



**REQUEST FOR PROPOSALS  
FOR  
ARCHITECTURAL & ENGINEERING SERVICES  
FOR  
DESIGN OF NEW MAIN OFFICE AND STUDIO FACILITY  
RFP 003-2020-STT**

**Issue date:**  
May 22, 2020

**Submittal deadline:**  
July 17, 2020

**ISSUED BY:**  
VIRGIN ISLANDS PUBLIC BROADCASTING SYSTEM  
HAVENSIGHT  
ST. THOMAS, VI  
[https://www.wtjx.org/rfp/  
VIPBS\\_RFP003@wtjx.org](https://www.wtjx.org/rfp/VIPBS_RFP003@wtjx.org)

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## 1.0 INTRODUCTION

### 1.1 CONTEXT

In September of 2017, St. Thomas sustained a direct hit from Hurricanes Irma and Maria. The hurricanes inflicted catastrophic damage to the main office building and production facilities of the Virgin Islands Public Broadcasting System (VIPBS) located at Haypiece Hill in the Subbase area of St. Thomas. The organization is currently operating from temporary facilities in the Havensight area of St. Thomas.

Through this Request for Proposal (RFP), VIPBS is soliciting proposals from licensed and qualified Architecture and Engineering (A&E) firms for the design of new facilities as described further in this RFP. This project will be largely funded by the Federal Emergency Management Agency (FEMA) and will be governed by the terms and conditions for federal grants.

### 1.2 VIPBS BACKGROUND

The Virgin Islands Public Broadcasting System (VIPBS) is a not for profit media company providing television and radio programming to the US Virgin Islands on WTJX-TV and WTJX-FM.

VIPBS is run by a Board of Directors and the Chief Executive Officer is responsible for the day-to-day operations of the System. The basic goal of VIPBS is to advance the general welfare of the community through educational, cultural and public affairs programming, local and national, for the population of the Virgin Islands. The Stations' general policy is set by the Board of Directors. Some oversight duties are exercised by the V.I. Government's Executive and Legislative branches. The Legislative branch appropriates and the Executive branch allots the majority of the funds necessary for the operation of the System.

VIPBS receives funds from the Corporation for Public Broadcasting (CPB), which is a private corporation created by the Federal government. It is the largest single source of funding for public television and radio programming. VIPBS is regulated by the Federal Communications Commission (FCC). VIPBS is a member of the Public Broadcasting Service (PBS) and National Public Radio (NPR).

VIPBS' mission is to partner with individuals, foundations, corporations, and Government Agencies, to develop community engagement projects, designed to enhance the quality of life for everyone in the Virgin Islands.

## 2.0 SCOPE OF WORK

### 2.1 GENERAL EXPECTATIONS

2.1.1 Disciplines Required. The selected A&E firm will be required to supply planning, architectural, civil engineering, structural engineering, MEP engineering, landscape design, specialty consultant services, cost estimating, and supporting proficiencies as required. Services shall include design, permitting, procurement support, and construction administration.

2.1.2 Specialty Consultant. A critical component of the facility will be the design and integration of the broadcast production equipment and systems into the building layout, therefore necessitating the services of a broadcast engineering consulting (or similarly named) firm. This firm's qualifications and experiences will be key to the selection process and to the success of the project. Specific experience and expertise in the following areas is required, but not limited to:

- Live broadcast production systems
- Broadcast systems design
- Broadcast systems integration
- Television & radio industry standards compliant with forecasted upgrade path
- ATSC 3.0 standards integration and application
- Studio acoustic panels and sound proofing
- Secure broadcast production IP network environment
- Broadcast systems integration best practices
- Server/IT based production & editing systems and workflows
- Deep experience with broadcast systems project management.
- Experience with related technology like a/v integration, towers & antennae, battery backup systems, etc.

VIPBS reserves the right to approve any subcontractor proposed for the contract.

2.1.3 Cost Consultant. Accurate project costing during the design development stage will be imperative to maintain the overall cost within the allotted funding stream. The A&E's cost consultant must be familiar with the current construction market in St. Thomas to ensure project budget compliance.

2.1.4 Code Requirements. The project shall be designed in accordance with the 2018 International Building Code which includes wind and seismic loads prescribed by ASCE/SEI 7-16. Any additional design guidelines required by USVI Code shall also be adhered to.

## *2.2 PROJECT DESCRIPTION*

2.2.1 Site Location. The proposed location of the new buildings will be the same location as the existing facilities atop Haypiece Hill in the Subbase area of St. Thomas, USVI (parcels 158-158A). The remnants of the existing buildings will be demolished and hauled away prior to commencement of new construction under a separate contract. The parcels comprise approximately one buildable acre on which the facility and associated site features will be located. Electrical services are available at the project site. Potable water service is not available requiring surface capture of rainwater in cisterns, augmented by truck delivery as needed. Additionally, sewage is stored on-site with routine truck service for disposal. Design, sizing and location of new potable water cisterns and sewage storage shall be included in base bid.

