



REQUEST FOR PROPOSALS

**General Contractor/ Construction Manager
(GC/CM) Services**

**Spokane International Airport (SIA)
Security Upgrades Project #15-43-1866**

SPOKANE INTERNATIONAL AIRPORT (SIA)
9000 W. Airport Drive, Suite #204
Spokane, WA 99224
(509) 455-6413

November 4, 2016

General Contractor/Construction Manager (GC/CM) Services

1.0 INTRODUCTION

The Spokane Airport Board seeks proposals for General Contractor/Construction Managers (GC/CM) services for the SIA Security Upgrades Project #15-43-1866 that:

- Use an integrated project team model including Spokane International Airport (SIA), the A/E firm (to be determined), OAC Services, Inc., specialty consultants, and key subcontractors that are focused solely on the best interest of the project, SIA patrons, tenants and staff.
- Provide high quality pre-construction consulting services including scope and budget alignment, cost estimating, scheduling, coordinate/publish complex scheduling, phased logistics and security plans, conduct and document pre-construction existing conditions, collaborate with the design consultants, and assist in the selection of materials and building systems.
- Assist SIA to establish and achieve high performance design and construction goals.
- Provide quality construction services to deliver the project, safely, on time and on budget.

There will be a **mandatory** Pre-Submittal Conference for this project, followed by a site visit, on Wednesday, November 30, 2016 at 10:00AM in the Board Room at Spokane International Airport.

SIA intends to award a contract for GC/CM services ("GC/CM Contract") utilizing a three-step competitive negotiation process to procure the most qualified contractor with the strongest management team at market competitive fees. The first step will consist of a Statement of Qualifications (SOQ) submittal, as set forth in Section 6 of this RFQ and evaluated in accordance with the criteria set forth in Section 12. Based on evaluations of submitted SOQs, the highest ranked firms will be asked to participate in an interview process. Following the interviews, the most highly qualified teams will be invited to submit price proposals for specified general conditions and contractor's fee.

All costs incurred by firms choosing to participate in this RFQ process shall be borne by the proposing firms.

All official documents and notification of all addenda for this process is on the Airport's website, <http://business.spokaneairports.net/rfp>.

2.0 PROJECT DESCRIPTION

2.1 Project Scope

The SIA Security Upgrades Project consists of airfield perimeter security enhancements, upgrades to the terminal complex flight and baggage information display systems (FIDS/BIDS) and flight announcement systems, and enhancements to terminal access control systems.

The project enhances the terminal and airfield perimeter's existing security and information technology systems. The project includes existing (terminal, airfield and landside) facilities and information/telecommunications systems.

Airport perimeter security scopes of work include: installing perimeter fencing to the airfield and hardened barriers or structures close to the terminal where existing chain linked fencing exists. Perimeter security enhancements may include: installation of intrusion detection devices; access control devices at vehicle gate locations; closed circuit monitoring of the airfield perimeter and related closed circuit television (CCTV) storage devices and fiber-optic backbone infrastructure that supports these systems.

Existing information systems (FIDS/BIDS, boarding gate/public announcement /paging systems) will be enhanced and expanded with state of the art, shared use information systems; installation of new and expanded existing access points into the terminal and from terminal hold rooms onto passenger boarding bridges. Installation of devices that prevent access to the terminal building by vehicles are part of the scope of the work.

The SIA Security Upgrades Project is locally funded. SIA obtained approval to use the GC/CM procurement method for this project in order to take advantage of the GC/CM’s expertise in helping SIA address complex scheduling, phasing, site and security issues.

SIA expects the selected GC/CM to be an active and collaborative partner to assist in financial reporting and audits.

SIA desires to retain the GC/CM as a partner early in the project cycle to help establish the overall project goals including the final budget, detailed and prioritized project scopes of work, and the delivery schedule including the option of exercising an early site work package.

2.2 Reason(s) for use of General Contractor/Construction Manager (GC/CM):

The project is well suited for the use of the GC/CM alternative public works contract procurement process because it will involve work in an occupied facility, require phased construction and involves complex scheduling and coordination. Public and fiscal benefits are: increased predictability and reduced financial risk, potential to reduce the construction schedule and provide for public safety measures during construction in an occupied and high security site.

