



Request for Proposals RFP0918335031

Professional Design Services, Capitol Complex (C.C.) Elevator Upgrades,
Statewide Code Upgrades, and C.C. Preventative Maintenance

The Iowa Department of Administrative Services (DAS), Central Procurement Bureau (CPB), will receive **sealed** proposals (at the address below) until 2:00 p.m., local Iowa time, February 8, 2018 from professional design companies for services related to the above project.

A pre-proposal meeting will be held on January 30, 2018, 2:00 PM, at the Facilities Management Center, 109 SE 13th Street, Des Moines, IA.

Late proposals will not be considered.

For additional information please contact:

Steve Oberbroeckling
Purchasing Agent III
Iowa Department of Administrative Services
Central Procurement Bureau
Hoover State Office Building, Level 3
1305 East Walnut St., Des Moines, IA 50319-0105
Phone: 515/725-2090
Email: steve.oberbroeckling@iowa.gov

Section 1 - Project

1.1. INTRODUCTION

The Iowa Department of Administrative Services (“DAS”) is seeking proposals from qualified and available professional design firms/companies for services, per RFP cover page, and as outlined in the scope below (section 1.3).

The successful proposal must:

1. For the staff that will be assigned, identify and describe qualifications, experience, and expertise in providing services for similar type projects.
2. For the staff that will be assigned, provide a list of past similar projects completed in the last 5 years, and include brief descriptions of what the projects entailed and a contact name and phone number (reference). In addition provide estimated project cost, final project cost at acceptance, and whether it was completed on time.
3. Describe the composition of your team. Identify staff to be assigned. Provide resumes of key individual(s) including education, relevant experience, and certifications/licensing.
4. Describe the cost estimating, status reporting, and cost reporting procedures you utilize.
5. Describe computer program/software capabilities and expertise you utilize. Please describe your experience.
6. Provide a copy of your organizational chart.
7. Describe your experience, if any, on designing similar type projects for the State of Iowa.
8. **Provide your fee proposal per section 1.3, 1. Administrative, G.**
9. Identify desired reimbursable charges (**the State has limitations, per State of Iowa Accounting Policies and Procedures 210.245**), and all other charges.

1.2. SCHEDULE

Post TSB:	January 19, 2018
Pre-Proposal Meeting on Site:	January 30, 2018 at 2:00 PM CST
Questions Due:	February 2, 2018 at 2:00 PM CST
Last Addendum Issued By:	February 6, 2018 by 2:00 PM CST
Proposals Due:	February 8, 2018 at 2:00 PM CST
Selection of Designer, issue NOI:	February 13, 2018
Execution of Contract (5-day appeal period):	February 21, 2018
Design:	February 22, 2018 – May 16, 2018
Contractor Bidding:	May 17, 2018 – June 7, 2018
Construction Start:	June 25, 2018

1.3 PROJECT DESCRIPTION / SCOPE OF WORK

Overview:

- A. The State of Iowa Department of Administrative Services is currently seeking design services from qualified design firms for the modernizations and preventative maintenance of elevators on the Capitol Complex as well as code upgrades to elevators statewide. An initial assessment was completed by OPN Architects and the State of Iowa on the condition of elevators on the Capitol Complex.
- B. This project consists of three projects that will result in three separate contracts to one successful design firm:
 - i. Capitol Complex Modernizations – Scope of work includes the complete design and construction administration for full modernization of up to four elevators on the Capitol Complex.
 - ii. Capitol Complex Preventative Maintenance – Scope of work includes full design and construction administration for preventative maintenance upgrades per the Capitol Complex Elevator Assessment provided in Appendix A.
 - iii. Statewide 2020 Code Upgrades – Scope of work includes full design and construction administration for code upgrades to elevators throughout the state of Iowa based on reports provided by Iowa Workforce Development. Reports have not been provided for sixteen elevators that will require the successful design firm's evaluation for code deficiencies and incorporation into the design and construction administration. See Appendix B for a list of elevators as part of this scope. It is anticipated this scope will be phased into multiple zones and therefore multiple sets of construction documents for bidding purposes.
- C. The Capitol Complex Elevator Assessment provides an overview of the condition of the elevators and provides recommendations for the priority of modernizations as well as preventative maintenance suggestions to prolong the life and usefulness of the existing elevators as well as minimize future service calls.
- D. Iowa Workforce Development has conducted inspections to elevators statewide and has provided a list of deficiencies per elevator as it relates to the American Society of Mechanical Engineers (ASME) A17.3 code requirement that goes into enforcement May 1, 2020. This list of deficiencies has been summarized in Appendix C.

