

**GOVERNMENT OF  
THE VIRGIN ISLANDS OF THE UNITED STATES**

**Request for Proposal – Negotiation  
Professional Services**

To: .....

Date: September 21, 2021

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RFP No. 054-T-2021 (P)

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Pursuant to 31 V.I.C. 236 (i) and Rules and Regulations thereunder issued, the Government of the Virgin Islands, hereinafter referred to as GVI, Department of Property and Procurement, shall receive proposals for the work described below. Proposals shall be received no later than **Friday, November 19, 2021, at 4:30 p.m.** Atlantic Standard Time.

**DESCRIPTION OF WORK:**

The Bureau of Corrections, an executive agency under the Government of the United States Virgin Islands (the “BOC”), hereby solicits Proposals from Respondents as part of a competitive process for the design, build, finance and maintenance of the new Alva A. Swan Correctional Annex (the “Annex”) on St. Thomas. The Annex shall be for the primary use of housing pre-trial detainees in and for the territory of the United States Virgin Islands. The BOC anticipates this project (the “Project”) to be structured as a public-private partnership availability payment concession pursuant to a public-private partnership agreement (“Project Agreement”) with the selected private sector participant (the “Selected Offeror”) which will be the entity primarily responsible for the procurement and delivery of the Project. The anticipated term of the contract consists of a financing period of up to three months following the effective date of the contract, a design and construction period of approximately Twenty-Nine (29) months, and Twenty (20) years of operation from the date of Substantial Completion.

The Project consists of a new correctional detention facility in Subbase, St. Thomas to provide detention services to the citizens of the territory and general public in a safe, secure, and functional environment. The Project need and opportunity is further described below:

- The current Alva A. Swan Correctional Annex was destroyed by Hurricanes Irma and Maria;
- Private sector innovation in the design and management may help the Project be completed quicker and more efficiently; and
- Private sector innovation in the operation and management of the Project

may provide ongoing cost and budget certainty for BOC.

### **NEGOTIATED PROCEDURES:**

The Commissioner of the Department of Property and Procurement will appoint a Selection Committee to assist in the evaluation and selection of the Contractor. Accordingly, proposals shall be reviewed and rated on the selection criteria outlined in the “**Factors for Discussions.**” After reviewing and rating the proposals, the Committee will select for discussions from the firm/s or person/s **deemed to be the most highly qualified to provide the services herein required.** Discussions will be conducted with the firm or person so selected. The Committee may select to conduct discussions and/or oral presentations from the firm/s or person/s, not less than two (2) deemed to be the most highly qualified.

### **FACTORS FOR DISCUSSIONS:**

Selection criteria will include **(i)** Professional qualification, registration, and general reputation of principals of the firm or person; **(ii)** the extent to which the firm or person specializes in or has provided services of a type and scope similar to the hereunder; **(iii)** familiarity with the location (s) in which services will be performed; **(iv)** project approach and capability of meeting schedules; and **(v)** quality of performance on other similar projects. Proposals will be evaluated according to the following criteria in descending order: (a) Responsibility (b) Experience (c) Qualifications (d) Past Performance (e) Cost and (f) Responsiveness. The Selection Committee may, at its option, request any or all proposers to participate in on-site or virtual interviews.

### **Selection Criteria**

- **Qualifications** (*15 points possible*): Does the Contractor appear to have the capability to meet the BOC’s needs? Does the Contractor demonstrate deep understanding of the project?
- **Responsiveness** (*10 points possible*): Did the Contractor respond to all RFP directions and are the materials organized? Did the Contractor provide all required forms?
- **Experience** (*20 points possible*): Do the proposed personnel appear to have the appropriate experience and aptitude to perform the project? Does the Contractor’s organizational structure appear strong?
- **Past Performance** (*15 points possible*): How substantial is the Contractor’s recent experience in the construction of projects of comparable size and complexity? How substantial is the Contractor’s experience in providing architectural services for correctional facilities of comparable size and complexity? Has the Contractor or its members worked for BOC in the past? If so, was there a level of trust?

- **References:** *(5 points possible)*: Did the references have a favorable experience with the Contractor? Would they work with them again? Rate the reputation, quality and experience of the firm or Contractor.
- **Responsibility** *(25 points possible)*: Indication of the breadth and depth of the Contractor to deliver a quality project that meets or exceeds BOC vision. Financial Strength - Indication of bonding capacity, resources and working capital to assure financial stability through the completion of the project.
- **Cost** *(15 points possible)*: Ability to deliver the facility described in the bridging documents within a reasonable square-foot cost that is within the project construction budget.

