriate and quality deliverables are received, and documentation is provided and determined to be correct, accurate, and consistent with PRDE, Government of Puerto Rico, and federal reimbursement requirements.

g. Super Circular, 2CFR Chapter II, Part 200 et al

For any contract resulting from this RFQ, compliance with Super Circular “2 CFR Chapter 2, Part 200 et. al.” will be required. Links to the Super Circular are listed below:

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

<https://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>

The Proponent acknowledges that the contract to be awarded will include, at a minimum, the scope of work here stipulated. The Proponent understands and agrees that all applicable local and federal contract provisions will be included in any contract with the Agency including but not limited to provisions found at 2 CFR 200.322, 2CFR 200.326 and Appendix II to Part 200.

In addition, for any contract resulting from this RFQ, in the eventuality that CDBG funds are used, compliance with CDBG purchasing regulations shall be in effect.

Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352 (as amended)

Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient. Certification is included as **Attachment E, Byrd Anti-Lobbying**.

9. STATEMENT OF QUALIFICATION STRUCTURE:

Please read carefully. The structure for the Statement of Qualification will be as follows:

- The Statement of Qualification will consist of single sided 8 ½” by 11” pages, vertical (portrait) format. The submitting firm may duplicate the format listed below or develop their own, provided that each item is fully addressed, in the given order. Fold out pages count as two pages.
- The Statement of Qualifications must be bound along the left margin in any manner provided that the completed document will lay flat when open. Notebooks and portfolio binders are acceptable.

A. COVER PAGE:

The cover page should clearly identify:

1. The cover page of the SOQ shall contain the name “RFQ Architecture, Engineering and Other Professional and Specialized Technical Services” and shall clearly indicate the RFQ Number PRDE(ER)-2022-01.
2. Proponent’s legal name
3. Date of submittal

B. TRANSMITTAL LETTER (2 page maximum)

The transmittal letter must be submitted in Proponent’s printed letterhead and should provide a brief overview of the key elements of the Proponent’s SOQ and why the Proponent should be selected. The transmittal letter will:

- Include a Proponent’s certification that they have read and understand the requirements of the RFQ (and any addenda that may be released) and agree to comply with its terms.
- Be signed by an official with the legal authority to bind the Proponent; if a corporation, a corporate resolution must be included as an annex authorizing the official who signs the Proposal.
- Include a statement that the Statement of Qualification and terms within are to be valid for a minimum of 90 days.
- The point of contact and associated contact information

C. TABLE OF CONTENTS (1 page maximum)

A table of content should be provided, followed by dividers separating each of the following sections.

D. FIRM INFORMATION (3 page maximum)

- General Information
 - Firm Name.
 - Website Address.
 - Firm Address 1 (Corporate Headquarters).
 - Firm Address 2 (Office that will be performing the services).
 - Contact Name.
 - Contact Telephone.
 - Contact Email Address.
 - Years Established Under Current Name.
 - Former Firm Name (If any).
 - Type of Organization: (Select one: Individual or Sole Proprietorship, Partnership, Corporation, Joint Venture or other (provide details)).
 - Indicate if firm is a Small Business Concern, a Minority Owned Business or Woman owned business.
 - Number of employees (both salaried and hourly employees).
 - Provide the same information for each and every member, partner or subconsultant of the consortium

E. TECHNICAL QUALIFICATIONS, EXPERIENCE, AND APPROACH

SOQs shall demonstrate the DCs ability to undertake the work under this RFQ by providing the technical qualifications of the firms in the consortium and key individual members. At least three (3) years of professional experience is desirable. PRDE reserves the right to conduct an independent investigation of a team's technical qualifications by contacting project references, accessing public information, or contacting independent parties. Additional information may be requested during the evaluation of technical qualifications.

PRDE is interested in the experience of the contracting party, in the experience of the proposed team member firms (subconsultants or partners), and the experience of key individuals. SOQs shall clearly identify experience in a manner that allows reviewers to determine the role individual firms and key individuals played and, for individuals, their employer at the time they gained this experience.

At a minimum, the following information shall be provided to demonstrate technical qualifications:

- A list of consultants or consultant firms that form the consortium, through a partnership or as a sub-contractor, for each of the services detailed under Section 10 General Scope of Services of this RFQ. This list shall include position types (structural

engineer, mechanical engineer, surveyor, architect, archaeologist, etc.) required to perform the Services.

- Major consulting engagements in the specific field of each consultant or consultant firm (including subconsultants). For each project include the following information:
 - a. Project name and location
 - b. Name of Owner and Owner's contact information (address, telephone number and email address).
 - c. Brief description of the project
 - d. Exact nature of services provided by each member, partner or subconsultant of the consortium.
 - e. Completion date of status.
 - f. Construction contract amount (as awarded).