Please see below for additional details. The following scope of work shall also be included as part of the design firm's scope:

1. Administrative

- A. A pre-proposal meeting will be held at the Facilities Management Center, 109 SE 13th Street, Des Moines, January 30, 2018 at 2:00 PM CST.
- B. Construction Manager (DCI Group) has been engaged for this project to serve as an advisor to the Owner and to provide assistance in administering the Contract for Design between Owner and the Designer according to separate contract between Owner and Construction Manager.
- C. Use of the State of Iowa's construction management software EADOC.
- D. The successful designer will be responsible for construction administration including, but not necessarily limited to, development of submittal master list, submittal reviews, review and response to RFI's, development of Architectural Supplemental Instructions for design revisions, change order review, review of Trade Contractor pay applications, periodic site visits, and participation / development / verification of contractor punch list. This will be required for each individual set of bid documents.
- E. Designer shall provide probable cost opinions at 100%DDs, 95% CDs, and 100% CDs for each set of bid documents.
- F. This project will be separated into three separate contracts for the designer as identified above. Documents associated with the contract and pay applications will need to be submitted separately to each project on EADOC.

- G. Proposals should include a fee proposal, broken down as follows. These breakdown prices will be used as the schedule of values for billing purposes.
- i. Capitol Complex Modernizations design development.
 - ii. Capitol Complex Modernizations construction documents.
 - iii. Capitol Complex Modernizations bidding assistance.
 - iv. Capitol Complex Modernizations construction administration.
 - v. Capitol Complex Modernizations reimbursables
 - vi. Capitol Complex Preventative Maintenance design development.
 - vii. Capitol Complex Preventative Maintenance construction documents.
 - viii. Capitol Complex Preventative Maintenance bidding assistance.
 - ix. Capitol Complex Preventative Maintenance construction administration.
 - x. Capitol Complex Preventative Maintenance reimbursables
 - xi. Statewide Code Upgrades design development.
 - xii. Statewide Code Upgrades construction documents.
 - xiii. Statewide Code Upgrades bidding assistance.
 - xiv. Statewide Code Upgrades construction administration.
 - xv. Statewide Code Upgrades reimbursables
- H. Due to State auditing requirements, the successful design firm will be required to break down their design fee by building for work on the Capitol Complex as well as Statewide. This breakdown will be incorporated into the design firm's schedule of values. These breakdowns can be provided during the contracting process.

2. Evaluation, Design, & Construction

- A. Design to include, but not necessarily be limited to;
- i. Capitol Complex Modernizations:
 - a. Complete design for the modernization of one elevator at the Jessie Parker Building, one elevator at the Iowa Workforce Development Building, and two elevators at the Wallace Building per the recommendations of the Capitol Complex Elevator Assessment (Appendix A).
 - b. Design considerations shall include ensuring construction activities does not impact the ability for the remaining elevators in the building to function normally.
 - ii. Capitol Complex Preventative Maintenance:
 - a. Complete design for construction of preventative maintenance measures to prolong the life and usefulness of the elevators as well as minimize future service calls on the Capitol Complex.
 - b. Designer shall review report developed by OPN Architects and evaluate recommendations for preventative maintenance and prioritization.
 - iii. Statewide Elevator Code Upgrades:
 - a. Evaluation and design of corrections to state code deficiencies as identified in reports provided by Iowa Workforce Development and summarized in Appendix C.
 - b. Includes review, evaluation, and design of corrections of elevators identified in Appendix B that do not have deficiency reports provided.
 - c. It is anticipated this scope of work will be broken into a maximum of four regions throughout the state for bidding. The design firm will be required to develop separate bid documents to accommodate separate bids.
 - d. Designer shall attend one pre-bid meeting per region.
 - iv. Designer shall coordinate with the State Historical Preservation Office on all modifications to ensure compliance.
 - v. Designer shall provide minor drawing and narrative work to assist in the procurement of hazardous materials testing, design, and abatement if necessary.
 - vi. If abatement work is required, this design firm shall incorporate the documents developed by the hazardous materials testing and design firm into the contract documents.