2.2.2 Site Features. The site's Haypiece Hill location will require experience in design to accommodate elevation change for the following features:

- Parking – approximately 25 vehicles
- Sidewalks
- Handicap access
- Emergency Management Operations and security
- Retaining walls, low walls expected
- Landscaping

- Cistern(s)
- Generator building
- Sewage holding tank

Additionally, because the project is receiving Federal funding, there may be a requirement for archeological monitoring and reporting during the demolition and construction phases as required by National Historic and Preservation Act (NHPA) and Virgin Island State Historical Preservation Officer (SHPO). Further, the project may be evaluated, as required by the National Environmental Policy Act (NEPA), for impacts to Federal EHP laws, regulations and executive orders including floodplain, wetlands and listed threatened and endangered species and their habitats. Any schedule or cost implications will be mutually resolved by VIPBS and the selected A&E firm.

2.2.3 General Building Functions. The proposed facility will have general space programming as described below (subject to revision).

<b>USAGE</b>	<b>AREA (SF)</b>
Offices	1,315
Production	3240
Conference Room(s)	350
Storage	860
Restrooms	310
Common Areas & Circulation	2,060
Services (Electrical & HVAC)	150
<b>TOTAL</b>	<b>8,285</b>

The television studio will require a two-story space to accommodate overhead production equipment.

2.2.4 Project Delivery Method. It is expected that the Design-Bid-Build (DBB) project delivery method will be used for this new facility.

2.2.5 Items Supplied by VIPBS. Prior to commencement of the project, VIPBS will supply to the selected firm the following documents to assist in the preparation of the design drawings:

- Geotechnical Report
- Site Survey
- Topographical Survey

### *2.3 PHASE ONE: CONTRACT DOCUMENTS*

2.3.1 Programming. The selected firm and its consultants shall work with representatives from VIPBS to develop an optimal space and equipment plan that allows VIPBS to successfully and efficiently execute its mission. The selected firm shall support VIPBS in meetings and design reviews when presenting proposed

plans and cost estimates to FEMA for consideration. This may require a pause in the scheduled design development or bid phase pending endorsement of the information from the Federal Government.

2.3.2 Design. The selected firm and its engineering and technical consultants will produce detailed design drawings and specifications consistent with industry standards and in sufficient detail to accurately cost-out and build. The design team shall develop detailed and specific FF&E (furniture, fixture, and equipment) schedules to include manufacturer and model numbers of items.

2.3.3 Cost Estimating. A conceptual cost estimate will be initially produced from the 30% contract document completion phase and be further refined as the drawings are brought to completion. In accordance with the FEMA Public Assistance Program and Policy guide, cost-plus contracting is not allowable and will not be accepted. Cost estimates will be provided with each phase of completion.

2.3.4 Deliverables. The selected A/E firm shall produce and deliver to VIPBS printed drawings and specifications (“Contract Documents”) and cost estimates. Drawings shall be created in Autocad in 24” x 36” format. Specifications and cost estimates shall be developed in 8-1/2” x 11” format.

For the following milestones and minimum acceptable deliverables, the selected A&E firm will submit three (3) printed and bound sets of drawings and three (3) sets of printed specifications and cost estimates, along with a jump drive of these documents in PDF format:

- 30% Drawing Completion
  - Overall layout of facility
  - Structural design requirements to meet anticipated wind and seismic conditions
  - Location and layout of underground utilities
  - Overall aesthetics and operational layout
  - Layout and inventory of major broadcast system components
  - Parking layout
  - Cost estimate
- 60% Drawing Completion
  - Final space requirements and layout of facility including room sizes
  - Structural, civil, mechanical, electrical, broadcast and plumbing layout
  - List of fixtures, furniture and equipment (FF&E) with layout
  - Cost estimate
- 100% Drawing Completion
  - All final construction documents and specifications
  - All final FF&E components
  - All permits and reviews identified and scheduled
  - Bid documents
  - Final cost estimate

The costs for this printing shall be included in the A&E firm’s fee. Enclosure Document J outlines the skills and fees structure by phase, which coincides with the submission of the deliverables. Disciplines or skills not listed in Document J should be included.

#### *2.4 PHASE TWO: PERMITTING*

The selected A&E firm will prepare the necessary forms, drawings, and other documents and will apply on behalf of VIPBS to the Virgin Islands Department of Planning and Natural Resources (DPNR) for all required permits.

## *2.5 PHASE THREE: PROCUREMENT*

**2.5.1 Bid Process.** The selected A&E firm will prepare the construction bid package in conformance with applicable Federal, Local, and VIPBS requirements and supervise the construction bid advertising, tabulation, and award process. This process includes preparing the advertisements for bid solicitation, conducting the pre-bid conference, bid opening, evaluation of bids, and subsequent recommendation of lowest responsive bidder.

**2.5.2 Pre-Construction Conference.** The selected A&E firm will conduct a pre-construction conference with the selected Contractor and issue the Notice to Proceed.

