

The Commonwealth of Massachusetts

Executive Office of Administration and Finance

Designer Selection Board

One Ashburton Place, 10th Floor, Room #1004

Boston, Massachusetts 02108

TEL: (617) 727-4046

FAX: (617) 727-0112

PUBLIC NOTICE #16-12

August 10, 2016

This Board will accept applications from architects, engineers, or other disciplines as noted, whichever is designated for the projects described in the attached Public Notice identified as **List #16-12**. Applicants are requested to submit a separate Designer Selection Board Application Form (**16 COPIES**) for each project for which they wish to be considered. **An electronic copy of the DSB Master File Brochure and the DSB Application Form (updated July 2016) are available from the Web site address www.mass.gov/dcam/dsb. Please be sure to use the latest forms. Application closing date for projects on DSB List #16-12 is 2:00 p.m., WEDNESDAY, August 31, 2016.** The advertisements may be found on the web by going to the DSB web-site at www.mass.gov/dcam/dsb. Please send all correspondence to the Designer Selection Board, ONE ASHBURTON PLACE, ROOM 1004, BOSTON, MA 02108.

This Public Notice, including attachments, may be duplicated by any and all interested.

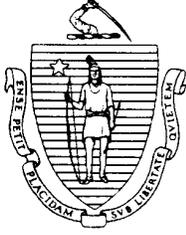
Please note the following: This Public Notice #16-12 includes: (a) the procedures for conforming to M.G.L. C.7C, § 6, Executive Orders 526, 559 and 565 regarding Affirmative Market, Minority and Women Owned Business Participation and Service Disabled Veteran Owned Business Enterprises and Veteran Owned Business Enterprises Benchmark.

**ALL APPLICATIONS MUST BE SUBMITTED ON THE DSB APPLICATION FORM (Updated July 2016)
(ENCLOSED HEREIN)**

FAILURE TO USE THE ABOVE FORM MAY BE THE BASIS FOR REJECTION OF YOUR APPLICATION.

Claire G. Hester

**Claire G. Hester, Program Coordinator
DESIGNER SELECTION BOARD**



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PUBLIC NOTICE

TO: Lowell Sun (Email) 491 Dutton Street, Legal Ads Lowell, 01854

FROM: Designer Selection Board

DATE: August 3, 2016

SUBJECT: Classified Legal Advertisement

On August 12, 2016, please insert one day only, the below approximate 2 column 2 inch classified legal advertisement of the Designer Selection Board. Submit proof of advertisement attached to your invoice. Please refer to P.O. #GAE .

A handwritten signature in cursive script that reads "Claire G. Hester".

Claire G. Hester
Program Coordinator
DESIGNER SELECTION BOARD

PUBLIC NOTICE

DESIGNER SELECTION BOARD

PUBLIC NOTICE

Architects and engineers are advised that DSB Project List #16-12, dated August 10, 2016 describing 01 Designer Selection Board project(s) is now available at www.mass.gov/dcam/dsb

PUBLIC NOTICE

DESIGNER SELECTION BOARD

PUBLIC NOTICE

APPLICANTS PLEASE NOTE:

The following requirements were implemented on the following dates and continue to be requirements.

July 2016

DSB Application Form and Master File Brochure Form Updated

Please use the updated version of the DSB Application Form and Master File Brochure Form updated July 2016. You can download the forms from our website at www.mass.gov/dcam/dsb

May 2014

Brief Resume of ONLY those Prime Applicant and Sub-Consultant personnel requested in the Advertisement. Include Resumes of Project Managers. Resumes should be consistent with the persons listed on the Organizational Chart in Question # 6. Additional sheets should be provided only as required for the number of Key Personnel requested in the Advertisement and they must be in the format provided. By including a Firm as a Sub-Consultant, the Prime Applicant certifies that the listed Firm has agreed to work on this Project, should the team be selected.

May 2013

Reasons for Rejection of Applicants

The following list which would result in a Board determination that the application missing the following information will be considered ineligible for further review and the applicant is ineligible for selection either as a result of violation of provisions of law, provisions of Executive Order or rules properly established by the Board would include:

1. Application not signed by a Principal of the firm.
2. Applicant firm is not a designer as defined in Chapter 7C.
3. Applicant firm is not of the type (i.e. A, A/E, E) requested in the advertisement.
4. The P.I.C. of the prime applicant does not meet the requirements of the advertisement.
5. Failure to include resume of one or more of personnel listed on the organizational chart or otherwise required.
6. Application does not include both MBE and WBE.
7. MBE and/or WBE goals are met with non-requested prime or sub-consultants.
8. Ownership requirements as defined by Chapter 7C not fulfilled.
9. Application does not include all requested sub-consultants.
10. All sub-consultants must be registered in the Commonwealth of Massachusetts when such registration is available.
11. Section #12 of the application is not answered with "Yes" or "No".