#### **NEGOTIATION:**

The Selection Committee shall recommend to the Commissioner **the highest qualified firm or person with whom a contract shall be negotiated as a result of the Committee's scores from the written proposals or discussions-oral presentations if conducted.** The Commissioner, with the assistance of the Selection Committee, shall attempt to negotiate a contract with such firm or person.

Should the Commissioner be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price, he determines to be fair and reasonable to the Government, negotiations with that firm will be formally terminated. Negotiations will then commence with the second most qualified, the third most qualified, or additional firms, in order of preference, and shall continue until an agreement is reached.

Anthony D. Thomas  
Commissioner  
Property and Procurement

## **INSTRUCTION TO PROPOSERS**

### **A. NOTICE**

#### **RFP-054-T-2021 (P) Qualified Contractors for the Swann Correctional Annex Design Build, Finance, Operations & Maintenance on St. Thomas, USVI**

Information provided in the scope of work is to be used only for purposes of preparing a proposal. It is further expected that each bidder will read the scope of work thoroughly, for failure to meet certain specified conditions may invalidate the proposal.

The Government of the Virgin Islands herein after referred to as GVI, reserves the right to reject any or all proposals or any portion thereof and to accept the proposal deemed most advantageous to GVI. The **price** shall not be the sole criterion of awarding this project. Scope and quality of work proposed and the ability of the bidder to complete this type of project shall also be considered.

Applicants are requested to submit proposals on the basis of the scope of work. Alternative proposals recommending new features and technology other than that requested in the scope of work will receive consideration providing such new features and/or technology is clearly explained. Any exceptions to the requirements requested herein must be clearly noted in writing and be included as part of the proposal.

The information contained herein is believed to be accurate but is not to be considered in any way as a warranty. Request for additional information clarifying the Scope of Work should be directed in writing to **Lisa Alejandro, Assistant Commissioner of Procurement** at [lisa.alejandro@dpp.vi.gov](mailto:lisa.alejandro@dpp.vi.gov).

### **B. STATEMENT OF PURPOSE**

#### **RFP-054-T-2021 (P) Qualified Contractors for the Swann Correctional Annex Design Build, Finance, Operations & Maintenance on St. Thomas, USVI**

To assist the Government of the Virgin Islands in meeting the requirement for the following services:

Through this RFP, BOC is seeking qualified Offerors to work collaboratively with BOC to create and implement new and creative designs that meet or exceed the BOC's functional and performance specifications and ultimately, enter into a Public-Private Partnership for the Project. BOC expects the Selected Offeror to comply with the design criteria and perform the construction of the work described in Attachment A – Bridging Documents for USVI BOC Swan Annex. BOC is particularly interested in Project Teams with demonstrated experience in the design of correctional facilities.

BOC's goals and objectives for the Project are as follows (note that these are not listed in order of importance):

- Develop a facility that is secure;
- Deliver the Project, with respect to the development, design, and construction of the Project;
- Enhance Project innovation, quality, and efficient delivery with private sector involvement;
- Minimize Project interface risk between BOC and third parties;
- Minimize need for public finance;
- Deliver the Annex within 29 months from the date of the execution of the Master Service Agreement (i.e., contract);
- Achieve optimal value for the capital and maintenance costs over the term of the Project Agreement; and
- Proactively address and undertake the whole-life management of the Project to ensure the Annex is handed back to BOC in a suitable condition, as specified under the Agreement at end of the term.

### **C. PERIOD OF PERFORMANCE**

Unless otherwise agreed pursuant to negotiations, the term of the contract awarded under of this RFP shall be 29 months for the Substantial Completion of the Design Build element of this project. The Maintenance and Operations agreement will be for a 20-year term.

### **D. PROPOSED SCOPE OF WORK**

BOC intends to enter into a Master Construction Agreement ("Agreement") with the Selected Offeror for the design, construction, finance, and maintenance of the Annex on the Site. The Agreement will include Technical Provisions including a Design Criteria Package and Building Performance Specifications covering performance criteria and specifications for the design, construction, and maintenance of the Annex, including requirements for staffing, space, functional, area requirements and the scope of services to be performed by the Selected Offeror including required levels of maintenance and proposed commercial terms. BOC expects that the responsibilities of the Selected Offeror under the Agreement will include the following:

- (a) Design: The Selected Offeror will, adhering to the programmatic requirements contained in the Design Criteria Package, design all aspects of the new Annex. The new Annex must comply with the Bridging Documents for USVI BOC Swan Annex Provisions, including any commissioning standards, as well as the Virgin Islands Building Code and any and all applicable laws and regulations.
- (b) Permits: The Selected Offeror will obtain all permits necessary for the construction and operation of the new Annex under applicable law, including all necessary building and development permits.