2.3 Project Budget:

The overall project budget is \$11.0 million dollars. The current preliminary budget is as follows. The scope of work for the successful GC/CM is expected to be finalized in the pre-construction phase of the project.

Project Total Cost of Construction (MACC, SGC, GC/CM Contingency, fees, and NSS)	\$ 7,700,000
<u>Engineering, Design, Legal, Admin, CM, Owner Contingency, Taxes</u>	<u>\$ 3,300,000</u>
Total	\$11,000,000

3.0 SELECTION PROCESS

SIA is contracting for GC/CM services in accordance with the process authorized by RCW 39.10.

Selection will be made through a three step process. The scoring in the three steps is cumulative. After the “Step One” submissions are scored and the candidates are selected for “Step Two,” all scores from “Step One” will be carried over. The combined scores of “Step One”, “Step Two”, and “Step Three” will be used to determine the successful candidate.

The process for selection and award of the contract will be as follows:

Step One	Short list of most qualified firms after review of SOQ submissions.
Step Two	Selection of the most qualified firms and clarification of issues after submission of contract comments, interview and potential office visits.
Step Three	Selection of successful firm for contract execution after submission of final proposals.

3.1 Selection Schedule of GC/CM

Procurement schedule is provided in the table below. All dates are approximate.

<u>Step</u>	<u>Date</u>	<u>Selection Process</u>
One	November 5, 2016	Advertisement for Request for Proposal Published.
	November 30, 2016	<u>Mandatory</u> Pre-Proposal Conference at 10:00 a.m.
	December 5, 2016	Last day for Questions from Proposers, 4:00 pm.
	December 14, 2016	Statements of Qualification due at 2:00 pm.
	December 19, 2016	Initial screening and short-listing of firms.
	January 2, 2017	Notifications sent to firms along with the contract attachments.
Two	January 16, 2017	Short listed firms submit resumes, references, qualifications and issues; and self-performance plans by 3:00 p.m.
	February 2, 2017	Interviews.
	February 13, 2017	GC/CM Selection Committee recommendation of firms to submit cost proposals.
	February 20, 2017	Shortlisted GC/CM firms notified/invited to submit cost proposals.
Three	March 6, 2017	Submit fully compliant cost proposals, due at 2:00 p.m.
	March 6 -13, 2017	Owner review of proposals.
	March 20, 2017	Selection and Intent to Award Contract – Preconstruction Services.
	March 20 – April 3, 2017	Negotiate Preconstruction Services Contract.
	April 10, 2017	Submit recommendation to SIA Engineering Subcommittee for selected GC/CM firm and award Preconstruction Services Contract.
	April 2017	Spokane Airports Board approval of GC/CM selection and Preconstruction Services Contract.

3.2 Design and Construction Schedule

Predesign Scope/Budget Validation	May 2017
Begin Schematic Design	June 2017
Begin Design Development	July 2017
Begin Construction Documents	August 2017
Begin Construction	September 2017
Substantial Completion	Mid-2018

4.0 SCOPE OF GC/CM SERVICES

Required GC/CM services for the pre-construction phase will include, as a fully integrated member of SIA’s project team: involvement in team meetings; participate in project scope; priorities and alignment of the budget with the project scopes of work; critical path method scheduling for buyout, construction, commissioning, close-out and move-in; conceptual estimating, preparation of detail estimates of developing designs and design alternates, and construction documents; value engineering/analysis cost estimates; analyzing alternative designs; regular systems analysis; performing value engineering and life-cycle cost studies, and constructability input to the developing design; studying labor conditions; understanding construction methods and techniques; phasing and sequencing of work; early preparation of subcontract and supplier packaging plans; preparation of sub-contract documents and selection process; identification of early award and long lead packages and early bidding and award if required; site investigations, testing and inspection services; and subcontract bidding and bid analysis. In addition, the GC/CM must be familiar with the local labor and subcontracting market, and be capable of working with subcontractors to generate viable pricing alternatives. Discuss with SIA and the project team on the advantages/disadvantages concerning the use of MC/CM and/or EC/CM per RCW39.10.385 if it’s deemed in the best interest of the project and provides a fiscal benefit. These and other services are described in more detail in the Contract Documents.