12. No Master File Brochure on file.
13. Failure to supply sub-consultants acknowledgement form.
14. Failure to supply Out of State Registration Certificate - All Out of State firms applying to advertisements to the Designer Selection Board must insure they are registered to do business with the Secretary of the Commonwealth of MA.
15. Applications that are incomplete will be rejected.

DSB MASTER FILE BROCHURE (Updated July 2016)

In addition to the individual application form separately filed for each specific project, architects, engineers, planners, construction managers, and related construction industry consultants who wish to be considered for appointment as program consultants, designers, or construction managers on state projects under the jurisdiction of the Designer Selection Board must submit current (within one year of application) credentials in the form of a master brochure as specified on the new DSB Master File Brochure (Updated July 2016), (attached herein). Applicants may supplement the required material with their printed brochure, including pictures and illustrations and any other information which the applicant deems essential to be representative of his or her capabilities. Please utilize return receipt if an acknowledgment is desired. All material shall become the property of the Commonwealth, may be disposed of without notification, and shall be considered public information.

Electronic copies of the forms are available at the following Commonwealth's Web site: www.mass.gov/dcam/dsb

CHAPTER 579

In accordance with Chapter 579 of the Acts of 1980 all contracts for designer services for all capital facility projects entered into on or after January 1, 1982 shall conform to those provisions specified in this act. Some of the major changes mandated by this legislation include the following:

1. Lump sum design fees may be set by the Commissioner prior to DSB selections process, or negotiated after the DSB selection process. (See M.G.L. C.7C, §50). If designer's fee is negotiated, he must file a truth-in-negotiations certificate. (Revised to M.G.L. C.7C, §50 per Chapter 165 of 2012).
2. There can be no change in consultants from those named on the DSB application unless approved by the Commissioner and reported to the DSB. The director may require a Consultant employed by the designer to obtain and maintain liability insurance.

Section 50

- (a) In the selection of a designer when the fee for design services has been set by the commissioner prior to the selection process, the commissioner shall appoint a designer from among the list transmitted to him or her under §49. If the commissioner appoints any designer other than the one ranked first by the board, he or she shall file a written justification of the appointment with the board.
- (b) When the fee for design services is to be negotiated, the commissioner shall review the list transmitted by the board, and may exclude any designer from the list if a written explanation of the exclusion is filed with the board. The commissioner shall then appoint a designer based on successful fee negotiation. The commissioner or persons designated by him or her shall first negotiate with the first ranked designer remaining on the list. Should the commissioner be unable to negotiate a satisfactory fee with the first ranked designer within thirty days, negotiations shall be terminated and negotiations undertaken with the remaining designers, one at a time, in the order in which they were ranked by the board, until an agreement is reached. In no event may a fee be negotiated which is higher than a maximum fee set by the commissioner prior to selection of finalists. Should the commissioner be unable to negotiate a satisfactory fee with any designer initially selected as a finalist by the board, the board shall recommend additional finalists in accordance with the provisions of this chapter. The commissioner may require a finalists with whom a fee is being negotiated to submit a fee proposal and include with it such information as the commissioner requires to provide current cost and pricing data on the basis of which the designer's fee proposal may be evaluated.
- (c) All fees shall be stated in designer's contracts and in any subsequent amendment thereto as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services.

ELIGIBILITY REQUIREMENTS FOR ALL APPLICANTS TO THE DSB

1. Submission of the DSB Master File Brochure (Updated July 2016) in the format required, and at least annually, continuously update same.
2. Updating of the DSB Master File Brochure (Updated July 2016) when there are significant principal or key personnel changes in a firm.
3. Receipt of applications from designers who are full time employees of another firm shall disqualify the applicant.
4. A person may not submit more than one application as a "prime" applicant on the same project. The applications of any such applicant shall be considered disqualified. This rule does not preclude a person applying as a "prime" applicant even though that applicant is also listed as a consultant on one or more other "prime" applications on the same project. For the purposes of this paragraph the term "person" means an individual, corporation, association, partnership or other legal entity.
5. Simultaneous receipt of applications from individuals or group of individuals who are associates or who are involved in an association or corporation filing for the same project shall disqualify the applicants.
6. Applicants agree to execute the current forms of the Commonwealth of Massachusetts Contract.
7. Chapter 7C, § 51 requires that on public design contracts where the total design fee is expected to exceed \$10,000 or for the design of a project for which the estimated construction cost is expected to exceed \$100,000 the designer shall:
 - a) File its latest CPA or PA audited financial statement with the Division of Capital Asset Management and Maintenance (DCAMM), and continue to do so annually throughout the term of the contract;
 - b) Submit a statement from a CPA or PA that states that they have examined management's internal auditing controls, and expresses their opinion regarding those controls.
8. Every application or statement filed pursuant to this section shall be sworn to under penalties of perjury. A designer, programmer or construction manager who has been determined by the Board to have filed materially false information under this section shall be disqualified by the Board from further consideration for any project for such time as the Board determines is appropriate. **UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED BY THE BOARD.**