Describe the Proponent's experience with federally funded projects subject to regulatory requirements. Include all experiences involving hazard mitigation projects or where hazard mitigation was a major component.

- Describe Proponent's approach to projects assigned under the contract, including how it will be staffed and which subconsultants will form part of the consortium. Describe which services will be provided by the Proponent and which services will be provided through a subconsultant. Be sure to include all anticipated services that may be required for the work.

F. REFERENCES

Proponent shall include a completed Proponent Reference Form attached hereto as **Attachment H**, identifying a minimum of three (3) references from programs of similar scope and magnitude for which the Proponent is currently providing services similar to the services required herein or has provided such services within the last ten (10) years.

Proponents shall request the individuals Proponents includes in the references listed on **Attachment H** to email completed Reference Questionnaires (**Attachment I**) to aerfq@de.pr.gov. Proponents will be evaluated on three (3) completed reference questionnaires. The completed reference questionnaires must be from individuals, companies, or public entities with knowledge of the Proponent's experience that is similar in nature and scope to the products and services being requested by the RFQ.

References which are not received prior to the SOQ response due date and time will receive a score of “0” for that reference. References outside the ten (10) years will also receive a score of zero (0) points. A minimum of three (3) references of the Proponent (as a prime contractor) shall be provided, offering a summary of the work that was done and how it relates to the scope of work under this RFQ. Each reference should include a point of contact name, their title, the name of the organization they represent, and their phone and email information so that they may be contacted by PRDE or their designee(s).

G. FIRM’S KEY PERSONNEL: (2 page maximum)

- Names of key and local Principals (Owners, Corporate Officers) and years with firm that will be associated with the work
- Total number of personnel by office location and discipline (Architects, Engineers (by Discipline), Project Managers, Inspectors, Administration, etc.). Sample Format:

Discipline	Employees at (Location 1)	Employees at (Location 2)	Other Locations	Total Number of Employees
Registered architects				
Mechanical Engineers				
Project Managers				
Administrative				

H. PROJECT'S KEY PERSONNEL: (5 page maximum)

- Name(s) and abbreviated resume of key personnel likely to be assigned to the Project. Provide in the following format:
 - a. Name and Title
 - b. Education, Institution, Degree(s) with dates
 - c. Professional Registration(s)
 - d. Experience (Brief Description Overview)
 - e. Proposed Responsibilities for this assignment

I. FIRM EXPERIENCE / PROJECT PROFILES: (7 page maximum)

- Describe your firm's experience with K12 school facilities
- Describe your firm's experience with facilities in Puerto Rico
- Describe your firm's experience with federal funded programs and regulatory requirements.
- Provide profiles of five (5) of the firm's projects on K-12 schools or other projects that are most relevant to the services requested in this RFQ. Include the following information:
 - a. Project Name and Location
 - b. Name of Owner, Owner's Contact (with current address and telephone number)
 - c. Brief Description of the project
 - d. Exact nature of services provided by your firm
 - e. Completion Date (or status)
 - f. Construction Contract Amount (as awarded)

J. SUBCONSULTANTS:

- Identify any sub consultants who will be part of your team. Include firm name, address, telephone, and contact name of the consultant. Be specific as to the type of work to be performed by the sub consultant (1 page maximum per sub consultant).
- Proponents should provide an explanation to explain what opportunities exist for including small, minority and woman-owned businesses as part of their team. Firms to be utilized as part of the Proponent's team need to be identified and described in this section (2-page maximum).

K. FINANCIAL, LEGAL, INSURANCE STATUS: (2 page maximum (not inclusive of the financial statement))

- Provide Banking Reference
- Contact name, title, institution, address and telephone

- List all litigation against or involving the firm its agents or employees with respect to any work performed
- Amount of professional liability insurance carried by your firm (\$1,000,000 minimum required)
- Proponent must include a copy of their audited financial statements for the last three (3) years or copy of the income tax return for the last three (3) years signed by the person that prepared it, along with other relevant information that demonstrates the firm's financial capacity to pay employees and subcontractors even when awaiting payment of invoices under engagements per this RFQ. In case of joint ventures all members must provide the same information. This section should also include a statement making a firm commitment that the Proponent will pay its employees and subconsultants without regard to the timing of payment by PRDE. PRDE may, at its sole discretion, request similar financial information from Proponent's subconsultants or subcontractors.