- vii. It is anticipated all work associated with the modernizations, code upgrades, or preventative maintenance, on or in close proximity to the Capitol Complex, will be one bid and one set of bid documents.
- viii. Designer to develop a complete set of specifications except for Division 00 which will be provided by DCI Group for incorporation into the designer specification book. The designers' specifications shall include Division 01 General Requirements and all technical specifications for each set of bid documents.
- ix. Design shall include, but not necessarily be limited to Architectural, Mechanical, Electrical, Controls, and Structural design services as required.
- x. Design shall satisfy all Federal, State, and Local codes, including State Energy Conservation requirements.
- xi. The buildings will remain occupied during construction.
- xii. Existing CAD or PDF drawings are not anticipated to be provided to the designer. If existing drawings are available, they will be provided but all measurements shall be verified by the designer.
- xiii. Designer to help identify and pursue all potential rebates and credits.
- xiv. Perform one kick-off meeting on-site, per bid, to discuss overall project scope and needs. It is anticipated this will require up to five kick-off meetings.
- xv. Designer shall perform onsite investigations as needed.
- xvi. Design reviews will be conducted at 50% DDs, 100% DDs, and 95% CDs, and reviewed with Owners Representative, Construction Manager, and Facility Representative. Attend a minimum of three (3) on-site meetings with DAS, Construction Manager, and Facility staff for discussions related to design development comments for all projects.
- xvii. Plan submission for State Fire Marshal review and energy code compliance as needed.
- xviii. Final submission of contract documents including drawings, and trade specific specification sections for bidding. It is anticipated up to five different sets of bid documents will be required (Capitol Complex/Close Proximity Work and four Statewide Regions).
- xix. Designer shall develop and implement a submittal log for each project for incorporation into the State of Iowa's construction management software EADOC. The submittal log will identify all of the required project submittals as identified in the design specification.
- xx. Designer shall participate in bi-weekly, or as-needed, Owner, Architect, and Contractor meetings either onsite or by conference call at the Owner's discretion.
- xxi. The designer shall attend, at a minimum, one (1) design kick-off meetings, onsite investigations as needed for design, three (3) design reviews, five (5) pre-bid meetings, five (5) construction kick-off meetings, construction reviews on an as-needed basis, five (5) substantial completion/punch list development, five (5) punch list approvals, and five (5) one-year warranty correction period visit.
- xxii. Field observation reports shall be submitted to DCI Group for each site inspection within five (5) days of the site visit.
- xxiii. Maintain an as-built set of drawings and specification for all design modifications. Up-to-date full sheets to be issued electronically to address all Architectural Supplemental Instructions and RFIs as feasible.

3. Close Out

- A. For each set of bid documents provide:
 - i. Construction as-built drawings and specifications of all design modifications, including RFIs, Architect Supplemental Instructions, Proposal Requests, and Change Orders in both CAD and PDF formats.
 - ii. Development and verification of punch list documents.
 - iii. Date and approval for substantial and final completions.
 - iv. 1-year warranty reviews.

4. Attachments

- A. Appendix A: Capitol Complex Elevator Assessment
- B. Appendix B: Statewide Elevator Inventory
- C. Appendix C: List of 2020 Code Deficiencies

Section 2 - Administrative Issues

2.1 GENERAL INFORMATION

- 2.1.1 DAS will evaluate the qualifications, experience, and other relevant information from companies interested in contracting with the State of Iowa to provide the necessary services to complete the project described in this RFP.
- 2.1.2 Companies certified as Targeted Small Businesses are encouraged to submit Proposals. The Iowa Department of Inspections and Appeals (IDIA) administer the Targeted Small Business (TSB) Program. Businesses meeting the requirements of the program are approved and registered with the Department of Inspections and Appeals and are considered Targeted Small Businesses for purposes of this RFP and most other solicitations issued by DAS. Questions concerning the TSB Program and for identification of companies certified as Targeted Small Businesses, contact the TSB administering office in the Department of Inspections and Appeals at Phone: (515) 281-5686 or (515) 281-7250.