## *2.6 PHASE FOUR: CONSTRUCTION*

During the Construction Phase the A&E firm and its consultants will perform the following construction administration services:

- Provide construction administration including regular, documented on-site supervision of construction work, facilitate and record weekly construction meetings, and prepare weekly inspection reports that include project status updates (documentation will be supplied to VIPBS on a regular basis);
- Provide quality control to ensure the contractor and subcontractors are providing materials, labor and products consistent with what is identified in the design and specifications;
- Provide quality control to ensure compliance with technical specifications and conformance with codes and recognized industry standards;
- Review and approve all contractor requests for payment and submit approved requests to VIPBS for payment processing;
- Provide one complete set of as-built, reproducible plan drawings to VIPBS upon project completion;
- Conduct final inspection and testing.

## *2.7 COMMENCEMENT OF SERVICES*

Services will/shall commence as soon as can be scheduled.

## *2.8 NUMBER OF AWARDS*

One respondent will be awarded the job.

## **3.0 REQUIRED MINIMUM QUALIFICATIONS OF RESPONDENT**

The following subsections are required minimum qualifications.

- Respondents that are corporations, partnerships, or any other legal entity, shall be properly registered to do business in the Territory at the time of the submission of their Proposal to this RFP, or shall attain licensure within 30 days of award of contract. Such Respondents shall attach its license to do business or a copy of its application for a license.



- Neither Respondent nor any person or entity associated or partnering with Respondent has been the subject of any adverse findings that may prevent VIPBS from selecting Respondent. Such adverse findings may include, but are not limited to, the following:
  - a) Negative findings from the Inspector General, a Federal Inspector General, or from the U.S. Government Accountability Office, or from an Inspector General in another State
  - b) Pending or unresolved legal action from the U.S. Attorney General or from an attorney general in another State or Territory
  - c) Pending litigation with the USVI or any other State or Territory
  - d) Arson conviction or pending case
  - e) Harassment conviction or pending case
  - f) Local, State, Federal or private mortgage arrears, default, or foreclosure proceedings
  - g) In rem foreclosure
  - h) Sale of tax lien or substantial tax arrears
  - i) Fair Housing violations or current litigation
  - j) Defaults under any Federal, Territory, State or locally sponsored program
  - k) A record of substantial building code violations or litigation against properties owned and/or managed by Respondent or by any entity or individual that comprises Respondent
  - l) Past or pending voluntary or involuntary bankruptcy proceeding
  - m) Conviction for fraud, bribery, or grand larceny
  - n) Listing on the Federal Debarment or State excluded-parties lists
- Respondent has adequate financial resources to perform the contract, or the ability to obtain them. Financial records for the past two (2) years must be included in the Proposal.
- Respondent can comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments.
- Respondent has a satisfactory performance record.
- Respondent has a satisfactory record of integrity and business ethics.
- Respondent has the necessary organization, experience, operational controls, and technical skills, or the ability to obtain them.
- Respondent has established prior experience in successfully performing the scope of services requested.
- Respondent and its employees hold and maintain any and all territorial, federal, state, and local licenses or certifications as required to perform the services requested.
- Respondent is otherwise qualified and eligible to receive an award under applicable laws and regulations.

### *3.1 REQUIREMENT OF LEGAL ENTITIES*

Respondents that are corporations, partnerships, or any other legal entity, shall be properly registered to do business in the area in which they are incorporated at the time of the submission of their responses to this RFP. Such respondents shall attach a certificate of good standing from the Secretary of State (or its equivalent) in the area in which they are incorporated to their proposals. Upon contract execution, the successful Respondent will show evidence of its applications to obtain any required licenses or certificates required to do business in the USVI.

#### **4.0 TERM OF ENGAGEMENT**

Thirty (30) months with a one-year extension per mutual agreement... VIPBS reserves the right to modify and/or terminate the contract if the successful organization fails to perform in a manner consistent with the terms of the contract.

#### **5.0 PRICE AND PAYMENT**

Submitted price shall a fixed price and be all-inclusive including taxes, travel and incidentals to perform and complete the work. Respondents are required to present their fee breakdown in Enclosure Document J. The invoicing and payment schedule will be as follows (subject to mutual acceptance or revision):

- Design Phase: 30%, 60%, 100% submittals
- Permitting Phase: Upon completion
- Procurement Phase: Upon completion
- Construction Phase: Monthly

#### **6.0 USE OF SUBCONTRACTORS**

VIPBS shall have a single prime Contractor as the result of any contract negotiation, and that prime Contractor shall be responsible for all deliverables specified in the RFP and proposal. This general requirement notwithstanding, Respondents may enter into subcontractor arrangements, however, they shall acknowledge in their proposal's total responsibility for the entire contract. VIPBS reserves the right to approve any subcontractor proposed for the contract.

#### **7.0 CONFLICT OF INTEREST**

A respondent submitting a proposal hereby certifies that no officer, agent or employee of VIPBS has a pecuniary interest in this bid or has participated in contract negotiations on behalf of VIPBS; that the proposal is made in good faith without fraud, collusion, or connection of any kind with any other Bidder for the same request for proposals; the Bidder is competing solely in its own behalf without connection with, or obligation to, any undisclosed person or firm.

A respondent must also disclose any existing contractual work for the Territorial Government, whether directly or through a parent company, subsidiary company or associated company or independent contractor(s) hired by respondent; identity any potential conflict of interest, and must certify that respondent nor any parent company, subsidiary company or associated company or contractual/independent contractor(s) hired by respondent has assisted with preparing this RFP.