L. HOURLY RATES AND OTHER RATES (Not considered in the evaluation criteria at this phase.)

Please provide all-inclusive hourly rates for all relevant resources, including all staff and sub-consultants that may be part of your billable services, as well as for services such as design, laboratories, etc. Please also include fixed fees or percentages for relevant A/E services that are not charged at an hourly rate. The rates should be organized by the resource functions and level. Please note the hourly rates provided will not affect your evaluation in this phase of the RFQ but will be considered for cost reasonableness when project specific proposals are evaluated. Any quoted hourly rates submitted shall include all supplementary charges (i.e., transportation expenses, meals, printing, reproduction drawings, etc.). Indicate if fees are subject to change during the term of the contract.

10. STATEMENT OF QUALIFICATION EVALUATION

PRDE will review all qualified responses to this RFQ and select the Statement of Qualifications that are determined to be in the best public interest in accordance with the intent of this RFQ. All Statements of Qualifications will be screened for completeness and adherence to the requirements of this RFQ.

PRDE will not consider substantively incomplete or non-responsive Statement of Qualifications. A non-responsive Statement of Qualifications is one that was not submitted in a timely manner, or that fails to meet the material terms and conditions of this RFQ as determined by the Government of Puerto Rico.

PRDE alone reserves the right to waive any informality in any Statement of Qualifications and to accept any Statement of Qualification that it considers to be in the best public interest, and to reject any or all SOQs. **The decision of PRDE in this regard shall be final.**

PRDE will appoint an evaluation committee to review the Proposals submitted by Proponents (the "Evaluation Committee") with representatives from PRDE. The Evaluation Committee will evaluate the Proposals received pursuant to this RFQ in accordance with the criteria set forth below. The Evaluation Committee may be assisted by a team of technical, legal and financial advisers and such other resources as the committee deems helpful and/or appropriate.

In addition, the contracts awarded by this solicitation may be used by other PRDE subdivisions upon the consent of the PRDE.

The criteria to evaluate the qualification of the General A/E firms and other specialized technical services described in this RFQ will include the following:

Category	Brief Description	Maximum Points
Firm Qualifications	Approach to project	30
	References.	
Firm Personnel	Experience of Firm's Management Team	
	Staff makeup relative to services offered	
Key Personnel	Related academic and professional experience of key personnel submitted for the scope of work being qualified for.	
Firm Experience / Project Profiles	Similar experience with large construction projects , including hazard mitigation projects.	
	Similar experience with K-12 or projects of similar scope.	
	Related federal funding experience of firm.	
Subconsultants	Experience of proposed subconsultants. Licensed Personnel.	25
	Proponent's explanation of how they are including small, minority and woman-owned businesses as part of their team.	
Financial Capacity	Analysis of the financial ratios based on the Balance Sheets, Statement of Earnings and Retained earnings and statement of cash flows will be performed.	15
General RFQ requirement	Met RFQ required format RFQ execution and presentation RFQ completeness	5

Upon completion of scoring and any interviews that may be conducted, the Evaluation Committee will prepare a Notice of Award Recommendation (or cancellation) to the

Secretary of Education, the Secretary of Education can accept or determine to cancel the RFQ process before a Request for Proposal notice. All Proponents that submitted Statement of Qualifications shall receive copy of the final determination. Upon notification, PRDE shall commence the negotiation of fees with the selected DCs.

11. ATTACHMENTS

The following documents are attached and made a part of this RFQ. DCs must provide the information requested therein.

- Attachment A – Contract Form
- Attachment B – Acknowledgment of Receipt of Addenda Form
- Attachment C – Proponent’s Good Standing, Limited Denial of Participation (LDP) Suspension or Debarment Status, Legal Issues, Ownership Structures, and Conflicts
- Attachment D – Non-Collusion Affidavit
- Attachment E – Lobbying Certification for Contracts, Grants, Loans, And Cooperative Agreements
- Attachment F – Certification of Insurance Coverage
- Attachment G – Request for Qualifications Checklist
- Attachment H – Proponent Reference Form
- Attachment I – Reference Questionnaire
- Attachment J – Scope of Services

ATTACHMENT A

CONTRACT FORM

ATTACHMENT B

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM

The Proponent hereby acknowledges that he/she has received and that he/she has considered in the preparation of his/her Proposals, all requirements in the following Addenda to this Request for Qualifications:

ADDENDUM NUMBER	DATE OF ADDENDUM	ACKNOWLEDGEMENT

<input type="checkbox"/> NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS RFQ/BID/PROPOSAL/CONTRACT.

ACKNOWLEDGEMENT:

Proponent's Authorized Officer Signature

IMPORTANT NOTICE:

THIS FORM MUST BE COMPLETED AND SUBMITTED BY ALL PROPONENTS. IF NO ADDENDA ARE RECEIVED, CHECK THE "NO ADDENDUM" BOX ABOVE AND SIGN THE ACKNOWLEDGMENT.