- (c) Finance: The Selected Offeror will provide all financing necessary for the Project, including any required Equity, outside of the BOC's Contribution.
- (d) Construction: The Selected Offeror will be responsible for construction and commissioning of the Annex per the programmatic requirements contained in the Bridging Documents for USVIBOC Swan Annex Provisions.
- (e) Lifecycle Maintenance: The Selected Offeror will be responsible during the Term of the Agreement for lifecycle maintenance, repairs, and capital replacement necessary to sustain the Annex to the level of operation described in the Bridging Documents for USVI BOC Swan Annex Provisions. At the conclusion of the operations and maintenance contract term, the Annex shall be turned over to BOC in the condition specified by the Handback Requirements that will be part of the contract.
- (f) Information Technology: The Selected Offeror will be responsible for the initial provision and fit-out of appropriate, modern information technology equipment for the Annex facility, which may include among other systems for record keeping, system queuing, audio/video conferencing, desktop/laptop utilization, courtroom audio/video recording, and evidence presentation. BOC will retain responsibility for refreshing during term of the Project Agreement.

BOC anticipates that the construction of the Annex will be performed by licensed contractors with demonstrated successful experience in the construction of correctional facilities of comparable scope and complexity. In addition, BOC anticipates that the Developer and the Project Team will employ a Project Manager and Superintendent with demonstrated successful experience in the construction of correctional facilities of comparable scope and complexity.

### **Design Phase**

Contemporary prison planning and design relies heavily on space standards and design guidelines. Besides the symbolic and monumental aspects of the facility, its image and placement in the community, the complexity of operational patterns, the range and diversity of users, the need for attention to security, the accommodations of emerging technologies, accessibility to justice information and forums, and many other factors must be carefully integrated and combined in a functionally responsive and financially prudent way. The space standards and design guidelines described in the Bridging Documents for USVI BOC Swan Annex follow those published by the American Correctional Association. Construction standards must follow all applicable codes and standards for any new construction project in the Virgin Islands including but not limited to zoning, building (Virgin Islands Building Code), life safety (National Fire Protection Association), and accessibility (Americans Disability Act).

Serve as architect-of-record, obtain all necessary permits, including but not limited to building permits and earth change or CZM permits, provide all necessary information for

GMP packages, including packages for alternates, and bidding out work to subcontractors, and construction administration and the following:

1. Participation in program development and/or refinement of existing programming including coordination with the BOC design review architect and the BOC correctional facility master plan.
2. Cost estimating to determine budgets.
3. Schematic and design development incorporating BOC's bridging documents plans and specifications.
4. Preparation of construction documents, including specifications.
5. Development of contractor notices and schedule.
6. Direction and coordination of pre-bid construction conferences.
7. Assisting the BOC in bid openings and analysis of bid documents, preparation of results and GMP.
8. Making application for and securing all necessary permits and approvals.
9. Providing necessary drawings and specifications as requested by utility companies.
10. Administration of the contract for construction, including site inspection and observation.
11. Review and recommendation for approval of pay requests, change orders, and time extensions in compliance with the FEMA Public Assistance Program and
12. Preparation of all closeout materials, including transfer of maintenance manuals and record drawings for submittal to BOC.
13. Attendance at BOC meetings related to the project, as needed.
14. Providing warranty evaluation during the two-year warranty period.
15. Other services as required by statute, regulations, contract, standards of the practice, or mutually agreeable to the owner and architect.

### **Construction Phase Services Summary**

Provide professional services and perform the construction of the work described below in connection with the correctional facilities described in Attachment A – Bridging Documents for USVI BOC Swan Annex.

The selected offeror for the Project must provide professional services and furnish all labor, materials and equipment required for the construction of the improvements for such Project (the "Work") as presented in the Prospectus, including alternates, to be constructed at the location as specified for such Project in the Prospectus.

