



## **MINOR STATE CAPITAL OUTLAY PROJECTS**

### **REQUEST FOR PROPOSALS FROM PROFESSIONAL SERVICE CONTRACTORS**

(Authority PA 431 of 1984)

#### **For Not-to-Exceed Fee, Billable-Rate**

Professional Services For

FILE NO. 751/21069.JBB  
UNIT NO. 5519

DEPARTMENT OF NATURAL RESOURCES  
TWIN LAKES STATE PARK  
REPLACE TOILET SHOWER BUILDING AND ON-SITE SEWAGE DISPOSAL  
TOIVOLA, Michigan

**PROPOSAL DUE DATE:** Thursday, May 27, 2021, 2:00 p.m., Local Time

#### **ISSUING OFFICE**

##### U.S. & Express Mail Address

Department of Technology, Management & Budget  
State Facilities Administration  
Design and Construction Division  
ATTN: ANNE WATROS  
3111 West St. Joseph Street  
Lansing, MI 48917



**Minor State Capital Outlay Projects  
REQUEST FOR PROPOSALS**

**Part I - Technical Proposal  
Part II – Cost Proposal**

**Professional Services for  
FILE NO. 751/21069.JBB – UNIT NO. 5519  
DEPARTMENT OF NATURAL RESOURCES  
TWIN LAKES STATE PARK  
REPLACE TOILET SHOWER BUILDING AND ON-SITE SEWAGE DISPOSAL  
TOIVOLA, Michigan**

**SECTION I GENERAL INFORMATION**

**I-1 Purpose**

This Request for Proposals provides the prospective professional service contractor (Professional) with information to enable preparation of a professional services proposal for Bond Falls Scenic Site – Stair Structure Replacement, Ontonagon County, Michigan. The service to be completed should encompass as a minimum the following phase(s) from the Department of Technology, Management and Budget's (DTMB's) Sample Standard Contract for Professional Services:

**Phase–**

- 100 Study
- 500 Final Design
- 600 Construction Administration - Office Services
- 700 Construction Administration - Field Services

The minimum professional qualifications to complete the scope of work for this project are demonstrated experience in the successful planning and execution of similar projects in full accordance with all applicable Local, State, and Federal regulations.

**I-2 Project/Program Statement**

See attached project/program statement for more detailed information. The Professional, by submitting a Technical (Part I) and Cost (Part II) Proposal to DTMB for evaluation, states that they can and will provide a complete design based on the approved project/program statement. No increase in compensation to the Professional will be allowed unless there is a material change made to the scope of work of the project/program statement and the change to the project/program statement is approved in writing by State Facilities Administration (SFA), Design and Construction Division (DCD).

**I-3 Issuing Office**

This Request for Proposals is issued by the Department of Technology, Management and Budget (DTMB), on behalf of the Client Agency. PROPOSALS SHALL BE RETURNED TO THE ISSUING OFFICE - ATTN: ANNE WATROS.

The point of contact for all other items in this Request for Proposal is:

Jeff Barsch, Project Director  
Department of Technology, Management and Budget  
State Facilities Administration, Design and Construction Division  
P.O. Box 30026  
Lansing, MI 48909  
Telephone Number: (906) 251-0727  
Email: barschj@michigan.gov

#### I-4 Contract Award

The professionals will be evaluated based on their Technical Proposal - Part I, and Cost Proposal - Part II. Proposals will be evaluated by an Ad Hoc Advisory Committee based on the Technical Portion - Part I eighty percent (80%) and the Cost Proposal - Part II twenty percent (20%).

DTMB will offer a contract to the professional firm that has been recommended by the Ad Hoc Advisory Committee after their evaluation of the combined Part I - Technical and Part II - Cost Proposals. Recommendation is expected within thirty (30) days following the due date of the proposal. The list of sample contracts can be viewed at our website: <http://www.michigan.gov/dmb/0,4568,7-150-41516-269818--,00.html>

Professional firms must attach a signed Certification of a Michigan Based Business and the Responsibility Certification forms.

#### I-5 Rejection of Proposals

The state reserves the right to reject any or all proposals, in whole or in part, received because of this Request for Proposals.