The GC/CM's construction phase services include: holding weekly project team meetings; sub-contract administration; CPM schedule maintenance and reporting; sub-contract claims and impact analysis; change and issue management; time and cost control, including claims mitigation; quality control and assurance; develop safety and security management plans; the coordination and management of all construction activities; payment of all materials, labor and equipment; preparing all daily, weekly and monthly reports of progress, cost, quality issues, claims mitigation, commissioning and completion activities; and project records maintenance. These and other services shall be described in more detail in the Contract Documents.

The Request for Proposals describes the selection process and documentation required for submitting proposals for this project. Any firm failing to submit a proposal in accordance with the procedures set forth in this Request for Proposals may be considered non-responsive.

5.0 SELECTION AND AWARD PROCESS

SIA will be contracting for GC/CM services on the basis of a combination of qualifications, interviews and fees scores as described below:

- 1) Step One - Statement of Qualifications: 100 points
- 2) Step Two - Interviews and Reference Checks: 80 points

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|----|--|------------|
| 3) | <u>Step Three – Submission of Fee Proposals:</u> | 20 points |
| 4) | Total Possible Points | 200 points |

- 5.1** All firms submitting Statements of Qualifications will be ranked on the basis of the evaluation criteria set forth in Section 12 of these instructions. The highest ranked firms will be invited to extended interviews including possible site and office visits. SIA anticipates inviting two to four firms for interviews.
- 5.2** Following interviews, SIA may short-list the competition further and send the highest-ranked firms a Request for Proposal detailing the contract terms and the specific general conditions and fee terms. SIA intends to use AIA 133-2009 (Standard Form of Agreement Between Owner and Construction Manager as Constructor) and AIA 201-2007 (General Conditions of the Contract for Construction) modified and cross-referenced for the use of GC/CM alternative public works contracts.
- 5.3** The GC/CM earning the highest combined score for the interview and fee proposal will be selected for preconstruction services and GMP negotiation.
- 5.4** GMP negotiations will occur pursuant to the GC/CM Contract when the scope of the project is adequately defined and the Construction Documents are at least ninety percent (90%) complete as mutually determined by the GC/CM and SIA, but no later than the completion of the Construction Documents. At the time a GMP is successfully negotiated, the parties will execute the GMP amendment to the GC/CM Contract.
- 5.5** GMP negotiations will take place as part of pre-construction services prior to execution of the GMP amendment. Should the GC/CM Contractor and the Owner not agree on a satisfactory GMP that SIA determines to be fair, reasonable or within the available funds, SIA may cancel the negotiations pursuant to the GC/CM Contract and may begin to negotiate with the next highest ranked firm and pursue negotiation of a Guaranteed Maximum Price (GMP).

6.0 STEP ONE: STATEMENT OF QUALIFICATIONS SUBMITTAL FORMAT (100 points possible)

- a) The proposing firm shall submit five (5) copies of its Proposal for the project. Each copy shall be provided in a white 3-ring, loose leaf, one-inch (1") binder with the firm name and the RFQ name on both cover and spine. Respondents shall submit a copy of their entire SOQ on a thumb drive in PDF format.
- b) The submittal shall be limited to a maximum of thirty (30) pages (8-1/2" x 11") double sided, not smaller than 11 pt. type.
- c) The cover letter, table of contents, and tabs do not count toward the page limits. Tabs to only include Title and Graphics (no additional information).
- d) Project cut sheets, including photos, are included in the page limits. Submittals exceeding the page limits may be considered non-responsive.
- e) Please Note: In preparing the firm's Statement of Qualifications, the proposing firm shall clearly identify the firm's role on each referenced project. If the proposing firm is representing an individual's experience while employed at another firm, the firm of record for the project and the individual's role shall be clearly identified.
- f) SIA requires that respondents follow the format in the RFQ as follows in their response. Failure to follow the format as described herein may result in disqualification of the respondent's proposal.