#### **8.0 M/WBE**

In accordance with the Virgin Islands law, service contracts awarded with fees in excess of twenty- five thousand dollars (\$25,000) must comply with equal employment opportunity requirements. Respondents that are not M/WBEs are strongly encouraged to consider partnering, or other joint venture arrangements, with certified M/WBE firms to achieve the prescribed goals and to give M/WBE firms the opportunity to participate. Respondents must document good faith efforts to provide meaningful participation by M/WBE companies. Enclosure G to be provided to document M/WBE subcontractors.

#### **9.0 GENERAL FEDERAL GRANT REQUIREMENTS**

This disaster recovery project is funded by the Federal Emergency Management Agency (FEMA) under the guidelines and regulations of The Stafford Act, and as such is subject to Federal audit and compliance. Additionally, VIPBS has elected to participate in the FEMA 428 Alternative Project Program which puts a cap on all funds available for project development, thus making the cost estimating function extremely critical. The final A&E contract as well as any subsequent construction contracts shall include the Federal

clauses required by 2 CFR 200 Appendix II. Any funds disallowed by any federal government entity shall be disallowed from fee or compensation to contractor.

## **10.0 RFP PROCEDURES**

### *10.1 GENERAL*

All proposals must be complete and convey all the information requested in order to be considered responsive. If the proposal fails to conform to any requirement of the RFP, VIPBS alone will determine whether the defect is significant and, therefore, may not be considered. Only the information provided with the response, addenda, and materials submitted in response to VIPBS's requests for additional information will be used in the evaluation process and award determination. Failure to provide all information requested may result in disqualification.

All materials submitted in response to this RFP shall become the property of VIPBS and will not be returned. Selection or rejection of this proposal does not affect this provision.

### *10.2 QUESTIONS DURING RFP PROCESS*

Proposers may submit questions during and after the Pre-Proposal Conference and before the last day for questions per the RFP Process Timeline, below. All questions shall be submitted electronically with the RFP identifier as the subject using the attached Form for Submission of Inquiries (Attachment K) to:

Tanya-Marie Singh  
Chief Executive Officer  
Virgin Islands Public Broadcasting System  
[VIPBS\\_RFP003@wtjx.org](mailto:VIPBS_RFP003@wtjx.org)

Responses in the form of RFP Addenda will be issued to all firms who have indicated an interest in submitting a proposal.

From the issue date of this RFP until a determination is made regarding the selection of a Contractor, all contacts concerning this RFP must be made through the Procurement/Contract Officer. Any violation of this condition is cause for VIPBS to reject the contractor's package. VIPBS will not be responsible for any oral information given by any employee.

Failure to ask questions, request changes or submit objections shall constitute the acceptance of all terms, conditions and requirements in this RFP. VIPBS reserves the right to amend this RFP at any time. Any amendments to the RFP will be issued as written addenda. The issuance of a written addendum by the Procurement/Contract Officer is the only official method by which interpretation, clarification or additional information can be given. If VIPBS amends this RFP, the Procurement/Contract Officer will email the addenda to all potential respondents.

VIPBS will not be held responsible if any potential respondent does not provide current contact information to receive all addenda. It is the responsibility of the potential respondents to update all contact information and contact the Procurement/Contract Officer to ensure that they receive all addenda prior to the submittal of the bid package. The bid package will be considered non-responsive if all modifications are not incorporated.

### 10.3 PROPOSAL SUBMISSION AND DUE DATE

Proposal binders shall be delivered to:

Virgin Islands Public Broadcasting System  
Attn: Ms. Tanya-Marie Singh  
19 Estate Thomas 6H  
St. Thomas, VI 00801

Proposals must be received by:

**Friday, July 17, 2020, 4:00 pm AST**

Proposals received after this date and time will not be considered.

The box containing the binders shall be securely taped closed and clearly marked with the following label:

PROPOSAL FOR RFP 003-2020-STT  
ONLY TO BE OPENED BY ADDRESSEE

### 10.4 REQUEST FOR PROPOSALS TIMETABLE

The following are anticipated key dates in the RFP process:

Issuance of RFP	4:00 pm	05-22-20
Pre-Proposal Meeting	10:00 am	06-19-20
Last Date for Questions	4:00 pm	06-26-20
Last Date for Responses to Questions	4:00 pm	06-30-20
<b>Proposal Due Date</b>	4:00 pm	07-17-20
Award Date (tentative)	4:00 pm	08-07-20
Notice to Proceed (tentative)	4:00 pm	08-21-20

The Pre-Proposal meeting will take place at VIPBS' temporary location in Havensight at Al Cohen's Mall, 19 Estate Thomas 6H. Immediately afterwards a site visit to Haypiece Hill will take place. Proposals will also be accepted by mail at the following address only: P.O. Box 808, Christiansted, VI 00821.