#### I-6 Incurring Costs

The state is not liable for any cost incurred by the Professional prior to acceptance of a proposal and the award and execution of a contract and issuance of the state's contract order.

#### I-7 Mandatory Preproposal Meeting

A MANDATORY PRE-PROPOSAL MEETING will be conducted by the Issuing Office for this Request for Proposal at **Twin Lakes State Park, 6204 E. Poyhonen Rd., (meet at south end of day use parking area near the contact station)** located in **Toivola, Michigan**, at **1:30 p.m., EDT on Thursday, May 6, 2021**.

Questions that arise because of this RFP **MUST BE SUBMITTED IN WRITING** to the issuing office no later than **Thursday, May 20, 2021 at 2:00 p.m., EDT**. If it becomes necessary to amend any part of this RFP, addenda will be posted on the SIGMA VSS website.

**COVID 19 Precautions:** DTMB – DCD requires that masks be worn by attendees of ALL in person meetings. Attendees must also observe social distancing protocols. Any individual refusing to comply with the mask requirement will be asked to leave the premises and expected to do so peacefully.

If a firm has staff who cannot medically tolerate a mask, please do not send those individuals, and have other staff attend the meeting that can mask up. Also, please do not attend if you have a fever, show any COVID 19 symptoms, have had any contact with a known COVID 19 patient, or if you have traveled outside the United States within two weeks of the scheduled meeting, in the above instances, please send an alternate representative.

#### I-8 Economy of Preparation

Proposal should be prepared simply and economically, providing a straightforward, concise description of the professional's ability to meet the requirements of the Request for Proposal. **Fancy bindings, three-ring binders, colored displays, promotional materials, and so forth, are not desired. Emphasis should be on completeness and clarity of content.**

## I-9 Responsibilities of Professional

The Professional will be required to assume responsibility for all professional services offered in their proposal whether or not they possess them within their organization. Further, the state will consider the Professional to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the contract. The prime professional shall possess a license to practice in the State of Michigan pursuant to the Occupational Code (PA 299 of 1980).

## I-10 Proposals

The professional must submit a complete response to this Request for Proposals. The proposal must be submitted electronically through the State of Michigan Procurement System (SIGMA VSS). No other distribution of proposals will be made by the Professional. Part I and Part II of the proposal should be submitted at the same time. To be considered responsible and responsive, proposals must be uploaded to SIGMA VSS **on or before 2:00 p.m., local time, on Thursday, May 27, 2021**. Proposal must be signed by an official authorized to bind the professional firm to its provisions. NO FACSIMILES OR E-MAILS OF THE REQUEST FOR PROPOSAL WILL BE ACCEPTED.

### SIGMA Vendor Number

If you are submitting a proposal for the very first time, visit the State of Michigan website, <https://sigma.michigan.gov/webapp/PRDVSS2X1/AltSelfService>, and follow the "SOM VSS User Guide for New Vendor" Instructions, located under Forms and Reference Documents. Registration is required for proposal submission. DO NOT WAIT UNTIL THE LAST MINUTE to upload your proposal, as the SIGMA system requires the creation of an account and entry of certain information, in addition to uploading and submitting the materials. The SIGMA system will not allow a proposal to be submitted after the proposal deadline, even if a portion of the proposal has been updated. Questions on how to submit information or how to navigate in the SIGMA VSS system can be answered by contacting the SIGMA Help Desk either by telephone at 517.373.4111 or toll free at 888.734.9749 or by email at [sigma-procurement-helpdesk@michigan.gov](mailto:sigma-procurement-helpdesk@michigan.gov)

### SIGMA File Size

SIGMA has a maximum size limit on file uploads. When uploading, please make sure your attachment is 6mb or less.

### SIGMA Proposal Amount

When entering proposal amount, please enter the total cost amount as the bid amount.

## SECTION II PROPOSAL FORMAT - PART I - TECHNICAL

The proposal must be submitted in the format outlined below. Paginate proposals and ensure that the proposals refer specifically to the project at hand. Proofread proposals for language and mathematical errors. The items shown below are considered in the Ad Hoc Committee proposal review of technical qualifications.