### **Minimum Qualifications**

Because of the nature of the work for each project, each selected offeror must meet the qualifications and/or must have any licenses or certifications specified for such Project

### **Project Maintenance**

The Selected Offeror shall maintain the Project, throughout the term of the Project Agreement, in accordance with the Bridging Documents for USVI BOC Swan Annex

Provisions. It should be noted that the Agreement will set forth provisions related to the performance-based nature of the availability payment structure that will permit the BOC to impose deductions from the availability payments to be paid to the Developer in the event of poor performance or if the Selected Offeror fails to make the functional areas available for use as required within the Project Agreement, or the performance of any of the Selected Offeror obligations to maintain the project fail to meet the specified performance levels at any time during the term of the Project.

### **Facilities Maintenance, Repair, and Handback Requirements**

BOC will lay out the specific level of service requirements for which the Developer will be responsible. The Bridging Documents for USVI BOC Swan Annex Provisions documents will include, but are not limited to, facilities maintenance and repair standards (including capital or lifecycle maintenance). The BOC will require compliance with the Handback Requirements at the end of the contract term.

### **Federal / Local Approvals**

BOC will provide Site information that may include but may not be limited to: Environmental, Geotechnical, property and underground utilities surveys, as well as a legal description of the property and any previously published planning documents and due diligence information related to the selected Site. However, the Selected Offeror will be responsible for obtaining all permits and approvals necessary for the Project.

- Geotechnical: If performed, the Selected Offeror shall provide new geotechnical testing, and soil borings to determine load bearing capacity of the Site, interpret the testing data and provide a geotechnical report to BOC.
- Hazardous Material: If performed, the Selected Offeror shall provide an environmental assessment and report of the Site and will disclose any potential hazardous material impact to BOC.
- Utilities: The Selected Offeror will coordinate all utility interfaces with BOC including, but not limited to, central chilled water piping, electrical infrastructure, underground sanitary and storm water connections, and fire mains.
- Agreements with Utility Companies: The Selected Offeror will seek construction phase and final operating agreements with utility companies including but not limited to the Virgin Islands Water and Power Authority and VI Waste Management Authority and any other required utility companies.
- Permitting: The Selected Offeror will obtain planning, building, and zoning permits from the Department of Planning and Natural Resources.



## **Project Agreement**

BOC intends to enter into a continuing occupancy and per diem payment with Selected Offeror in exchange for periodic payments by BOC. The anticipated Agreement will, among other things, obligate the Selected Offeror to design, build, finance, and maintain the Annex for a period of no more than 20 years.

## **Availability Payment Structure and Source of Funding**

The availability payment concession structure for the Agreement is intended to include the following features:

- Periodic availability payments to be paid according to an agreed upon schedule with the Selected Offeror as set forth in the Agreement commencing on the date of Substantial Completion and for the remaining years of the Project Agreement, but no longer than Twenty (20) years. In the Project Agreement, BOC will covenant to budget and appropriate availability payments from non-ad-valorem sources.
- The Agreement will permit BOC to make deductions from the availability payments in the event of poor performance or if the Selected Offeror fails to make the functional areas available for use as required therein, or the performance of any of the Selected Offeror obligations to operate and maintain the Project fail to meet the specified performance levels at any time during the term of the Project. It is expected that deductions will be subject to and made in accordance with pre-determined formulas agreed to and outlined in the Project Agreement.

## **Developer Financial Responsibilities**

BOC expects the Selected Offeror to provide any and all financing required to meet its obligations under the Project Agreement. The financing may be provided through private debt or equity, for the anticipated costs of the Project including reasonable reserves to address construction, design and operation lifecycle replacement and contingencies. The Selected Offeror shall not be authorized to mortgage, pledge, or assign the Project or any of Selected Offeror interests under the Project to obtain financing without the Government of the Virgin Island's express written approval. Selected Offeror may not use the full faith and credit of the Government of the Virgin Island to secure financing. The Selected Offeror must have the capacity to finance the Project from design and construction through the full operating period to the end of the term of the Project and meet Project funding demands for each phase.

## **E. TIMETABLE**

**Pre-Proposal Meeting** will be held on **Tuesday, October 5, 2021**, at 10:00 a.m. Atlantic Standard Time via Microsoft Teams via Microsoft Teams - [Click here to join the meeting](#)

**Site Visits** will be held on **Wednesday, October 6, 2021**, site visit will begin at **10:00 a.m.**

Atlantic Standard Time.