### 10.5 BID PACKAGE FORMAT & PROPOSAL CONTENT

Proposals shall be typewritten on standard 8 ½" by 11" paper. Pages shall have a one-inch margin and the font shall be 12-point Times New Roman. Written content of the Proposal must be set at one and one-half (1.5) line spacing. Larger paper (up to 11" x 17") and smaller fonts are permissible for charts, diagrams, spreadsheets, etc. The mandatory documentation should be organized and submitted in a single 3-ring binder with tabs in the order shown below. A total of four (4) complete binders shall constitute a valid proposal. Additionally, an electronic copy of the proposal (PDF format) will be required to be included in a jump/flash drive (delivery instructions included in section 10.3).

All names must be included below each signature. Documents consisting of more than one page that require signature shall contain the initials of the Proposer's Authorized Representative at the right-top corner of each page.

Cover Page:

- Proposer's Name
- Contact Information

- Mailing address
- RFP submission date
- Project title

Tab One: Cover Letter

- Cover letter should be provided on the company's official business letterhead, if the proposal is submitted by an organization, with contact information. Must be signed by an officer of the organization authorized to bind the company contractually to all commitments made in their submittal.
- The letter should acknowledge the receipt of all addenda.
- State that if awarded the contract, the firm or individual will be solely responsible for all aspects of the engagement including any portion that may be performed by subcontractors, if any.
- Make a positive commitment to perform the work required as specified to industry standards of workmanship and in a professional manner.
- State that the bid package will remain in effect for a period of 90 days from the submission deadline and thereafter, until the firm withdraws it, or a contract is approved and executed, or the procurement is canceled, whichever occurs first.
- Disclose and identify any existing contractual work for the Territorial Government, whether direct or through a parent company, subsidiary company or associated company or independent contractor(s) hired by respondent; identify any potential conflict of interest, and must certify that respondent nor any parent company, subsidiary company or associated company or contractual/independent contractor(s) hired by respondent has assisted with preparing this RFP.

Tab Two: A&E Firm Profile

- A&E Firm Profile: Name, Mailing Address, Phone, Website
- Number of Years in Business
- Type of Organization
- Principals Names and Resumes
- Staffing Count by Position
- Description of Services Offered
- Professional and General Liability Insurance Coverage Description
- Insurance Claims Against Firm (past 10 years)
- Current Workload Details
- Proof of Licensure as a U.S. Virgin Islands Business, or in the jurisdiction in which it is located

Tab Three: A&E Firm Experience

- A&E Firm Overall Project Experience (past 10 years)
- A&E Firm Specific Broadcasting Facility Experience

Tab Four: Consultants

- Provide same information as Tabs Two and Three for all Consultants

Tab Five: Project Approach

- Provide a description of the methodology and considerations your firm proposes to employ in the event it is selected to provide the requested services. This summary should include all phases.

Tab Six: Project Structure

- Project Organizational Chart for All Phases of Project
- Key A&E and Consultant Personnel Resumes Assigned to Project

Tab Seven: Enclosures

- Enclosure Document A Enclosure Checklist Form
- Enclosure Document B Non-Collusive Affidavit
- Enclosure Document C Debarment Certification Form
- Enclosure Document D Contract Document Checklist
- Enclosure Document E Contractor’s Qualification Statement Form with References (3)
- Enclosure Document F Conflict of Interest
- Enclosure Document G M/WBE Disclosure Form
- Enclosure Document H Authorization for Background Check & Financial Information
- Enclosure Document I Prior Performance Certification
- Enclosure Document J Fee Structure by Phase and Service

Tab Eight: Schedule

- One-Page Project Schedule
- Allow 30 Day Owner CD Review After 30%, 60%, and 100% Submittals
- Show Estimated Construction Period

Tab Nine: Fee Structure

- Fee Breakdown by Phase and Consultants
- Respondents Must Use the Sample Layout Attached (Enclosure Document I)

Tab Ten (optional): Brochure which describes the firm’s services, organization and examples of similar work completed to date.

*10.6 PROPOSAL EVALUATION AND SELECTION CRITERIA*

All submittals deemed responsive by the evaluation committee will be reviewed and scored according to the following criteria:

A. Project Schedule	15 points
B. Key Personnel Qualifications/Expertise Assigned to the project	35 points
C. Relevant Experience of A&E Firm and Consultants	30 points
D. Fee	20 points
<b>Total</b>	<b>100 points</b>

### *10.7 REQUIRED DOCUMENTS*

The successful respondent shall have ten (10) days from the day the notice of selection is received to submit the following documents:

- A. Letter of Good Standing if Corporation or Certificate of Existence if LLC** - The successful respondent will be required to provide a copy of their Letter of Good Standing or Certificate of Existence. A copy of the receipt that demonstrates evidence of filing the company's Annual Report on June 30th of the current Year from the Office of Lieutenant Governor will be acceptable as well.
- B. Liability Insurance** - The successful respondent will be required to obtain and have in place Liability Insurance in an amount no less than Five Hundred Thousand Dollars (\$500,000.00). The Insurance policy shall name the VIPBS as an "Additional Insured." The successful respondent must provide a copy of the Liability Insurance.
- C. Errors and Omissions Insurance** - Respondents shall provide evidence of current professional liability insurance (errors and omissions) with a limit of \$1,000,000 for each occurrence, minimum.
- D. Worker's Compensation** - The successful respondent will be required to provide proof of Worker's Compensation.