PRDE RETAINS THE ABSOLUTE RIGHT TO REJECT ANY STATEMENT OF QUALIFICATIONS THAT FAILS TO INCLUDE THIS ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM

ATTACHMENT C

PROPONENT’S CERTIFICATION OF GOOD STANDING, LIMITED DENIAL OF PARTICIPATION (LDP)/SUSPENSION OR DEBARMENT STATUS, LEGAL ISSUES, OWNERSHIP STRUCTURES, AND CONFLICTS OF INTERESTS

Proponent’s Legal Name: _____

Proponent’s Authorized Representative: _____

Mailing Address:

E-mail Address:

Contact Telephone: _____

The Proponent identified above, through its authorized representative, hereby certifies to the best of its knowledge and belief, that it and its Officers, Directors, Partners, Members, Stockholders and/or Subconsultants (collectively referred herein as the “Proponent”):

(a) are in Good Standing with any and all Federal, State, and local agencies that has or had a contractual relationship with the Proponent or any of its Officers, Directors, Members, Stockholders and/or Partners of proposing entity:

(b) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal, State, and local department, agency, or mandatory professional regulatory organization.

(b) have not within a three-year period preceding this Statement of Qualifications been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in

paragraph (1)(b) of this certification as per the Puerto Rico Anti-Corruption Code (Act 2 of 2018, as amended);

(d) after reasonable inquiry and investigation, have no knowledge of any action, suit, proceeding, or material claim or investigation pending or threatened against Proponent in any court, or by or before any federal, state, municipal, or other governmental department, commission, board, bureau, agency, or instrumentality, domestic or foreign, or before any arbitrator of any kind, that, if adversely determined, would materially affect Proponent's ability, or the ability of its subcontractor(s) or subconsultants, to perform the services described in its Proposal.

(e) have not within a three-year period preceding this Statement of Qualification(s) had one or more government transactions (Federal, State or local) terminated for cause or default.

(f) Proponent does not and will not have any actual, apparent and potential conflicts; overlapping ownership interests of Directorship in other participating Proponents' firms or entities; ownership interests or participation in a Design, Construction or Private Management Agent for any of the projects to be awarded for the services to be provided under contracts anticipated to be awarded under this RFQ.

That I am providing this sworn statement in compliance with the provisions of Act. No. 2-2018 (The Puerto Rico Anti-Corruption Code) which imposes the obligation on any natural or legal entity wishing to participate in the award of a bid or the granting of a contract with any Puerto Rico Government agency, instrumentality, public corporation or municipality, to submit a sworn statement stating whether I have been convicted or plead guilty, or the legal entity which I represent has been convicted or has pled guilty of the crimes contained in Article 6.8 of Act No. 8-2017, as amended.

In addition, the Proponent discloses the Identification of Officers, Directors, and Partners of proposing entity(ies):

Name	Position	Proposing Entity	Address

Certified by:

Proponent's Name

Proponent's Authorized Representative
Signature (If Corporation, Signed and
Sealed)

Date

**ATTACHMENT D
NON-COLLUSION AFFIDAVIT**

EACH PROPONENT IS REQUIRED TO SUBMIT A NON-COLLUSION AFFIDAVIT WITH ITS PROPOSAL. ANY PROPONENT THAT FAILS TO SUBMIT A NON-COLLUSION AFFIDAVIT SHALL BE AUTOMATICALLY DISQUALIFIED FROM CONSIDERATION FOR AN AWARD.

I, the undersigned, am the _____ of _____ (the "Proponent"), and being duly sworn, declare that the Proposal submitted by the Proponent in response to the RFQ for A/E is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Proposal is genuine and not collusive or sham; that the Proponent has not directly or indirectly induced or solicited any other proponent to put in a false or sham proposal, and has not directly or indirectly colluded, conspired, connived, or agreed with any proponent or anyone else to put in a sham proposal; that the Proponent has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the proposal price of the Proponent or any other proponent, or to fix any overhead, profit, or cost element of the proposal price, or of that of any other proponent, or to secure any advantage against the government of the Commonwealth of Puerto Rico or the Puerto Rico Department of Education; that all statements contained in the Proposal are true; and, further, that the Proponent has not, directly or indirectly, submitted its proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, proposal depository, or to any member or agent thereof to effectuate a collusive or sham proposal.

I certify (or declare) under penalty of perjury under the laws of the Commonwealth of Puerto Rico that the foregoing is true and correct.

Name of Proponent: _____

Signature: _____

Name: _____

Title: _____

Date: _____

NOTARY PUBLIC SEAL

Sworn to and subscribed before me on this _____ day of _____, 2022, proved to me on the basis of satisfactory evidence _____ to be the person who appeared before me and signed this Affidavit.