2.2 INQUIRIES

- 2.2.1 All inquiries concerning this RFP shall reference the RFP number and shall be provided (via email) to Steve Oberbroeckling identified on the cover page of this RFP. Addenda type questions must be submitted per schedule (1.2).
- 2.2.2 Any information provided by prospective companies orally shall not be considered part of the companies Proposal.
- 2.2.3 DAS assumes no responsibility for representations concerning conditions made by its officers or employees prior to the execution of a contract. Oral discussions pertaining to modifications or clarifications of this RFP shall not be considered part of this RFP and are not binding.

2.3 PREPARATION OF THE PROPOSAL

- 2.3.1 Proposals must be sealed and delivered by mail or courier to the issuing Agent.
- 2.3.2 Prospective companies are solely responsible for timely delivery.
- 2.3.3 Proposal Packages comprising the complete submittal should be contained in one envelope or package (2 hard copies printed double-sided, plus 1 electronic copy on standard cd).

2.4 DATE, TIME AND PLACE TO SUBMIT PROPOSALS

- 2.4.1 As stated above the proposal must be sealed.
- 2.4.2 The exterior of the package shall be clearly labeled with the following information:
 - a. Steve Oberbroeckling
Iowa Department of Administrative Services
Hoover State Office Building – Level 3
1305 E. Walnut Street

Des Moines, Iowa 50319

- b. Firm's Name and Address
- c. Firm's Contact Person and Telephone Number
- d. RFP Number: RFP0918335031
- e. RFP: Design Services, Elevators, Upgrades & Maint Multiple Locs.
- f. Proposal due date and time: February 8, 2018 @ 2:00 p.m.

2.4.3 The Proposal shall be received by DAS – Procurement Services on or before 2:00 p.m., local Iowa time on the Proposal due date.

2.5 ECONOMY OF PRESENTATION

Proposals shall address the specific RFP requirements. All questions posed by the RFP shall be answered clearly and concisely.

2.6 RFP CHANGES AND ADDENDA

Written Addenda will serve to amend the RFP documents accordingly.

2.7 CERTIFICATION OF INDEPENDENT PRICE DETERMINATION

By submission of a response to this Proposal, the Company certifies, and in the case of a joint Proposal, each party thereto certifies as to its own organization, that in connection with this procurement:

- A. Any prices or hourly rates in this Proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any competitor.
- B. Unless otherwise required by law, any prices or hourly rates which have been provided in this Proposal shall not knowingly be disclosed by the Firm, directly or indirectly, to any competitor prior to the notice of intent to award a contract for services.
- C. No attempt has been made or shall be made by the Company to induce any other person or Company to submit or not to submit a Proposal for the purpose of restricting competition.
- D. Each person signing this Proposal certifies that:
 - 1. He/she is the person in the Firm's organization responsible within that organization for the decision as to any prices being offered herein, or
 - 2. He/she is not the person in the Firm's organization responsible within that organization for the decision as to any prices being offered herein, but that he/she has been authorized in writing to act as agent for the persons responsible for such decision, and
 - 3. Any offer made by the submitted Proposal and any clarifications to that Proposal shall be signed by an officer of the offering Company or a designated agent empowered to bind the Company in a contract.

2.8 NOTICE OF INTENT TO AWARD

After the successful Company has been selected, a copy of the *Notice of Intent to Award* will be issued to all Companies who submitted Proposals in response to this RFP.

2.9 WITHDRAWAL OF PROPOSALS

Prospective Companies may withdraw, modify, and/or resubmit at any time prior to the date and time set for the receipt of Proposals. Once the time set for receipt of Proposals has passed, a Company shall not withdraw a Proposal for a period of sixty (60) days following the issuance of the Notice of Intent to Award a contract. Proposals shall remain open and valid for consideration by DAS throughout this period of sixty days, and until such time thereafter that written request to withdraw a Proposal is received by DAS.

2.10 DISPOSITION OF PROPOSALS

All Proposals become the property of DAS and disposition of the Proposals shall be at the sole discretion of DAS.

2.11 DISCLOSURE OF PROPOSAL CONTENT

Proposals will be placed in the public domain and be available for examination by interested parties. No Proposals shall be disclosed until after a *Notice of Intent to Award* has been issued. DAS reserves the right to destroy all Proposals if the RFP is withdrawn or otherwise in the normal course of business. Trade secrets or proprietary information legally recognized as such and protected by law may be withheld if they are clearly and conspicuously labeled "Proprietary" in the margin of each individual page where they appear in the Proposal. Pricing information is not normally considered proprietary.