Failure to provide the required documents within the stated time period may result in the proposals deemed non-responsive and may be immediately disqualified with no further consideration given for potential awarding of the contract.

### *10.8 CONTRACTING INSTRUMENT*

It is expected that VIPBS and the selected A&E firm will execute the following agreement modified to suit the project: American Institute of Architects Document B101-2017, Standard Form of Agreement Between Owner and Architect.

A sample may be previewed at the following web page:

[https://contractdocs.aia.org/PreviewFiles/Preview\\_B101-2017.pdf](https://contractdocs.aia.org/PreviewFiles/Preview_B101-2017.pdf)

**Enclosures**

Enclosure Document A Enclosure Checklist Form

Enclosure Document B Non-Collusive Affidavit

Enclosure Document C Debarment Certification Form

Enclosure Document D Contract Document Checklist

Enclosure Document E Contractor's Qualification Statement Form with References (3)

Enclosure Document F Conflict of Interest

Enclosure Document G M/WBE Disclosure Form

Enclosure Document H Authorization for Background Check and Financial Information

Enclosure Document I Prior Performance Certification

Enclosure Document J Fee Structure by Phase and Service

**Attachments**

Attachment K Form for Submission of Inquiries



*ENCLOSURE DOCUMENT A*  
**Virgin Islands Public Broadcasting System**  
***ENCLOSURE CHECKLIST***

**RFP 003-2020-STT**

**A&E Services**

---

**Proposer:**

**Date:**

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<input type="checkbox"/>	Enclosure Document A Enclosure Checklist Form
<input type="checkbox"/>	Enclosure Document B Non-Collusive Affidavit
<input type="checkbox"/>	Enclosure Document C Debarment Certification Form
<input type="checkbox"/>	Enclosure Document D Contract Document Checklist
<input type="checkbox"/>	Enclosure Document E Contractor's Qualification Statement Form with References (3)
<input type="checkbox"/>	Enclosure Document F Conflict of Interest
<input type="checkbox"/>	Enclosure Document G M/WBE Disclosure Form
<input type="checkbox"/>	Enclosure Document H Authorization for Background Check & Financial Information
<input type="checkbox"/>	Enclosure Document I Prior Performance Certification
<input type="checkbox"/>	Enclosure Document J Fee Structure by Phase and Service

*ENCLOSURE DOCUMENT B*  
**Virgin Islands Public Broadcasting System**  
***NON-COLLUSIVE AFFIDAVIT***

\_\_\_\_\_, being first duly sworn, deposes and says:

That he/she is \_\_\_\_\_ (a partner or officer of the firm of, etc.) the party making the foregoing proposal or proposal cost, that such proposal/bid or proposal cost/bid cost is genuine and not collusive or sham; that said proponent has not colluded conspired, connived or agreed directly or indirectly, with any proponent or person, to put in a sham proposal cost or to refrain from bidding and has not in any manner directly or indirectly sought by agreement or collusion or communication or conference, with any person, to fix the proposal cost of the affinity or of any other proponent, or to fix any overhead, profit or cost element of said cost proposal, or of that of any other proponent, or to secure any advantage against the Virgin Islands Public Broadcasting System or any person interested in the proposed contract; and that all statements in said proposal or cost proposal are true.

\_\_\_\_\_  
(Name of Respondent, if the Respondent is a Corporation)

\_\_\_\_\_  
(Name of Respondent, if the Respondent is a Limited Liability Corporation)

\_\_\_\_\_  
(Name of the Respondent, if the Respondent is a Sole Proprietor)

Subscribed and sworn to before me on the Island of \_\_\_\_\_,

this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_

of legal age, \_\_\_\_\_  
(Trade or Corporation)

and personally, known to me.

(SEAL)

\_\_\_\_\_  
Notary Public

*ENCLOSURE DOCUMENT C*  
**Virgin Islands Public Broadcasting System**  
***DEBARMENT CERTIFICATION FORM***

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***Certification Regarding Debarment, Suspension and Ineligibility***

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- (1) The respondent certifies, by submission of this RFP Response, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any federal or local programs in the Territory or any Federal department or agency.
- (2) The respondent will provide immediate written notice to whom this Certification is submitted if at any time the Proposer learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (3) The respondent shall not knowingly enter any agreement/subcontractor relationship lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this procurement, unless authorized by the department or agency with which this procurement originated.
- (4) Signing this Certification without disclosing all pertinent information about a debarment or suspension shall result in rejection of the offer or cancellation of a contract. VIPBS may also exercise any other remedy available by law.
- (5) Where the respondent is unable to certify to any of the statements in this certification, such respondent shall attach an explanation to this RFP Response.