Respond to each of the items set forth above in a clear and concise manner. Responses must be in the same order as listed, clearly separated with tabs and labeled by response. Pay attention to specific requests for information. The submittals shall be organized in a manner that will enable the GC/CM Selection Committee to quickly assess pertinent information.

Any questions regarding the solicitation should be directed to:

Matt Breen, Spokane International Airport, mattb@spokaneairports.net

Submit copies of Statement of Qualifications by 2:00 P.M. PST on December 14, 2017, to:

**Matt Breen
Director, Planning and Engineering Department
Spokane International Airport
9000 W. Airport Drive, #204
Spokane, WA 99224**

MARK ENVELOPE WITH: ***“SOQ: SIA SECURITY UPGRADES PROJECT #15-43-1866”***.

SOQ may be hand-delivered to the same address, at the receptionist’s desk, Room #204.

6.1 Letter of Interest: (0 points)

The letter of interest should not be more than two (2) pages and may contain any information not shown elsewhere in the submittals. It must be signed by an officer of the firm or the project executive who is authorized to sign and obligate the firm in negotiation of preconstruction services and a guaranteed maximum price (GMP).

6.2 Staff Qualifications: (30 points)

6.2.1 Provide an organizational chart and a staffing plan (in narrative form) showing proposed staff, reporting relationships and key responsibilities for each staff member. Describe roles and responsibilities for pre-construction and construction phase services. At a minimum include information for the following staff members: the principal-in-charge or corporate executive dedicated to the project, project manager, project engineers, superintendents, the estimator, the scheduler and the safety officer. Provide an estimate of time commitment (as a percentage) of the proposed staff involvement for the preconstruction services, construction and closeout phases. Indicate what other projects the proposed staff are currently involved in and their level of time commitment (as a percentage) on those projects.

Clearly identify the key individual(s) who will provide a leadership role for the project and be the day to day contact for SIA. Demonstrate how this individual has accomplished a similar role on other projects.

6.2.2 Provide detailed resumes for each proposed staff member, including the last three (3) relevant projects, GC/CM or negotiated contract experience, employment history, education, and personal references.

6.3 Firm Past Performance on Relevant Projects: (25 points)

- 6.3.1** Provide a description of the history and capabilities of your firm. Describe the types of projects or services the firm normally performs and the relative dollar value of each. Provide the firm's bonding capacity and state the ability of the firm to bond this project. List the name, contact person, and telephone number of the firm's bonding agent, and include a statement from the bonding agent committing to bond this project.
- 6.3.2** Provide profiles of five (5) successfully completed projects where the basis of compensation was a negotiated price for either public or private customers; profiles should include at least one airport project of similar size, scope, and complexity regardless of delivery method. For each project, provide the duration of construction, initial negotiated price, the final negotiated price, references for both Owner and Architect (include the manager who is familiar with your firm's performance) and note if any of the individuals named in your project team participated as members of the project team for the listed project.

6.4 Self-performed Work, Location, and Current Workload (15 points)

- 6.4.1** Describe the work your firm typically self performs and your capability to do so on this project. How will you assure price competition on these scopes of work?
- 6.4.2** Describe the typical geographic range of your firm's work. If Spokane is outside of that typical geographic range, describe how you plan on managing this work to the benefit of SIA, including pre-construction meeting attendance and management during construction. Describe how you plan to become familiar with the Spokane area subcontracting market, permitting jurisdictions and potential climate differences from your firm's current location.
- 6.4.3** Provide a summary of your firm's recent, current and projected workload in addition to this project. What has been your annual volume (in dollars) for the past five (5) years? What is your anticipated volume for the current year and what is your plan for the next four (4) years?

6.5 Accident Prevention, Safety, and Claims (5 points)

- 6.5.1** Provide a summary of your team's accident prevention program and submit your team's EMR and OSHA (WISHA) Lost Time Accident Rate for the past five (5) years.
- 6.5.2** Provide a record of claims, litigation, or arbitration matters initiated by your firm or against your firm (in which you were a named party), for the last five years. List the name of the project, the date of litigation, the amount of the settlement and identify your involvement, i.e. defendant or plaintiff.
- 6.5.3** Provide a record of complaints filed against your firm by regulatory agencies (e.g., OSHA, L&I, WSHA, WDFW, WDOE, County regulators, etc.) for the last five years. List the name of the project, the date of complaint, the amount of the settlement and identify your involvement, i.e. defendant or plaintiff.