ADDITIONAL REQUIREMENTS FOR DESIGNERS PROVIDING PLANS & SPECIFICATIONS

(a) Certification that the applicants' legal entity, if applying to perform design services other than preparation of studies, surveys, soil testing, cost estimates, programs, or construction management is a designer as defined. The definition of a design professional as listed in M.G.L. C.7C, §44 follows:

"Designer," an individual, corporation, partnership, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of architecture, landscape architecture, or engineering, which satisfies the following:

- (i) if an individual, the individual is a registered architect, landscape architect, or engineer; (registered in the Commonwealth of Mass.)*
- (ii) if a partnership, a majority of all the partners are persons who are registered architects, landscape architects, or engineers; (registered in the Commonwealth of Mass.)*
- (iii) if a corporation, sole proprietorship, joint stock company or other entity, the majority of directors or a majority of the stock ownership and the chief executive officer are persons who are registered architects, landscape architects or engineers, and the person to be in charge of the project is registered in the discipline required for the project.*

[Note: This requires that the chief executive officer and a majority of the directors or a majority of the stock ownership be registered architects, landscape architects or engineers, and that the person to be in charge of the project be registered in the discipline required for the project. "Registered" means registered in the Commonwealth of Massachusetts.]

(iv) if a joint venture, each joint venturer satisfies the requirements of this section.

(b) As a condition of application, each applicant agrees to carry, if selected for the new project, (other than a master plan, program, or construction management) professional liability insurance in the amount equal to 10% of the estimated construction cost of the project, in conformance with the provisions of Article 12 of study contract and Article 12 of the design contract, i.e. minimum coverage of \$250,000 and maximum coverage of \$5,000,000. Note that the requirement for professional liability insurance shall apply to the Commonwealth of Massachusetts Contract for Study, Final Design and Construction Administration Services (June 2016) when a project is advertised by both study and design services.

CRITERIA FOR SELECTION OF SEMI-FINALISTS AND FINALISTS

IN CONFORMANCE WITH CHAPTER 7C, SECTION 49

1. Prior similar experience best illustrating current qualifications for this project.
2. Identity and qualifications of the key persons and consultants who will work on this project.
3. Depth of the firm with respect to size and complexity of the project.
4. Past performance on public and private projects.
 - a. Quality, clarity, completeness and accuracy of contract documents and design contract.
 - b. Effectiveness of meeting established program requirements and function within allotted budget.
 - c. Accuracy of cost estimates including assessment of contractors' requisitions for payment and change order proposals.
 - d. Management ability to meet schedules including submission of design and contract documents and processing of shop drawings, contractors' requisitions and change orders.
 - e. Coordination and management of consultants.
 - f. Working relationship with contractors, subcontractors, Division of Capital Asset Management and Maintenance (DCAMM) staff and agency representatives.
5. Financial stability - including prompt payment of consultant fees.
6. Current workload with DCAMM and other public agencies.
7. Geographical location of the firm with respect to the proposed project.
8. Participation of MBEs and WBEs as prime consultants or sub-consultants in a role consistent with the participation goals set forth for the project.
 - a. The Designer Selection Board adheres to M.G.L. C.7C, § 6, Executive Orders 526, 559 and 565 as implemented by the Division of Capital Asset Management and Maintenance establishing goals for Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) participation on all design contracts unless otherwise noted. (See attached pages 4-8) and a separate Service Disabled Veteran Owned Business Enterprises (SDVOBE) and Veteran Owned Business Enterprises (VBE) Benchmark of 3%

- b. The Minority Business Enterprise and Woman Business Enterprise participation goals established for each contract are set forth on the first page of the “Designer Selection Board Project Criteria” solicitation for that contract.

PARTICIPATION BY MINORITY OWNED BUSINESSES AND WOMAN OWNED BUSINESSES

Pursuant to M.G.L. C.7C, § 6, Executive Orders 526,559 and 565, the Commissioner of the Division of Capital Asset Management and Maintenance (DCAMM), as designee of the Secretary of Administration and Finance, has developed the following goals and procedures to encourage full participation by minority business enterprises (MBEs) and women businesses enterprises (WBEs) (collectively MBE/WBEs) on contracts for design services entered into by DCAMM and other public awarding authorities with MBE/WBE Participation Programs.

GOALS

Subject to the terms of this memorandum, the following MBE/WBE participation goals shall apply to the total dollar value of all study and design contracts awarded for DCAMM projects:

The Minority Business Enterprise and Women Business Enterprise (MBE/WBE) participation goal is a combined goal of 17.9%.