## II-I General Information and Project Team

State the full name, address, and SIGMA Vendor Number of the organization and, if applicable, the branch office, consultants or other subordinate elements that will provide or assist in providing the service. Indicate whether you operate as an individual, partnership, or corporation. If a corporation, include the state in which you are incorporated. State whether you are licensed to operate and practice in the State of Michigan.

Within the last 5 years, has your company or any of its related business entities defaulted on a contract or had a contract terminated for cause? If yes, provide the date, contracting entity, type of contract, and details about the termination or default.

If awarded a contract, state the specific SIGMA business address which you would like associated for all communication (Contracts, Contract Order, Contract Modifications and Payments)?

Please list all person(s) authorized to receive and sign a resulting contract and / or subsequent assignment(s). Please include persons name, title, address, email and phone number

The Professional must include the Certification and Addendum Acknowledgment forms at the end of this RFP as part of your proposal response.

## II-2 Understanding of Project and Tasks

The Professional must understand the project being considered and the professional services needed to achieve the state's goal. State your understanding of the project requirements and summarize your plan for accomplishing the project. Outline your experience with similar projects, sites, and clients as examples. Explain how your firm or project team is the best suited to provide the services required for this project and would provide the best value to the State of Michigan for this work.

## II-3 Personnel

The Professional must be able to staff a project team that has the qualifications and expertise necessary to undertake the project. Include the full names of all personnel by classification that will be employed in the project. Indicate which of these individuals you consider to be "Key Personnel" for the successful completion of the project, identify them by name and position/classification, and provide their resumes. Provide an organization chart outlining authority and communication lines for each professional firm, including Key Personnel, including the Professional's consultants, client agency, and DTMB.

## II-4 Management Summary, Work Plan, and Schedule

The Professional must outline their work plan and methodology so that it is understood what services and deliverables will be provided, and the quality of the services and deliverables as well. Describe in detailed narrative form your plan for accomplishing the project. Describe clearly and concisely each professional task, event, and deliverable required for project completion. Do not simply reiterate language and tasks from the DTMB Professional Services Contract. Describe your constructability review and quality control plan. Include a detailed time sequenced-related but undated schedule, showing each event, task and phase in your work plan. Allow time in the schedule for Owner's review.

## II-5 Budget Analysis

Analyze the proposed project budget for adequacy versus the outlined program or project statement. If your professional opinion is that the proposed budget is inadequate provide the basis for your opinion and offer suggestions for managing the issue. This will not adversely affect review of the proposal.

## II-6 References

Provide references, with contact information, of previous clients, particularly for similar projects within the last five (5) years. Outline your experience with similar projects, sites, and clients.

# SECTION III PROPOSAL FORMAT - PART II - COST

## III-1 Instructions and Information – Billable Rate

The Part II - Cost Proposal shall carefully interface with all phases/tasks of the work plan identified in the Part I - Technical Proposal.

The fee requested shall be estimated using billable hourly rates and the hours expected to be necessary by particular staff to complete the phases of work. If consultants are used, their fees shall be provided. A mark-up of the Professional consultants' fees or billing rates will be allowed; indicate the percentage of the mark-up within the tables.

Reimbursable Expenses: The DTMB will reimburse the Professional for the actual cost of printing and reproduction of project deliverables such as survey and/or study report and bidding documents (drawings and specifications). The DTMB will also

reimburse for soil borings, site surveys and any required laboratory testing. A mark-up of reimbursable expenses will be allowed for services not performed in house; indicate the percentage of the mark-up within the tables, not to exceed 5%.

All other costs, such as fringe benefits, vacations, sick leave, insurance, meals, lodging, travel, all computer time, and clerical/secretarial services (not project related), telephone services, miscellaneous travel, reproduction services for other than bid documents, employees not providing a direct service, other indirect costs, overhead and profit, shall be included in the calculation of the Professional's billing rates.