ATTACHMENT E

LOBBYING CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The undersigned Proponent certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Proponent, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Proponent understands and agrees that the provisions of 31 U.S.C. § 3801 *et seq.*, apply to this certification and disclosure, if any.

Signature of Proponent's Authorized Official (If Corporation, signed and sealed)

Name and Title of Proponent's Authorized Official

Date

**ATTACHMENT F
CERTIFICATE OF INSURANCE COVERAGE**

PROOF THAT COVERAGE IS EITHER CURRENTLY IN PLACE OR WILL BE PROVIDED MUST BE SUBMITTED WITH THE PROPONENT’S PROPOSAL IN ONE (1) OF THE TWO (2) METHODS DESCRIBED BELOW.

PROPONENT’S NAME:

PROPONENT’S ADDRESS:

NAME OF SURETY:

NAME OF AGENT:

AGENT’S PHONE:

The undersigned hereby certifies that _____ (the “Proponent”) and its subcontractor(s) have the following insurance coverage, respectfully:

TYPE OF COVERAGE	MINIMUM LIMITS	POLICY OR BINDER NO.	ACTUAL LIMITS PROVIDED	EXPIRATION DATE
COMMERCIAL/GENERAL LIABILITY OCCURRENCE /AGGREGATE (INCLUDING ERRORS AND OMMISIONS)	As per Section 8 (d) of this RFQ			
PRODUCTS AND COMPLETED OPERATIONS LIABILITY	As per Section 8 (d)of this RFQ			
AUTOMOBILE LIABILITY	As per Section 8 (d) of this RFQ			
EMPLOYERS’ LIABILITY	As per Section 8 (d) of this RFQ			
WORKER’S COMP	CONTRACTOR’S STATE & PUERTO RICO MINIMUM COMPENSATION STATUTORY			
PROFESSIONAL LIABILITY	As per Section 8 (d)of this RFQ			
BID BOND	N/A			
PERFORMANCE BOND	N/A			
PAYMENT BOND	N/A			

PROOF THAT COVERAGE IS EITHER CURRENTLY IN PLACE OR WILL BE PROVIDED MUST BE SUBMITTED WITH THE PROPONENT PROPOSAL.

This can be done by one of the two following methods:

1. Complete form "CERTIFICATION OF INSURANCE COVERAGE" *or*
2. Submit a Certificate of Insurance on a form provided by your Insurance Agent. This form must include the following clauses:
 - (a) The government of Puerto Rico, the Department of Education, all governmental Departments, Agencies, Municipalities, Boards and Commissions, its officers, agents, servants, employees and volunteers are hereby named as Additional Insured.
 - (b) The policy(s) cannot be reduced or canceled without at least ninety (90) days' prior written notice to the Puerto Rico Department of Education.
 - (c) The insurance company is prohibited from pleading government function in the absence of any specified written authority from the Puerto Rico Department of Education.
 - (d) The policy(s) will automatically include and cover all phases of work, equipment, persons, et cetera which are normally covered while performing work under the above contract, whether specifically written therein or not.

Regardless of the method used, the form MUST be totally complete, MUST show that all Limits of Insurance are or will be met, and MUST be signed by the Agent.

The successful Proponent will be required to provide insurance coverage as indicated in this RFQ and the Contract, prior to providing any services. This insurance coverage must be maintained throughout the term of the contract.

Signature: _____

Name: _____

Title: _____

Date: _____

ATTACHMENT G

REQUEST FOR QUALIFICATIONS CHECK LIST

Instructions: Upon completion of the Request for Qualifications (RFQ) required documentation, please complete this checklist to assure submission of individual items. Use this list prior to binding and submission. Proponent shall initiate on the left side of each item confirming its inclusion in the Proposal.

Proponent's Initials	Item No.	Section Reference / Attachment No.	Document Description
	1	9A	Proponent RFQ cover page
	2	9B	Transmittal Letter
	3	9C	Table of Contents
	4	9D	Firm Information
	5	9E	Technical Qualifications, Experience, Approach
	6	9G	Firm Personnel
	7	9H	Project's Key Personnel
	8	9I	Firm Experience and Project Profiles
	9	9J	Sub-consultants
	10	9J	Inclusion of Small, Minority, and Women-Owned Businesses
	11	9K	Financial Capacity
	13	9L	Professional Fees, Rates
	14	8	Evidence of RUP eligibility to date (Mandatory)
	15	B	Acknowledge Receipt of Agenda
	16	C	Certification of Proponent's Good Standing, Limited Denial of Participation (LDP)/Suspension or Debarment Status, Legal Issues, Ownership Structures, and Conflicts
	17	D	Non-Collusion Certificate
	18	E	Byrd Anti-Lobbying Certification
	19	F	Evidence of Insurance
	20	G	RFQ Check List included
	21	H & I	Proponent Questionnaire and Reference Form
	22	J	Scope of Services

Signed:

 Authorized Representative

 Date

ATTACHMENT H

PROPONENT REFERENCE FORM

Proponent is required to provide a minimum of three (3) customer references for similar scope and magnitude of work that Proponent has performed within the past ten (10) years. Please include only references for services that are similar enough to demonstrate Proponent’s ability to perform the services requested in the RFQ.