Name and Title of Authorized Representative

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Signature

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Date



VIPBS, CEO: \_\_\_\_\_ Date approved: \_\_/\_\_/20\_\_

Date submitted to BOD for Contract Approval : \_\_/\_\_/20\_\_

Suggested # of Days in Contract \_\_\_\_\_

Mobilization/Payment Terms \_\_\_\_\_

Outstanding Issues: \_\_\_\_\_

*ENCLOSURE DOCUMENT E*  
**Virgin Islands Public Broadcasting System**  
***CONTRACTOR'S QUALIFICATION STATEMENT***

Name of License Holder: \_\_\_\_\_

Name of Company/DBA (if any): \_\_\_\_\_

Legal Status: (check one) Corp. \_\_\_\_\_ LLC \_\_\_\_\_ Partnership \_\_\_\_\_ Sole Proprietorship \_\_\_\_\_

Business Location (office): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_ Email: \_\_\_\_\_

Website address (if any): \_\_\_\_\_

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Number of Years licensed to conduct business in the U.S. Virgin Islands \_\_\_\_\_

Number of A&E projects completed in the last 5 Years \_\_\_\_\_, Average value of these Contracts \$ \_\_\_\_\_

Do you have current Liability Insurance Coverage? Yes No If yes, value \$ \_\_\_\_\_

Have you ever failed to complete a project, been fired and/or sued by one of your clients? \_\_\_\_\_

*(If yes, explain on another sheet, the circumstances and outcome)*

Are there or have there been any; Claims, Arbitration, Judgments or Liens against you? \_\_\_\_\_

*(If yes, explain on another sheet, the circumstances and outcome)*

---

**Complete the following pages for information related to your current and past projects references/client listing.**

---

List the **Subcontractors** you will utilize:

\_\_\_\_\_

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Certification of truth of the above Statements, by: \_\_\_\_\_

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

Provide at least three (3) references for the most recent, relevant work comparable to the scope requested in this RFP.

- Referral Name, Company, Title, and Contact Information (Phone and Email)
- Project Name, Location, and Description
  - Contract Value, Start and End Date, % Complete, etc.
- Services Performed

Certification of truth of the above Statements, by: \_\_\_\_\_ Title: \_\_\_\_\_

*ENCLOSURE DOCUMENT F*  
Virgin Islands Public Broadcasting System  
***CONFLICT OF INTEREST***

**By signing this form, the Respondent certifies that, to the best of its knowledge and belief, there are no relevant facts or circumstances that could give rise to an organizational or personal conflict of interest, for the organization or any of its staff, and that the Respondent, subcontractor, employee, or consultant has disclosed all such relevant information if such a conflict of interest appears to exist to a reasonable person with knowledge of the relevant facts (or if such a person would question the impartiality of the Respondent, subcontractor, employee, or consultant).**

Conflicts may arise in but not limited to the following situations:

- a) Unequal access to information. A potential respondent, subcontractor, employee, or consultant has access to non-public information through its performance on a government contract for disaster recovery services in the Virgin Islands.
  - b) Biased ground rules. A potential respondent, subcontractor, employee, or consultant has worked, in one government contract, or program, on the basic structure or ground rules of another government contract for disaster recovery services in the Virgin Islands.
  - c) Impaired objectivity. A potential respondent, subcontractor, employee, or consultant, or member of their immediate family (spouse, parent, or child) has financial or other interests that would impair, or give the appearance of impairing, impartial judgment in the evaluation of government programs, in offering advice or recommendations to the government, or in providing technical assistance or other services to recipients of Federal funds as part of its contractual responsibility.
- 1) Proposer must provide the disclosure described above on any actual or potential conflict of interest (or apparent conflict of interest) regardless of their opinion that such a conflict or potential conflict (or apparent conflict of interest) would not impair their objectivity.
  - 2) In a case in which an actual or potential conflict (or apparent conflict of interest) is disclosed, VIPBS will take appropriate actions to eliminate or address the actual or potential conflict, including but not limited to mitigating or neutralizing the conflict, when appropriate, through such means as ensuring a balance of views, disclosure with the appropriate disclaimers, or by restricting or modifying the work to be performed to avoid or reduce the conflict. In this clause, the term “potential conflict” means reasonably foreseeable conflict of interest.



- 3) The Respondent, subcontractor, employee, or consultant agrees that if “impaired objectivity”, or an actual or potential conflict of interest (or apparent conflict of interest) is discovered after the award is made, it will make a full disclosure in writing to the contracting officer. This disclosure shall include a description of actions that the Proponent has taken or proposes to take to avoid, mitigate, or neutralize the actual or potential conflict (or apparent conflict of interest).

The Respondent, \_\_\_\_\_, hereby certifies that, to the best of its knowledge and belief, there are no present or currently planned interests (financial, contractual, organizational, or otherwise) relating to the work to be performed under the contract or task order resulting from RFP No. **RFP 003-2020-STT** that would create any actual or potential conflict of interest (or apparent conflicts of interest) (including conflicts of interest for immediate family members: spouses, parents, children) that would impinge on its ability to render impartial, technically sound, and objective assistance or advice or result in it being given an unfair competitive advantage. In this clause, the term “potential conflict” means reasonably foreseeable conflict of interest. The Respondent further certifies that it has and will continue to exercise due diligence in identifying and removing or mitigating, to VIPBS’s satisfaction, such conflict of interest (or apparent conflict of interest).