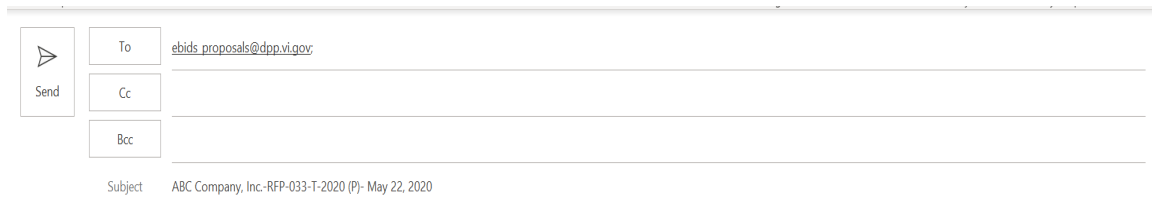
**Last Day for Written Clarification** is **Friday, October 29, 2021 at 12:00 noon** Atlantic Standard Time.

## F. SUBMISSION OF PROPOSAL

All interested parties shall submit **one (1)** electronic copy of proposals, which are to be delivered to the Department of Property and Procurement no later than **Friday, November 19, 2021, at 4:30 p.m.** Atlantic Standard Time.

Electronic submissions must include the Company's Name – Solicitation Number and Due Date in the Subject Line of the email. For Example, ABC Company, Inc. – RFP No. 001 – T-2020(P) – March 16, 2020.

The First Page of each electronic submission must also include Company's Name – Solicitation Number and Due Date. The second page of each electronic submission must only contain the following words in red font: **“CONFIDENTIAL BID SUBMISSION”**



The image shows a screenshot of an email composition interface. On the left, there is a 'Send' button with a right-pointing arrow. To its right are three input fields: 'To' with the value 'ebids\_proposals@dpp.vi.gov', 'Cc', and 'Bcc'. Below these fields is a 'Subject' field with the value 'ABC Company, Inc.-RFP-033-T-2020 (P)- May 22, 2020'.

All electronic submissions must be received at [ebids\\_proposals@dpp.vi.gov](mailto:ebids_proposals@dpp.vi.gov) no later than the date and time listed in each advertisement. There will be no exceptions.

## G. WITHDRAWALS OF PROPOSAL

A proposal may be withdrawn at any time prior to the time specified as the closing time for acceptance of proposals. However, no proposal shall be withdrawn or canceled for a period of thirty (30) days after said closing time for acceptance of proposals, nor shall the successful provider withdraw, cancel, or modify the proposal, except at the request of GVI after having been notified that GVI has accepted proposal.

## H. INTERPRETATION OF SPECIFICATIONS

If any person contemplating submitting a proposal requires clarification of any part of the scope of work, he/she may submit to the GVI a written request for an interpretation thereof to the **Lisa Alejandro** at [lisa.alejandro@dpp.vi.gov](mailto:lisa.alejandro@dpp.vi.gov). GVI will not respond to questions received after the above established date. The person submitting the request will be responsible for its prompt delivery. Any interpretation of the scope of work will be made in writing to all prospective providers. Oral explanations will not be binding.

## I. CONSIDERATION OF PROPOSAL

The Commissioner of Property and Procurement shall represent and act for GVI in all matters pertaining to the scope of work and contract in conjunction therewith. **This RFP does not commit GVI to the award of a contract or pay of any cost incurred in preparing and submitting proposals in anticipation of a contract. GVI reserves the right to reject any or all proposals and to disregard any informality and/or irregularity in the proposal when, in its opinion, the best interest of GVI will be served by such action.** Proposals failing to provide some of the items in the scope of work shall not be rejected per se, but any deviations from the scope must be clearly noted.

## J. ACCEPTANCE OF PROPOSALS

GVI will notify in writing acceptance of one of the proposals. Failure to provide any supplementary documentation to comply with the respondent's proposal may be grounds for disqualification.

## K. CONTENTS OF PROPOSAL

The following is a list of information to be included in the written proposal. The documents listed under this section are required for submission of a proposal in response to this RFP, and failure to comply with any requirement as outlined may disqualify the respondent.