CLIENT REFERENCE NO. 1

CLIENT NAME: ADDRESS:

CONTACT NAME/TITLE:

CONTACT EMAIL: SERVICE DATES:

CONTACT PHONE:

SERVICE DATES:

DESCRIPTION OF WORK PERFORMED

/PERFORMING:

CONTRACT AMOUNT (\$):

CLIENT REFERENCE NO. 2

CLIENT NAME: ADDRESS:

CONTACT NAME/TITLE:

CONTACT EMAIL: SERVICE DATES:

CONTACT PHONE:

SERVICE DATES:

DESCRIPTION OF WORK PERFORMED

/PERFORMING:

CONTRACT AMOUNT (\$):

CLIENT REFERENCE NO. 3

CLIENT NAME: ADDRESS:

CONTACT NAME/TITLE:

CONTACT EMAIL: SERVICE DATES:

CONTACT PHONE:

SERVICE DATES:

DESCRIPTION OF WORK PERFORMED:

/PERFORMING:

CONTRACT AMOUNT (\$):

ATTACHMENT I
REFERENCE QUESTIONNAIRE
PUERTO RICO DEPARTMENT OF EDUCATION
RFQ – PRDE(ER)-2022-01
A/E Services

REFERENCE NAME (Company/Organization): _____

PROPONENT (VENDOR) NAME (Company/Organization): _____

intends to submit a proposal to Puerto Rico Department of Education in response to the Department’s RFQ for Architectural and Engineering services.

INSTRUCTIONS TO INDIVIDUAL COMPLETING REFERENCE QUESTIONNAIRE:

1. Complete **Section I. RATING** using the Rating Scale provided.
2. Complete **Section II. GENERAL INFORMATION** (*This section is for information only and will not be scored.*)
3. Complete **Section III. ACKNOWLEDGEMENT** by manually signing and dating the document. (*Reference documents must include a manual actual signature.*)
4. E-mail this page and your completed reference document, **SECTIONS I through III** to aerfq@de.pr.gov.
5. This completed document **MUST** be received no later than 4:00 p.m. on April 5, 2022. Reference documents received after this time will not be considered. References received without a manual signature will not be accepted.
6. DO **NOT** return this document to the Proponent (Vendor).
7. The Puerto Rico Department of Education may contact references by phone for further clarification if necessary.

REFERENCE QUESTIONNAIRE
PUERTO RICO DEPARTMENT OF EDUCATION
RFQ NO. PRDE(ER)-2022-01

REFERENCE NAME: _____

PROPOSER (VENDOR) NAME: _____

Section I. RATING

Using the Rating Scale provided below, rate the following numbered items by circling the appropriate number for each item:

RATING SCALE

CATEGORY	SCORE
Poor or Inadequate Performance	0
Below Average	1 – 3
Average	4 – 6
Above Average	7 - 9
Excellent	10

1. Rate the overall quality of the vendor’s services:

10 9 8 7 6 5 4 3 2 1 0

2. Rate the response time of this vendor:

10 9 8 7 6 5 4 3 2 1 0

3. Rate how well the agreed upon, planned schedule was consistently met and deliverables provided on time.
(This pertains to delays under the control of the vendor):

10 9 8 7 6 5 4 3 2 1 0

4. Rate the overall customer service and timeliness in responding to customer service inquiries, issues, and resolutions:

10 9 8 7 6 5 4 3 2 1 0

5. Rate the knowledge of the vendor's assigned staff and their ability to accomplish duties as contracted:

10 9 8 7 6 5 4 3 2 1 0

6. Rate the accuracy and timeliness of the vendor's billing and/or invoices:

10 9 8 7 6 5 4 3 2 1 0

7. Rate the vendor's ability to resolve a problem related to the services provided quickly and effectively:

10 9 8 7 6 5 4 3 2 1 0

8. Rate the vendor's flexibility in meeting changing business requirements:

10 9 8 7 6 5 4 3 2 1 0

9. Rate the likelihood of your company/organization recommending this vendor to others in the future:

10 9 8 7 6 5 4 3 2 1

ATTACHMENT J

SCOPE OF SERVICES

Design Services:

The design services that shall be performed on behalf of PRDE, as applicable, shall include, but are not limited to:

A.00 DC'S SCOPE OF BASIC SERVICES

The DC's full basic services consist of those services performed by the DC, the DC's employees, and the DC's Consultants. All applicable codes (Federal, State and Local) shall be adhered to for all design work. PRDE Design Guidelines, PRDE Educational Specifications, and other requirements shall be utilized as a basis in all design work.