If the project is further than 100 miles one-way from the Professional firm's office, travel expenses to the project site will be allowed as a reimbursable expense at the State of Michigan's rates, based on DTMB's Vehicle and Travel Services Travel Rate Reimbursement for premium mileage rates in effect at execution of the contract. Mileage allowed will be actual, less 100 miles each way. Other travel expenses are not to be included, unless specifically authorized in writing. Provide an estimated allowance of reimbursable costs for travel expenses to the project site, in your proposal response.

Completeness of Proposal: The design phase services shall cumulatively include any services required for subsequent issuing and processing of bulletins arising from, but not limited to, design errors and/or omissions, code compliance (precipitating either from plan review or on-site/field observations), or modification of existing structures or systems necessary to achieve the intent of the project statement.

The design phase services shall include, either by cumulative allowance or by specific task, the furnishing of all project data and services necessary to legally implement the project. This includes but may not be limited to, code reviews and/or interpretations, project meetings, presentations, hearings, utility allocations requests, and/or connections, easements, or permits.

Any contract issued by the state pursuant to this proposal anticipates that the Professional will provide, but shall not seek compensation for, services necessary to respond to and resolve contractor claims arising wholly or in part from the Professional's design errors or omissions or other aspects of the design or for any aspect of the professional's performance which is inconsistent with the professional or construction contracts. No task or part thereof may include costs for such efforts.

Cost Review: Cost Proposals are reviewed on Interface and Total Fee. Interface refers to how the effort proposed (defined as the numbers of hours per phase, considered with the staff and classification assigned to that phase) relates to the effort the DTMB and the Client Agency expect or estimate to be required in order to deliver the project successfully. Total Fee refers to the total of the prime Professionals' fee, consultants, travel, and other reimbursable expenses.

### III-2 Identification of Personnel and Estimated Compensation

Provide compensation information for the Professional as well as any consultants. Note that employees of a separate professional firm or consultant, if proposed, should also be included, and noted.

#### A. Primary Professional and Consultant(s) – Position, Classification & Employee Billable Rate Information

Using the format of Form III-2-A (attached), identify the service being provided and the consultant's employee(s) names and position classifications; mark-up not to exceed 5%.

To determine your current billing rates, use the attached guideline page for information regarding the "overhead Items used for Professional Firm's billing Rates Calculation," and the [web-link](#) to "Sample Standard Contract for Professional Services," Article 2 – Compensation. Consultants providing professional services must submit separate billing rates for services that they will provide. A reasonable mark-up of the consultants billing rates will be allowed. ALL other costs, such as indirect labor, telephones, miscellaneous reproduction, travel, etc. shall be included in the professional's billing rate.

Identify, for each task, the estimated cost. The combination of all phases/tasks shall become the professional's maximum not-to-exceed cost for all services. Compensation for each phase will be in accordance with the "Sample Standard Contract for Professional Services," Article 2 – Compensation.

#### B. Fee with Anticipated Hours by Phase

Using the format of Form III-2-B, identify for each phase the estimated hours for each employee and include the billable rate for each employee. Provide totals.

C. Reimbursable Expenses

Using the format of Form III-2-C, identify the phase number, firm name and description of sub-consulting services expressed as a not-to-exceed amount.

Identify the phase number, firm name, and description of all reimbursable direct expenses expressed as a not-to-exceed amount (travel over 100 miles one-way, printing, tests, etc.). Note the mark-up(s) for handling reimbursable expenses. Provide totals.

D. Total, Summarized by Phase

Using the format of Form III-2-D, provide a total of the fees and reimbursable expenses, by phase, as outlined in items B and C above. The total of all phases shall become the Professional's maximum not-to-exceed contract for all design services. Compensation for each phase will be in accordance with the "Sample Standard Contract for Professional Services."

Use the attached forms to establish your total compensation and trade contract reimbursables.

The following instructions are to be used by the Professional Services Contractor firms to determine the hourly billing rate to use on State of Michigan Projects.

The Professional's Consultant must submit a separate hourly billing rate for the professional consultant services they will provide for State of Michigan Projects. A moderate mark-up of the Professional's Consultant services hourly billing rates will be allowed.