1. Table of Contents (The proposal must contain a table of contents. All major parts must be identified by page numbers.)
2. Organization
  - a. Executive Summary (in letter form) *(5 pages max)*
    - i. Include Respondent's name, address, email, and telephone numbers.
    - ii. Include the history and background of the firm. Include date established, record of growth, type of work, and any specialties.
    - iii. Describe the salient features of the proposal.
    - iv. Include an overview of the respondent's company background and qualifications.
    - v. Include a condensed and highlighted summary of the proposal to provide a broad understanding of the entire proposal.
    - vi. Include conclusions and generalized recommendations.
    - vii. Provide a summary of why your firm/team should be selected to provide Design, Build, Finance and Operate services for the Government of the Virgin Islands.
    - viii. Do not include pricing information.
  - b. Provide a list of staff available for the project (Local & Off-Territory) *(10 pages*

maximum)

- i. Provide your team's organization chart and key members. Identify associations, consultants or any team members which are not employees of the firm and the team's past working relationships. *(The BOC reserves the right to approve each firm's personnel to represent the BOC. At the written request of the BOC, the firm will immediately replace any personnel assigned.)*
  - ii. Provide a brief description of each key team member's project role and responsibility.
  - iii. Provide resumes for key team members highlighting education, years of experience, professional licenses, and similar project experiences. Special attention will be paid to the architectural project team leader. This is the individual that will be personally charged with the research and development of the design and construction effort. *(Do not submit resumes of the firm's principals unless those individuals will be directly involved with the design and construction efforts on a routine basis and have assignable hours to the project)*
  - iv. Provide each key team member's current work assignments and the proposed workload they will be responsible for as it pertains to this project.
- c. Current Business License or state register for the services being advertised. All bidders bidding as a Joint Venture must be licensed as a Joint Venture in the US Virgin Islands.
  - d. Current trade name registration certification; if applicable
  - e. Certificate of Good Standing dated July 1, 2021, or later
  - f. Articles of Incorporation (For Corporations) or Articles of Organization for (LLC's) or Statement of Qualification (Limited Partnerships), if applicable.
  - g. Corporate Resolution or equivalent identifying the person who is authorized to act for the respondent with respect to this RFP.
  - h. Proof of Sam.Gov registration
3. Subcontractors
    - a. Provide a listing of subcontractors that shall be retained for this project including phone numbers and contact information. 30% of the subcontracting must be local subcontractors
    - b. Provide what percentage of work will be subcontracted to each listed subcontractor.
4. Project Experience
    - a. Describe the four (4) most representative projects for which Architectural/Engineering Services and/or Construction Services were performed in the last eight (8) years, beginning with projects in the Virgin Islands and/or a correctional facility. If project was done by a principal/partner/employee while at another firm, clearly note. List Design-Build Services projects first. Include a detailed description of the work performed and cost of each project.
      - Describe the most representative project(s) the architectural team

leader has been directly involved with over the same time period.

- Describe the most representative project(s) the construction team leader has been directly involved with over the same time period.
- Compare the original projects to the completed projects in actual building size, budget, and scheduled completion.
- List the responsibilities of the involved team members and provide a client and contractor reference for those individuals at each project listed.
- Provide a list of projects currently being performed. Include a brief description of each project and percentage completed.

5. Project Control and Approach (*8 pages maximum*)

- a. The offeror applying to this solicitation will describe how you will approach this project and availability to perform the services requested. Respondent shall present their vision of how they propose meeting the BOC's needs and identify the overall approach to the project, define the scope of their offered services, and how they propose to meet the Scope of Services and deliverables as defined in this RFP.
- b. Demonstrate your general knowledge of correctional facility buildings and site layouts. Highlight any areas of interest or concern that you would address in your first month of the programming phase.
- c. Describe the most difficult part of a new construction project and what steps your team will take to control this issue. Describe your approach for this new build project and provide recommendations for completing this project within the budget and schedule.
- d. Provide a summary of your energy and utility conservation and sustainability related design experience and describe how you will use this experience to strengthen this project.
- e. Describe your team's internal management plan for controlling the development of the drawings and specifications.
- f. Describe your team's approach to controlling budget and schedule for project development.
- g. Explain the method used by your firm to arrive at anticipated construction cost and provide reasons for using the method. Provide applicable examples of project cost containment, budget management, and value engineering efforts.
- h. Explain your construction administration procedures.
- i. Explain the methods and management techniques you use to accomplish an aggressive schedule for design and construction. Provide examples of successful projects.

6. References Letters: Three (3) professional reference letters minimum related to the projected being solicited. To obtain maximum allotted points, each letter must:

- a. Include information about past performance on similar project from authorized representative;
- b. Include a working telephone number; and email address to be contacted; and

- c. Be notarized.