A.01 SCHEMATIC DESIGN PHASE

- Review Program – Review the PRDE's Program of Requirements and other information furnished by the PRDE and the characteristics of the site.
- Review Applicable Codes – Review applicable statutes, regulations, codes and by-laws and, where necessary, review the same with the authorities having jurisdiction (AHJ).
- Review Initial Evaluation – Present and review with the PRDE the initial evaluation and discuss alternative approaches to design and construction of the Project. The DC shall reach an understanding with the PRDE regarding the goals of the Project.
- Preliminary Concept Design – Based on all Project requirements agreed upon with the PRDE, the DC shall prepare, for the PRDE's approval, a preliminary concept design illustrating the scale and relationship of the Project components.
- Schematic Design Documents – Based on the PRDE's approval of the preliminary concept design, prepare for the PRDE's review and approval, schematic design documents to illustrate the scale and character of the Project and how the parts of the Project functionally relate to each other and within the site including as appropriate:
 - Site Plan
 - Spatial Relationship diagrams
 - Floor Plans

- Elevations
- Building Sections
- Estimate of Construction Cost – Prepare estimate of preliminary construction cost, if required.
- Submit Schematic Design – Submit the schematic design documents to the PRDE.

A.02 DESIGN DEVELOPMENT PHASE

- Design Development Documents – Based on the PRDE’s approved schematic design documents, prepare for the PRDE’s review and approval, design development documents, to describe the size and character of the Project including as appropriate the architectural, structural, mechanical, and electrical systems, and such other elements:
 - Site Plan
 - Floor Plans
 - Elevations
 - Building Sections
 - Information detailing area calculations and building systems.
- Selection of Materials and Systems – Prepare drawings, samples, and information to present to PRDE the proposed selection of materials, finishes and colors and major systems.
- Continue Review of Applicable Codes – Continue to review applicable statutes, regulations, code, and by-laws as the design of the Project is developed and, where necessary, review the same with the authorities having jurisdiction.
- Estimate of Construction Cost – as required, prepare the Estimate of Construction Cost.

A.03 CONSTRUCTION DOCUMENTS PHASE

- Drawings and Specifications – Based on the PRDE’s approved design development documents, prepare Construction Documents consisting of architectural, structural, mechanical, and electrical drawings and specifications setting forth in detail the requirements for the construction of the Project.
- Selection of Materials and Systems – Present final selection of materials, finishes and colors and applicable systems and equipment.
- Review Applicable Codes – Review statutes, regulations, codes, and by-laws applicable to the design and, where necessary, review the same with the

authorities having jurisdiction in order that the consents, approvals and permits necessary for the Project may be obtained.

- Update Estimate of Construction Cost.
- Submit Construction Documents – Submit the Construction Documents to the PRDE at 50% and 100% completion.

A.04 PERMITS AND APPROVALS

- Building Permit Application – Prepare documents for building permit application, for owner's signature and assist with submission of the application.

A.05 BIDDING PHASE

- Bidding – Following the PRDE's approval of the Construction Documents and the latest agreed Estimate of Construction Cost, assemble and provide Bidding documents to PRDE. In conjunction with PRDE, respond to inquiries and prepare and process addenda during bidding.
- Issued for Construction Drawings – Prepare Issued for Construction drawings incorporating relevant addenda or other information during Bidding phase.

A.06 CONSTRUCTION ADMINISTRATION

- General Review – Provide General Review services during construction; examine, evaluate, and report upon representative samples of the Work; keep the PRDE informed of the progress and quality of the Work; report defects and deficiencies in the Work observed during the course of the site reviews; and report in writing to the PRDE.
- Site Meetings – Attend site meetings in conjunction with general review site visits with Contractor, major sub-contractors, and Consultants, where appropriate, to review the progress of the Work.
- Construction Schedule – Receive construction schedule from contractor, overview and forward to PRDE.
- Schedule of Values – Receive schedule of values from contractor. Advise both PRDE and contractor that the agreed schedule of values will form the basis for evaluating contractor's requests for payment for changes to the work.
- Payment Certification – Receive from Contractor one progress draw per month that cumulates all subs trades values. Assess these applications for payment to determine amounts owing to the contractor based on the DC's observations and evaluation of the

draw having factored percentage of completeness against the schedule of values. Issue monthly certificates of payment to the PRDE in the value proportionate to the amount of the construction contract, of work performed and products delivered to the Place of Work.