The Department will reimburse the Professional for the actual cost of printing and reproduction of the Contract Bidding Documents, soil borings, surveys and any required laboratory testing services and use of field equipment. **No mark-up of these Project costs will be allowed if services are performed in house.**

## 2021 HOURLY BILLING RATE

Based on 2020 Expenses

### OVERHEAD ITEMS ALLOWED FOR THE PROFESSIONAL SERVICES CONTRACTOR FIRM'S HOURLY BILLING RATE CALCULATION

#### SALARIES:

Principals (Not Project Related)  
Clerical/Secretarial  
Technical (Not Project Related)  
Temporary Help  
Technical Training  
Recruiting Expenses

#### OFFICE FACILITIES:

Rents and Related Expenses  
Utilities  
Cleaning and Repair

#### SUPPLIES:

Postage  
Drafting Room Supplies  
General Office Supplies  
Library  
Maps and Charts  
Magazine Subscriptions

#### SERVICES (PROFESSIONAL):

Accounting  
Legal  
Employment Fees  
Computer Services  
bond)  
Research  
Project/Contract bond)

#### FINANCIAL:

Depreciation

#### EQUIPMENT RENTALS:

Computers  
Typewriter  
Bookkeeping  
Dictating  
Printing  
Furniture and Fixtures  
Instruments

#### TRAVEL:

All Project-Related Travel\*

#### MISCELLANEOUS:

Professional Organization Dues  
for Principals and Employees  
Licensing Fees

#### SERVICES (NONPROFESSIONAL):

Telephone and Telegram  
Messenger Services

#### TAXES:

Franchise Taxes  
Occupancy Tax  
Unincorporated Business Tax  
Property Tax

Single Business Tax

Income Tax

#### INSURANCE:

Professional Liability Insurance  
Flight and Commercial Vehicle  
Valuable Papers  
Office Liability  
Office Theft  
Premises Insurance  
Key-Personnel Insurance

#### EMPLOYEE BENEFITS:

Hospitalization  
Employer's F.I.C.A. Tax  
Unemployment Insurance  
Federal Unemployment Tax  
Disability  
Worker's Compensation  
Vacation  
Holidays  
Sick Pay  
Medical Payments  
Pension Funds  
Insurance - Life  
Retirement Plans

#### PRINTING AND DUPLICATION:

Specifications (other than Contract  
Bidding Documents)  
Drawings (other than Contract  
Bidding Documents)  
Xerox/Reproduction  
Photographs

#### LOSSES:

Bad Debts (net)  
Uncollectible Fee  
Thefts (not covered by Project/Contract  
Forgeries (not covered by



### III-2-A. Position, Classification and Employee Billing Rate Information

Firm Name  
Yearly Hourly Billing Rate Increase

XYZ, Inc.  
≈4%

Position/Classification				
	Year 2021	Year 2022	Year 2023	Year 2024
Principal/Project Manager**	\$100.00	\$105.00	\$110.00	\$116.00
Senior Architect	\$100.00	\$105.00	\$110.00	\$116.00
Quality Control/Assurance	\$100.00	\$105.00	\$110.00	\$116.00
Licensed Surveyor**	\$90.00	\$95.00	\$99.00	\$104.00
Project Engineer**	\$90.00	\$95.00	\$99.00	\$104.00
Mechanical Engineer**	\$90.00	\$95.00	\$99.00	\$104.00
Sr. Structural Engineer	\$80.00	\$84.00	\$88.00	\$92.00
Electrical Engineer	\$80.00	\$84.00	\$88.00	\$92.00
Scientist/Surveyor	\$65.00	\$68.00	\$71.00	\$75.00
Staff Engineer	\$65.00	\$68.00	\$71.00	\$75.00
Staff geologist	\$65.00	\$68.00	\$71.00	\$75.00
CAD Operator	\$75.00	\$79.00	\$83.00	\$87.00
Technician	\$65.00	\$68.00	\$71.00	\$75.00
Field Technician	\$50.00	\$53.00	\$56.00	\$59.00
Technical Support	\$35.00	\$37.00	\$39.00	\$41.00

\*Billing Rate will be in accordance with the attached guideline page for instructions regarding the "Overhead Items used for Professional Billing Rate Calculation," and the "Sample Standard Contract for Professional Services," Article 5, Compensation Text.