7. Audited Financial Statement

**In order to be considered for selection, firms must IN A SEPARATE FILE,**

provide one (1) copy of your firm's most recent audited financial statement, less than one-year-old, marked CONFIDENTIAL. Include your firm's latest balance sheet, income statement, statement of cash flows and the related notes to the financial statement, with the balance sheet and income statement showing the following items:

1. Current assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable,
2. Accrued income, deposits, materials inventory, and prepaid expenses)
3. Non-current assets (e.g., net fixed assets, other assets)
4. Current liabilities (e.g., accounts payable, notes payable (current), accrued expenses,
5. provision for income taxes, advances, accrued salaries and accrued payroll taxes)
6. Non-current liabilities (e.g., notes payable)
7. Capital accounts and retained earnings (e.g., capital, capital stock, authorized and outstanding shares par value, earned surplus and retained earnings).
8. Information on the preparer of the financial statement: firm name, contact person, address and date statement completed.
  - a. If the financial statement is not for the identical firm named in Tab 7, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent, subsidiary, etc.)
  - b. Statement affirmatively if the organization for which the financial statement is presented will act as guarantor of the contract for construction.
  - c. Attach a written statement from your firm's bonding company stating the bonding company's intent to provide the payment and performance bonds required by the Contract, if you are awarded a Contract, and your firm's total bonding capacity.
  - d. Provide Principal Bank References (Bank name, contact, address, and telephone).

8. **Cost Proposal. The Contractor will provide cost estimates for the following outlined services utilizing the cost proposal form attached.**

- a. Provide the proposed compensation as described in Itemized Bid Sheet- Attachment A delineated by gross cost per square foot to design and build the facility within the construction budget stated in the Prospectus inclusive of general conditions, overhead, insurance, taxes and profit and any other costs. All means all.
- b. Additional information may be requested.

**L. CONFLICT OF INTEREST**

A proposer filing a proposal hereby certifies that no officer, agent, or employee of GVI has a pecuniary interest in this proposal or has participated in contract negotiations on behalf of GVI; 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 respondent, is competing solely on its own behalf without connection with, or obligation to, any undisclosed person or firm.

**M. HISTORICALLY UNDERUTILIZED BUSINESS, MINORITY & WOMEN-OWNED BUSINESS ENTERPRISES (M/WBE) & DISADVANTAGED BUSINESSES**

VIDE encourages full participation in all phases of procurement activities and shall afford a full and fair opportunity to all vendors to compete for VIDE disaster recovery contracts. Historically Underutilized Businesses (HUB/MWBE/DBE) (also referred to as Minority-owned, Woman-owned, or Disadvantaged businesses) are businesses in which at least 51 percent of the ownership and management is by minority group members, or women, or in the case of a publicly owned business, at least 51 percent of the stock is owned and managed by minority group members or women in all phases of the procurement.

The HUB/MWBE/DBE goal for this project is 30%.

**N. DEBARMENT CERTIFICATION**

By execution of this contract, the contractor certifies that it is eligible to receive contract awards using federally appropriated funds and that it has not been suspended or debarred from entering into contracts with any federal agency. The Contractor shall include this provision in each of its subcontractors hereunder and shall furnish its subcontractors with the current "LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT OR PROCUREMENT". In the event the Contractor or any subcontractor misrepresents its eligibility to receive contract awards using federal funds, the Contractor or subcontractor agrees that it shall not be entitled to payment for any work performed under this contract or any subcontract and that the Contractor or subcontractor shall promptly reimburse the Government of the Virgin Islands for any progress payments heretofore made.

**O. ACCEPTANCE OF CONTRACT TEMPLATE AND OTHER TERMS AND CONDITIONS**

By submitting a proposal in response to this RFP, the respondent agrees to accept the boilerplate terms and conditions of the Government's standard Professional Services Contract, a copy of which is attached to this RFP, if the respondent is selected for award.

**P. MANDATORY LIST OF REQUIRED SUPPORTING DOCUMENTS TO  
CONTRACT WITH GOVERNMENT OF THE VIRGIN ISLANDS**

See Attached.

THE DOCUMENTS IN THE ATTACHMENT WILL BE REQUIRED FOR APPROVAL  
OF THE CONTRACT WITH THE SUCCESSFUL RESPONDENT.



List of Required  
Docs.09.17.2018.pdf