Name and Title of Authorized Representative

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Signature

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Date

*ENCLOSURE DOCUMENT G*  
**Virgin Islands Public Broadcasting System**  
***M/WBE DISCLOSURE FORM***

The Government of the Virgin Islands promotes and encourages the involvement of minority and women-owned firms, generally referred to as M/WBE, in all phases of work and provides equal opportunities to compete for construction, professional services, technical services, equipment, supplies, and other contracts.

For purposes of this Disclosure Form, term “subcontractors” is intended to refer to subcontractors, suppliers, consultants, sub-consultants, vendors or other contracting parties, as applicable.

**Name of Prime Firm:** \_\_\_\_\_

1. If your firm will provide all of the labor, materials, equipment, supplies and/or services required for this procurement, please complete Sections A of this Disclosure Form.

**SECTION A**

Our firm has not identified any subcontracting opportunities and will not subcontract any portion of the work.

Authorized Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Our firm’s M/WBE status is as follows (check all that apply):

- Minority owned business enterprise
- Women-owned business enterprise
- None of the above

2. If your firm will subcontract any portion of this procurement, please complete Section B of this Disclosure Form.

**SECTION B**

Our firm will subcontract portions of the work to one or more subcontractors.

Authorized Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Our firm’s M/WBE status is as follows (check all that apply):

- Minority owned business enterprise
- Women-owned business enterprise
- None of the above

Our firm intends to subcontract portions of the work to the following subcontractor(s) described below:

<u>Subcontractor Firm Name, Contact and Phone # / Role</u>	<u>M/WBE Status</u>
1.	<input type="checkbox"/> Minority owned business enterprise <input type="checkbox"/> Women-owned business enterprise <input type="checkbox"/> None of the above
2.	<input type="checkbox"/> Minority owned business enterprise <input type="checkbox"/> Women-owned business enterprise

	<input type="checkbox"/> None of the above
3.	<input type="checkbox"/> Minority owned business enterprise <input type="checkbox"/> Women-owned business enterprise <input type="checkbox"/> None of the above

*ENCLOSURE DOCUMENT H*

Virgin Islands Public Broadcasting System  
***AUTHORIZATION FOR BACKGROUND CHECK & FINANCIAL  
INFORMATION***

By signing this Authorization, the Proposer authorizes the Virgin Islands Public Broadcasting System (VIPBS) to seek any background and/or financial information it deems' necessary to evaluate the Respondent's financial capacity in connection to the Request for Proposal (RFP) referenced above.

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Name of Proposer Entity

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Signature of Authorized Representative

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Date

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Printed Name of Authorized Representative

*ENCLOSURE DOCUMENT I*  
**Virgin Islands Public Broadcasting System**  
***PRIOR PERFORMANCE CERTIFICATION***

1. Has the Proposer or any of its Team Members been notified with a “Letter of Concern”, which refers to any written communication from a Government entity notifying the Proposer or any of its Team Members, wariness or caution about the performance under a contract to provide services.

Yes       No       Other (Specify):

\_\_\_\_\_

If yes, provide a copy of every “Letter of Concern” received from and as a contractor of a Government entity.

2. Has the Proposer or any of its Team Members been found in default of contract terms with any contracting entity?

Yes       No

If yes, indicate below if a Performance Bond or other means was used to resolve the default issue:

Yes       No       Other (Specify):

\_\_\_\_\_

Name of Surety Company: \_\_\_\_\_

Telephone of Surety Company: \_\_\_\_\_

Contact Person of Surety Company: \_\_\_\_\_

Provide an explanation regarding the circumstances that created the need for the contracting entity to invoke the terms of the Performance Bond, or other means, to include the current status of the matter (Include additional sheets if necessary).

\_\_\_\_\_  
Proposer Name

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Authorized Representative

*ENCLOSURE DOCUMENT J*  
**Virgin Islands Public Broadcasting System**  
***FEE STRUCTURE BY PHASE AND SERVICE***

SERVICE	PHASE							
	CONTRACT DOCUMENTS		PERMITTING & PROCUREMENT		CONSTRUCTION		TOTAL	
	Estimated Hours	Hourly Rate	Estimated Hours	Hourly Rate	Estimated Hours	Hourly Rate	Estimated Hours	Hourly Rate
Architectural								
Civil Engineering								
Structural Engineering								
MEP Engineering								
Broadcast Engineering								
Cost Consultant								
Administration								
Copy, printing, shipping, postage, etc..								
Other								
Other								
<b>TOTAL</b>								

Hourly rates may be averaged across multiple skills within a service category or listed separately as desired, but all anticipated services must be listed.

*ATTACHMENT K*  
**Virgin Islands Public Broadcasting System**  
***FORM FOR SUBMISSION OF INQUIRIES***

**RFP 003 -2020-STT**

**A&E Services for Design of New Main Office and Studio Facility**

*Submit additional sheets of this Form for Submission of Inquiries if more than 10 questions are to be submitted*

**Proposer:**

**Date:**

<b>No.</b>	<b>Question</b>	<b>RFP Section or Document</b>	<b>RFP or Document Page No.</b>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			