6.6 Project Approach: (25 points)

- 6.6.1** Discuss your firm's approach to completing the project. How will you support SIA's design and integrated team delivery goals?
- 6.6.2** Describe your firm's estimating capabilities and cost tracking approach when working as a project team member during predesign and design. Describe the proposed project team's experience in actively interfacing with SIA and the design team to provide continuous, real-time cost feedback and estimating services.
- 6.6.3** Describe your firm's approach to determining and assessing constructability issues and proposing value analysis/engineering and assessing alternative construction options, products and engineering systems for cost savings and life cycle cost design considerations.
- 6.6.4** Provide your firm's approach to quality control during design and construction including coordination of subcontract work and commissioning building systems. Include a description of the quality control organization you plan to employ and the levels and authority of the individual's assigned responsibility.
- 6.6.5** Provide your firm's approach to project closeout and warranty phase services.

7.0 STEP TWO: INTERVIEWS AND REFERENCE CHECKS (80 points)

The most highly ranked firms submitting SOQ's will be invited for extended interviews to assist SIA in determining the proposers with the strongest management teams including their leadership and communication skills.

- 7.1** Short-listed firms will be required to provide the following:
 - 7.1.1** All questions, comments or qualifications regarding the proposed Agreement, General Conditions, Special Conditions, Pre-construction Services, in writing.
 - 7.1.2** Full resumes and references for project team personnel (Adobe PDF file preferred, hardcopy will be accepted). Firms may submit additional resume information on the proposed project team members that was not included in the original SOQ submittal.
 - 7.1.3** Proposed scope for self-performed work in writing (Adobe PDF file preferred, hardcopy will be accepted). Proposers are cautioned to review the restrictions on such work in Chapter 39.10 RCW.
 - 7.1.4** Proposed labor rate schedules for the services to be performed for Pre-construction Services (Adobe PDF file preferred, hardcopy will be accepted). Include individuals or position titles and respective rates for each type of service listed in Pre-construction Services.
- 7.2** Interviews with the short-listed firms will be conducted for the purpose of determining which of the short-listed firms are the most highly qualified for the project; which firms have the project personnel best able to complete the scope of services; which firms most fully understands and is

able to perform the role of GC/CM as envisioned by SIA.

7.2.1 Key personnel (limit of six) from proposing firms to be assigned to the project are required to be present and participate in the interview. As part of the interview process, both the short-listed firms and their key personnel shall meet the selection criteria set out below.

7.2.2 In addition to the material requested herein, and information which may be requested by the Committee, the short-listed firms shall be prepared to demonstrate the firm's approach to management of the project based on their understanding of the contract for GC/CM Services; the firm's ability to perform the services within a fully integrated professional team; and the firm's past performance of similar services in similar team situations.

7.2.3 The short-list will be provided in alphabetical order without any ranking.

7.2.4 The tentative date for interviews is listed in paragraph 3.1 of this document.

7.3 Should your firm be invited to interview, questions will be directed to the proposed key project staff. At a minimum, the corporate executive, the project manager, project engineers and project superintendents dedicated to the project, project estimator, and the key individuals responsible for preconstruction services shall be in attendance. In addition to presenting qualifications, experience, and the project team's approach to the project, the interviewees will be expected to respond to questions from the panel regarding the firm's proposal as well as additional questions that might be posed in correspondence directed to the most qualified proposers after this solicitation is closed. The length and format for the interview will be provided to the short listed firms.

7.4 Following completion of the interviews, the Committee will select 2 to 4 firms for consideration in Step Three. The firms will be those firms considered the most qualified by the Committee. SIA expects to issue an addendum covering any necessary changes to the General Conditions and other contract documents.

7.5 Scoring for SOQ's will be carried forward to final scoring. The successful proposer will be scored based on the highest combination of scores for the SOQ, Interview and Fee Proposal.