\*\* Key Project Personnel

### III-2-B. Fee with Anticipated Hours and Billing Rate

		TOTAL HOURS	BILLING RATE	TOTAL
	POSITION/ CLASSIFICATION			
	Principal/Project Manager	30	100.00	3,000.00
	Senior Architect	17	100.00	1,700.00
	Licensed Surveyor	9	90.00	810.00
	Project Engineer	8	90.00	720.00
	Mech. Engineer.	8	90.00	720.00
	Sr. Structural Engineer	8	80.00	640.00
	Electrical Engineer	22	80.00	1,760.00
	Draftsperson	40	35.00	1,400.00
	Quality Control	2	100.00	200.00
	CAD Operator	42	35.00	1,470.00
SUBTOTAL		186		\$10,667.50

**III-2C. Authorized Reimbursables -- Consultants, Testing and Expenses**

\*Firm's Mark-Up Percentage: \_\_\_\_\_

PHASE	NAME OF FIRM	DESCRIPTION OF SERVICES PROVIDED	TOTAL AMOUNT* (including mark-up)
Phase 400	Forrest T. Arrea, Landscape Architect, Howell, Michigan	Design of Stormwater Management Rain Garden	500.00
Phase 500	XYZ Productions, Inc. Lansing, Michigan	Printing and reproduction of bidding documents	500.00
Phase 500	Forrest T. Arrea, Landscape Architect, Howell, Michigan	Design of Stormwater Management Rain Garden	500.00
	<b>SUBTOTAL</b>		<b>\$ 1,500.00</b>

**III-2D. Total, Summarized By Phase**

PHASE	Phase 300	Phase 400	Phase 500	Phase 600	Phase 700	TOTAL
Professional Fee	1,597.50	2,820.00	3,970.00	1,120.00	1,160.00	10,667.50
Reimbursable Expenses	0.00	750.00	1,250.00	0.00	500.00	1,500.00
<b>SUB-TOTAL</b>	<b>1,597.50</b>	<b>3,570.00</b>	<b>5,220.00</b>	<b>1,120.00</b>	<b>1,660.00</b>	
<b>TOTAL CONTRACT AMOUNT</b>						<b>\$ 12,167.50</b>



**DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET**  
**State Facilities Administration**  
**Design & Construction Division**

## Certification of a Michigan Based Business

(Information Required Prior to Contract Award for Application  
of State Preference/Reciprocity Provisions)

To qualify as a Michigan business:

Vendor must have, during the 12 months immediately preceding this bid deadline:

or

If the business is newly established, for the period the business has been in existence, it has:

(check all that apply):

- ☐ Filed a Michigan single business tax return showing a portion, or all of the income tax base allocated or apportioned to the State of Michigan pursuant to the Michigan Single Business Tax Act, 1975 PA 228, MCL 208.1 – 208.145; or
- ☐ Filed a Michigan income tax return showing income generated in or attributed to the State of Michigan; or
- ☐ Withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Department of Treasury; or

I certify that **I have personal knowledge** of such filing or withholding, that it was more than a nominal filing for the purpose of gaining the status of a Michigan business, and that it indicates a significant business presence in the state, considering the size of the business and the nature of its activities.

I authorize the Michigan Department of Treasury to verify that the business has or has not met the criteria for a Michigan business indicated above and to disclose the verifying information to the procuring agency.

Bidder shall also indicate one of the following:

- ☐ Bidder qualifies as a Michigan business (provide zip code: \_\_\_\_)
- ☐ Bidder does not qualify as a Michigan business (provide name of State: \_\_\_\_).
- ☐ Principal place of business is outside the State of Michigan, however service/commodity provided by a location within the State of Michigan (provide zip code: \_\_\_\_)

Bidder: \_\_\_\_\_

\_\_\_\_\_  
Authorized Agent Name (print or type)

\_\_\_\_\_  
Authorized Agent Signature & Date

Fraudulent Certification as a Michigan business is prohibited by MCL 18.1268 § 268. A BUSINESS THAT PURPOSELY OR WILLFULLY SUBMITS A FALSE CERTIFICATION THAT IT IS A MICHIGAN BUSINESS OR FALSELY INDICATES THE STATE IN WHICH IT HAS ITS PRINCIPAL PLACE OF BUSINESS IS GUILTY OF A FELONY, PUNISHABLE BY A FINE OF NOT LESS THAN \$25,000 and subject to debarment under MCL 18.264.



**DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET**  
**State Facilities Administration**  
**Design & Construction Division**

### Responsibility Certification

The bidder certifies to the best of its knowledge and belief that, within the past three (3) years, the bidder, an officer of the bidder, or an owner of a 25% or greater interest in the bidder:

- (a) Has not been convicted of a criminal offense incident to the application for or performance of a contract or subcontract with the State of Michigan or any of its agencies, authorities, boards, commissions, or departments.
- (b) Has not had a felony conviction in any state (including the State of Michigan).
- (c) Has not been convicted of a criminal offense which negatively reflects on the bidder's business integrity, including but not limited to, embezzlement, theft, forgery, bribery, falsification, or destruction of records, receiving stolen property, negligent misrepresentation, price-fixing, bid-rigging, or a violation of state or federal anti-trust statutes.
- (d) Has not had a loss or suspension of a license or the right to do business or practice a profession, the loss or suspension of which indicates dishonesty, a lack of integrity, or a failure or refusal to perform in accordance with the ethical standards of the business or profession in question.
- (e) Has not been terminated for cause by the Owner.
- (f) Has not failed to pay any federal, state, or local taxes.
- (g) Has not failed to comply with all requirements for foreign corporations.
- (h) Has not been debarred from participation in the bid process pursuant to Section 264 of 1984 PA 431, as amended, MCL 18.1264, or debarred or suspended from consideration for award of contracts by any other State or any federal Agency.
- (i) Has not been convicted of a criminal offense or other violation of other state or federal law, as determined by a court of competent jurisdiction or an administrative proceeding, which in the opinion of DTMB indicates that the bidder is unable to perform responsibly or which reflects a lack of integrity that could negatively impact or reflect upon the State of Michigan, including but not limited to, any of the following offenses under or violations of:
  - i. The Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106.
  - ii. A persistent and knowing violation of the Michigan Consumer Protection Act, 1976 PA 331, MCL 445.901 to 445.922.
  - iii. 1965 PA 166, MCL 408.551 to 408.558 (law relating to prevailing wages on state projects) and a finding that the bidder failed to pay the wages and/or fringe benefits due within the time period required.
  - iv. Repeated or flagrant violations of 1978 PA 390 MCL 408.471 to 408.490 (law relating to payment of wages and fringe benefits).
  - v. A willful or persistent violation of the Michigan Occupational Health and Safety Act, 1974, PA 154, MCL 408.10001 to 408.1094, including: a criminal conviction, repeated willful violations that are final orders, repeated violations that are final orders, and failure to abate notices that are final orders.
  - vi. A violation of federal or state civil rights, equal rights, or non-discrimination laws, rules, or regulations.
  - vii. Been found in contempt of court by a Federal Court of Appeals for failure to correct an unfair labor practice as prohibited by Section 8 of Chapter 372 of the National Labor Relations Act, 29 U. s. C. 158 (1980 PA 278, as amended, MCL 423.321 et seq).
- (j) Is NOT an Iran linked business as defined in MCL 129.312.

**I understand that a false statement, misrepresentation, or concealment of material facts on this certification may be grounds for rejection of this proposal or termination of the award and may be grounds for debarment.**

Bidder: \_\_\_\_\_

\_\_\_\_\_  
 Authorized Agent Name (print or type)

\_\_\_\_\_  
 Authorized Agent Signature & Date

☐ I am unable to certify to the above statements. My explanation is attached.



**DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET**  
**State Facilities Administration**  
**Design & Construction Division**

**ACKNOWLEDGMENT OF ADDENDUMS**

PSC acknowledges receipt of Addenda: No. \_\_\_\_ dated: \_\_\_\_\_, No. \_\_\_\_ dated: \_\_\_\_\_ No. \_\_\_\_ dated: \_\_\_\_\_