- Construction Contract Documentation Interpretation – On the written request of either the PRDE or the contractor, render written interpretations and findings within a reasonable time, consistent with the intent of and reasonably inferable from the construction contract documents, showing partiality to neither the PRDE nor the contractor, on claims, disputes and other matters in question between the PRDE and the contractor relating to the execution or the performance of the Work or the interpretation of the construction contract documents.
- Shop Drawings and Submittals – Review and take other appropriate action with reasonable promptness upon such contractor’s submittals as shop drawings, product data, and samples for conformance with the general design concept of the Work as provided in the construction contract documents.
- Supplemental Details and Instructions (ASIs)– Prepare and issue additional documents and supplemental instructions to the contractor, as required for clarification of the requirements of the contract documents, with reasonable promptness or in accordance with a schedule for such instructions agreed to by the DC, PRDE and the contractor.
- Requests for Information (RFIs) – Receive Requests for Information (RFIs) from the contractor and process accordingly.
- Proposed Change Notices/ Change Orders and Change Directives – Prepare proposed change notices, drawings, specifications and supporting data, evaluate contractor’s proposals, prepare change orders and change directives for the PRDE’s approval and signature in accordance with the construction contract documents.
- Inspection & Testing Services – Receive and review the inspection and testing reports.
- Substantial Performance and Completion - As payment certifier, prepare and issue at the appropriate time, one certificate of Substantial Performance of the Work and a statement of Construction contract deemed completion in accordance with the provisions of the Construction Lien Act.

A.07 CLOSE OUT

- Contractor’s Documentation at Completion – Receive from the contractor, review and forward to the PRDE the written warranties and related documents as required under the construction contract.

- Turnover Procedure – Instruct the Contractor to arrange for turnover of the Project to PRDE, including demonstration of operating equipment. Handover and review operating and maintenance manuals to PRDE.
- Record Drawings – Review Record Drawings prepared by the Contractor incorporating changes in the work made during construction and other data furnished by the contractor. The accuracy of the information supplied by the contractor shall not be the responsibility of the DC.

B.00 OTHER SERVICES

The Services listed below may also be required, as well as other services as the parties may agree.

B.01 PRE-DESIGN SERVICES

- Survey, Geotechnical or Hazardous Materials – Assist the PRDE in the engagement of a Consultant to obtain survey, geotechnical or hazardous materials reports if required.

B.02 GENERAL SERVICES, ALL APPLICABLE PHASES

- Estimates of Construction Cost
- Quantity Surveys, Inventories Operating Costs – Provide quantity surveys, inventories of material and equipment, or analyses of owning and operating costs.
- FF & E – Provide services for interior in relation to design selection and installation of furniture and equipment, fixtures and furnishings.
- Signage – Provide services for design, selection, procurement or installation of graphics, signage wayfinding and similar elements for interior or exterior application.
- Model/Rendering/Video – Provide promotional marketing material, perspectives, samples
- specifically commissioned physical model, architectural rendering, computer rendering or video.
- Photography – Provide specially commissioned photography or photographic records of site, existing conditions, construction or other.
- Value Engineering – Provide services in connection with value engineering, substitutions or analysis.

- Specialized Consultancy Services – Provide services in connection with security, audio-visual, acoustic, envelope, energy modeling, etc.

B.03 PERMITS AND APPROVALS

- Approvals of Authorities – Provide studies, drawings and documents, attend meetings and public hearing and assist PRDE in submission of application for:
 - Zoning or Land Use Amendment
 - Board of Adjustment or variance from by-laws
 - Site Plan Approval
 - Multiple building permit application

B.04 CONSTRUCTION DOCUMENTS PHASE

- Multiple Packages – Provide services for alternative, separate or sequential packages.

B.05 BIDDING PHASE

- Pre-qualification of Bidders – Prepare parameters of pre-qualification process, advise participants of rating criteria, seek and receive responses from interested parties, prepare analysis spreadsheet and report results to PRDE for PRDE’s decision.
- Multiple Bid Packages – provide services and prepare bid document packages in connection with alternative, separate or sequential bidding or negotiation of trade contracts over the 3 packages agreed.

B.06 CONSTRUCTION PHASE

- Multiple Contracts – Provide additional construction contract administration services in connection with multiple contracts.
- Coordináte the services required in connection with construction performed and equipment supplied by the PRDE.

B.07 CLOSE-OUT

- Commissioning – provide service related to commissioning in the utilization of equipment or systems such as testing and balancing, preparation of operation and maintenance manuals, training operation or maintenance personnel for operation and maintenance and consultation during operation.
- As-Builts / Record Drawings – Prepare drawings to incorporate contractors mark-ups and other changes.