8.0 STEP THREE: SUBMISSION OF FEE PROPOSALS (20 points)

Following interviews, SIA may at its sole discretion invite selected firms to submit fee proposals. If a fee proposal is requested, the firm will be required to submit two (2) amounts on a form to be provided by SIA. The first number shall be for the "GC/CM fee", and the second shall be for the "Specified General Conditions Work." The terms "GC/CM fee" and "Specified General Conditions Work" will be specifically defined in the GC/CM Contract to be provided to those firms selected to submit final proposals.

8.1 State your fee as a percentage and multiply it by the estimated contract sum to determine a single lump sum number for the dollar amount of the fee. The dollar amount of the fee will be added to the dollar amount for the Specified General Conditions Work to determine a single number, the proposer's total proposal.

- 8.2** No other entries, modifications, or qualifications should be made to the proposal. SIA reserves the right to reject any or all proposals, and to waive informalities or non-material irregularities in the proposals received.
- 8.3** The name, address, and contractor registration number of proposer shall be typed or printed on the bid in the space provided. The name must match the name on the proposal guarantee.
- 8.4** Proposals must be submitted on the forms furnished by SIA or on copies of those forms, and signed. The person signing the proposal must initial each page.
- 8.5** Proposers shall submit proposals in the format provided in the proposal form. Only the amounts and information asked for in the proposal form will be considered as the proposal. All blank spaces must be filled in.
- 8.6** Those firms identified as Finalists at the completion of Step 2, will be invited to submit sealed Final Pricing Proposals for the GC/CM Fee and Specified General Conditions work. The lowest conforming Final Pricing Proposal will receive 20 points.

9.0 CONTRACTOR'S REGISTRATION

All proposers must be registered by the Washington State Department of Labor and Industries in accordance with RCW 18.27.020.

10.0 PROPOSAL GUARANTEE

Proposers selected to participate in fee proposal phase of the process shall furnish a proposal guarantee in the form of a firm commitment, such as bid bond, postal money order, cash or cashier's check payable to SIA, in the amount of at least 5% of the total proposal for Fee and Specified General Conditions. SIA reserves the right to hold the proposal guarantees of all proposers until the successful proposer has entered into the GC/CM Contract and furnished the required bonds and insurance certificates, or for a period of 90 days, whichever is shorter.

11.0 DBE/MWBE OUTREACH

SIA encourages proposal from disadvantaged and women and minority business enterprises and outreach to these organizations as part of subcontractor bid packages on this project.

12.0 EVALUATION CRITERIA

All proposals received will be reviewed by an evaluation Committee. Each evaluation criterion has been assigned points based on its relative value to the GC/CM Contract as a whole. The criteria and their associated points are as follows:

12.2 Statement of Qualifications Evaluation Criteria

12.2.1.1	Staff qualifications	30 points
12.2.1.2	Past performance on relevant projects	25 points
12.2.1.3	Self-performed work, firm location, current workload	15 points
12.2.1.4	Accident prevention program and safety record	5 points
12.2.1.5	<u>Project approach</u>	<u>25 points</u>
	Total Points Possible	100 Points

12.3 Interview

The Selection Committee will review all conforming proposals received in response to this solicitation, and based upon the results of their scoring, develop a short list of firms to interview. Presentation topics will be identified to the short listed firms in a notification letter.

Interview Evaluation Criteria

12.2.1	Ability of proposed personnel and qualifications necessary to perform the required services	20 points
12.2.2	Understanding of the concept of this proposal and the GC/CM's role, and the Proposer's approach to executing the Project	10 points
12.2.3	Ability to actively participate in the development of the design within budget and time	10 points
12.2.4	Approach to setting and working within the Total Construction Cost	10 points
12.2.5	Ability to work within an integrated team	10 points
12.2.6	Experience at constructing within occupied and active airport, or public projects and phased construction	10 points
12.2.7	<u>Reference Checks (performed outside of the interviews)</u>	<u>10 points</u>
	Total Points Possible:	80 points

12.4 Final Pricing Proposals

The firms the Selection Committee believes to be most qualified based upon the interviews and possible site visits will be requested to submit sealed proposals for Fee and Specified General Conditions. The lowest responsive and conforming fee proposal will receive 20 points. Final Pricing Proposal is the sum of the Percent Fee and Specified General Conditions. All other Final Pricing Proposals shall be scored as follows:

Low Fee + SGC / Proposer's fee +SGC = %

Fee is the % multiplied by the anticipated Total Construction Cost budget for the Project.