Public Records and Requests for Confidential Treatment.

The Agency's release of public records is governed by Iowa Code chapter 22. Contractors are encouraged to familiarize themselves with Chapter 22 before submitting a Proposal. The Agency will copy and produce public records upon request as required to comply with Chapter 22 and will treat all information submitted by a Contractor as non-confidential records unless Contractor requests specific parts of the Proposal be treated as confidential at the time of the submission as set forth herein **AND the information is confidential under Iowa or other applicable law.**

Failure to request information be treated as confidential as specified herein shall relieve Agency and State personnel from any responsibility for maintaining the information in confidence. Contractors may not request confidential treatment with respect to pricing information and transmittal letters. A contractor's request for confidentiality that does not comply with this section or a contractor's request for confidentiality on information or material that cannot be held in confidence as set forth herein are grounds for rejecting contractor's Proposal as non-responsive. Requests to maintain an entire Proposal as confidential will be rejected as non-responsive.

If Agency receives a request for information that Contractor has marked as confidential and if a judicial or administrative proceeding is initiated to compel the release of such material, Contractor shall, at its sole expense, appear in such action and defend its request for confidentiality. If Contractor fails to do so, Agency may release the information or material with or without providing advance notice to Contractor and with or without affording Contractor the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction. Additionally, if Contractor fails to comply with the request process set forth herein, if Contractor's request for confidentiality is unreasonable, or if Contractor rescinds its request for confidential treatment, Agency may release such information or material with or without providing advance notice to Contractor and with or without affording Contractor the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction.

2.12 PROPOSAL EVALUATION AND AWARD

The contract shall be awarded to the Company determined to be the best qualified to provide the services required under this RFP and the best value to the State.

2.13 GRATUITIES

The laws of Iowa provide that it is a felony to offer, promise, or give anything of value or benefit to a State employee with the intent to influence that employee's acts, opinions and judgment or exercise the discretion with respect to that employee's duties. Evidence of violations of this statute will be turned over to the proper prosecuting attorney.

Note: The State provides reimbursement to its employees for their transportation, lodging, meals, and miscellaneous expenses that are deemed necessary.

2.14 CONFLICTS BETWEEN TERMS

DAS reserves the right to accept or reject any exception taken by a prospective Company to the terms and conditions of this RFP. Should a prospective Company take exception to the terms and conditions required by DAS, the Firm's exceptions may be rejected and the entire Proposal declared non-responsive. DAS may elect to negotiate with the Company regarding contract terms or the contents of the Firm's Proposal.

2.15 IOWA STATUTES AND RULES

The terms and conditions of this RFP, the resulting contract, or activities based upon this RFP shall be construed in accordance with the laws of Iowa.

2.16 COSTS FOR PREPARATION OF PROPOSALS

No payments will be made to cover costs incurred by any Company in the preparation or the submission of this RFP, nor for any other associated costs.

2.17 NEWS RELEASES

News releases or other materials made available to the public, the Firm's clients, or potential clients pertaining to this procurement or any part of the Proposal shall not be made without prior written approval from DAS.

2.18 MISCELLANEOUS

2.18.1 DAS reserves the right to accept or reject any part of any Proposal, and to accept or reject any or all Proposals without penalty.

2.18.2 DAS reserves the right to waive minor deficiencies and informalities if, in the judgment of DAS, the best interests of the State of Iowa will be served.

2.18.3 DAS reserves the right to make a written request for additional information from a Company to assist in understanding or clarifying a Proposal. Any information received shall not be considered in the evaluation of the Firm's Proposal if it materially alters the content of said Proposal.

Section 3 - Contractual Terms and Conditions

3.1 ELEMENTS OF CONTRACT

3.1.1 No contract relationship is created or implied by DAS from the acceptance of a proposal or an interview with a company in response to this RFP.

3.1.2 The proposed form of contract between the Company and the State will be a revised Consensus Doc 803 (sample attached), which will be modified to include the following:

- a. Incorporation, by reference, of this Request for Proposal and subsequent addenda and the Proposal submitted by the successful Firm in response to this RFP.
- b. Professional liability insurance in the amount of \$2 million will be required.
- c. The proposed project fee, start dates, and scheduling of the selected Firm's services shall be established during negotiations.
- d. *Iowa Code* Section 8.47, The Accountable Government Act, requires that the terms and conditions of service contracts shall include the following:
 - (1) The amount or basis for paying consideration to the party based on the party's performance under the service contract.
 - (2) Methods to effectively oversee the party's compliance with the service contract.
 - (3) Methods to effectively review performance of a service contract.
- e. Other terms, mutually agreeable to the State and the Firm, may be developed during negotiations with the selected Firm.