The Finalist with the lowest Proposed Fee in the calculation above will receive the full value of the score. The remaining Finalists will receive a proportionate share of the points, based on the proportion that the Proposed Fee for their proposals exceeds the lowest Proposed Fee. By way of example, if the Finalist with the lowest Proposed Fee provides a Proposed Fee that is ninety percent of the Second Low Finalist, the Second Low Finalist shall receive 9 points.

Total Possible Points:

Step 1 SOQ	100 Points
Step 2 Interview	80 Points
<u>Step 3 Final Pricing Proposal</u>	<u>20 Points</u>
Maximum Total Possible Points	200 Points

The firm with the highest number of total points scored will be retained, upon successful negotiation of the GC/CM contract, to provide pre-construction services and negotiation of a guaranteed maximum price (GMP) contract.

SIA reserves the right to waive any informalities or irregularities in any submittal, and to reject all submittals and pursue competitive bidding under RCW 28A.335.190.

13.0 PROTEST PROCEDURES

Any Bidder, person, or entity may file a protest with the Airport Project Manager. The protest shall specify the reasons and facts upon which the protest is based and shall be filed in writing with the Airport not later than two (2) Business Days after the date of the event giving rise to the protest.

If the Airport selects a responsible firm with the lowest responsive proposal, and a proposal is rejected by the Airport, and such rejection is not in response to a Bid protest, then any Bidder, person or entity may dispute that rejection by filing a Bid protest (limited to the rejection) within 2 Business Days of the rejection.

RESOLUTION

Airport will investigate the basis for the protest and analyze the facts. Airport will notify firm whose proposal is the subject of the protest of evidence presented in the protest and evidence found as a result of the investigation, and, if deemed appropriate, afford firm an opportunity to rebut such evidence, and permit proposer to present evidence that it should be allowed to perform the Work. If deemed appropriate in the sole discretion of the Airport Project Manager, an informal hearing may be held. Airport will issue a written decision within 15 days following receipt of the protest, unless factors beyond Airport's reasonable control prevent such a resolution, in which event such decision will be issued as expeditiously as circumstances reasonably permit. The decision will state the reasons for the action taken by Airport. A copy of the decision will be furnished to the protestor, the proposer whose proposal is the subject of the protest, and all proposers affected by the decision. As used in this Article, a Proposer is affected by the decision on a protest if a decision on the protest could have resulted in the Proposer not being the most qualified proposer for the Contract.

Proposer whose proposal is the subject of the protest, all proposers affected by the Airport's decision on the protest, and the firm who made the protest may appeal the Airport's decision on the protest to the Airport Chief Executive Officer. The appeal must be in writing and shall specify the decision being appealed and all the facts and circumstances relied upon in support of the appeal. If an appeal is made

by the firm who made the protest, such appeal is limited to only those reasons and facts that were filed in writing and such firm shall be prohibited raising new, supplemental or additional reasons or facts on appeal. The appeal must be received by close of business not later than the 5th day following appellant's receipt of the Airport's written decision on the protest.

A copy of the appeal shall be sent to all parties involved in the protest and to Airport. An appeal received after close of business is considered received as of the next Business Day. If the final date for receipt of an appeal falls on a Saturday, Sunday, or Airport holiday, the appeal will be considered timely only if received by close of business on the following Business Day.

The Airport Chief Executive Officer will review the Airport's decision and the appeal, and issue a written decision, or if appropriate in the sole discretion of the Airport Chief Executive Officer, appoint a person to conduct a hearing and issue a written decision. If a hearing is held, the hearing shall be held not later than the 10th day following the appointment of the person unless the person for good cause determines otherwise. The written decision of the person will state the basis of the decision, and the decision will be final and not subject to any further appeal to Airport. The Airport will complete its internal protest procedures before award of the Contract.

END OF DOCUMENT