Other contract forms, as mutually agreeable, may be utilized as appropriate for additional services directly associated with this project.

3.1.3 This RFP does NOT establish a statewide contract.

Section 4 - **Proposal Requirements**

All services to be provided by the Firm shall take into account the following assumptions:

4.1 MINIMUM FIRM QUALIFICATIONS

- 4.1.1 Firms, other than Sole Proprietorships and General Partnerships, shall be registered with the Office of the Iowa Secretary of State.
- 4.1.2 The selected Firm shall have sufficient, qualified staff to deliver the services needed. Per Chapter 26 of the Iowa Code regarding construction bids: A governmental entity shall have an engineer licensed under chapter 542B, a landscape architect licensed under chapter 544B, or an architect registered under chapter 544A prepare plans and specifications, and calculate the estimated total cost of a proposed public improvement.
- 4.1.3 The selected Firm shall have the resources and capabilities and the commitment to complete the required work in an efficient and timely manner, within the time period specified/negotiated.
- 4.1.4 DAS reserves the right to require proof of a submitting Firm's financial stability.
- 4.1.5 Failure to adhere to these instructions may be grounds for a Firm's Proposal to be found non-compliant with requirements of this RFP, and may be cause for rejection of the Proposal.

4.2 PROPOSAL CONTENT

The Proposal shall consist of the following elements in the order given below, and shall be limited to **twenty (20) sheets or less with text on both sides, not including dividers, cover page, or resumes:**

- A. Letter of Transmittal/Statement of Interest including understanding and compliance with all requirements in this RFP (note section 4), email address for contact person, and acknowledgment of any addenda.

- B. Executive Summary of the Proposal.
- C. Response to all things in Sections 1 (1.1-1.3) and Section 4.
- D. Company information regarding Organizational Stability, and Financial Strength (or provide Bank or Accountant reference)
- E. Overview and Discussion of Offered Services including Approach and Methods (reference Section 1)
- F. **Estimated cost** per section 1.1 (8) and (9)

Section 5 - **Proposal Evaluation, Selection, and Award**

5.1 EVALUATION PROCEDURES

- 5.1.1 Proposal packages will be opened by Steve Oberbroeckling and the names of all Companies who submitted Proposals will be released upon request.
- 5.1.2 Steve Oberbroeckling will review the proposals for compliance with the RFP instructions/requirements.
- 5.1.3 Steve Oberbroeckling will retain non-compliant Proposals.
- 5.1.4 Copies of proposals determined by Steve Oberbroeckling to be compliant with the RFP will be evaluated.
- 5.1.5 Evaluation criteria is shown in 5.2.2
- 5.1.6 All answers provided to the questions asked in this RFP are subject to verification. Mis-leading answers shall be grounds for disqualification at any stage in the procurement process.
- 5.1.7 DAS reserves the right to make a written request for additional information from a prospective Company to assist in understanding or clarifying a Proposal.

5.2 SELECTION PROCEDURES

- 5.2.1 A Selection Committee will be formed to evaluate all compliant proposals. The committee's size and membership will be determined at the sole discretion of DAS.
- 5.2.2 Criteria for evaluating the proposals:
 - Qualifications (experience and expertise of staff assigned for similar projects), firm's capabilities and financial stability
 - Approach and Proposed Methods
 - The Firm's proposed schedule with respect to the State's needs
 - Estimated cost; the hourly rates **and anticipated hours** for all persons assigned to the project, proposed reimbursables

5.3 AWARD OF CONTRACT

- 5.3.1 After selection, DAS will meet with the Firm for the purpose of negotiating an Agreement that is acceptable to both parties. In the event that the parties do not achieve an acceptable

agreement, DAS reserves the right, at its sole discretion, to negotiate with other RFP respondents.

- 5.3.2 Should the above process not result in a contract, DAS will re-evaluate relevant issues and take appropriate follow-up action.

**** END OF RFP ****