Applicants must utilize a mix of both MBE and WBE firms whose participation, when added together, meets the overall combined goal set for the Contract. The combined goal requires a reasonable representation of both MBE and WBE firm participation. The Combined MBE/WBE goal must be met within the list of requested prime and sub-consultants. All applicants must indicate in the prime firm’s application how they or their consultants will meet these goals and will be evaluated on that basis.

Applications from MBE and WBE firms as prime consultant are encouraged. Applicants that are themselves MBE or WBE certified will be required to bring a reasonable amount of participation by a firm(s) that holds the certification which is not held by the applicant to the project. Proposed MBE/WBE participation plans that include solely MBE or solely WBE participation, or have only nominal participation by one or the other to meet the combined goal, will not be considered responsive. Applicants are strongly encouraged to utilize multiple disciplines and firms to meet the MBE/WBE goal. Consultants to the prime can team within their disciplines in order to meet the MBE/WBE goal, but must state this relationship on the organizational chart.

If the contracting design firm is not itself an MBE or WBE, then MBE/WBE participation credit will be given for the value of any work under the contract that is actually performed by each MBE or WBE consultant, subcontractor or sub-consultant (hereafter “subcontractors”) to the Designer.

Although the contract contains a combined goal, participation by MBE and WBE firms must be reported and tracked separately.

MODIFICATION OF M/WBE PARTICIPATION GOALS FOR PARTICULAR PROJECTS

DCAMM reserves the right to reduce or waive the MBE/WBE participation goals stated above for a particular project prior to the receipt of applications to the Designer Selection Board upon its own initiative or upon the request of any applicant if DCAMM determines that it is not feasible for a non-MBE/WBE design firm to meet the MBE/WBE goal established for the project based upon any or all of the following: (i) actual MBE/WBE availability, (ii) the geographic location of the project to the extent related to MBE/WBE availability, (iii) the contractual scope of work, (iv) the percentage of work available for subcontracting to MBE/WBEs, or (v) other relevant factors as determined by DCAMM.

The MBE/WBE participation goals established for each project are set forth in the Designer Selection Board Project Criteria published for that project.

After a project is advertised, requests from prospective applicants to reduce or waive the MBE/WBE participation goals for that project, with all supporting documentation, must be submitted with the application, with a copy to DCAMM's Compliance Office, One Ashburton Place, 15th Floor, Boston, MA 02108. Except as provided below, DCAMM will not consider any request to reduce or waive the MBE/WBE participation goals for a project if the request is received after this deadline.

DETERMINATION OF MBE/WBE STATUS

A minority owned business shall be considered an MBE only if it has been certified as a minority owned business by the Supplier Diversity Office ("SDO") (formerly SOMWBA). A woman owned business shall be considered a WBE only if it has been certified as a woman owned business by SDO. Certification as a disadvantaged business enterprise ("DBE"), certification as an MBE/WBE by any agency other than SDO, or submission of an application to SDO for certification as an MBE/WBE shall not confer MBE/WBE status on a firm.

Minority owned businesses and woman owned businesses are strongly encouraged to submit applications for certification as MBE/WBEs to SDO. Information is available from SDO, One Ashburton Place, 13th Floor, Boston, MA 02108 (617) 502-8831 and at www.mass.gov/sdo

IDENTIFICATION OF MBE/WBE PARTICIPANTS BY THE SELECTED DESIGNER

The current SDO Certification Letters showing that the MBE/WBE is certified in the area of work for which it is listed on the application must be submitted for each and every MBE and WBE firm listed on the application, and must be submitted with the application.

Not later than five (5) working days after the Designer receives notice of selection for the advertised project, (A-5 Letter), the Designer shall submit to DCAMM's Compliance Office (i) a Letter of Intent for each of the M/WBEs that will perform work under the contract, and (ii) a Schedule of MBE/WBE Participation. The form of Letter of Intent and Schedule of MBE/WBE Participation are included in this application package.

Within five (5) working days after receipt of the Letters of Intent, DCAMM's Compliance Office shall review and either approve or disapprove the Designer's submissions. Without limitation, DCAMM reserves the right to reject the Letter of Intent of any MBE/WBE that is to perform work in a category that is not listed in its SDO certification, or if the price to be paid for the MBE/WBE Work as stated in the Letter of Intent does not bear a reasonable relationship to the value of such work as reasonably determined by DCAMM. If the Designer has not submitted an appropriate Schedule of MBE/WBE Participation and appropriate Letters of Intent and SDO certification letters establishing that the MBE/WBE participation goal for the project will be met, the Designer may be considered ineligible for award of the contract and DCAMM may award the contract to the second ranked Designer, subject to that Designer's compliance with these conditions.

DCAMM reserves the right to reduce or waive the MBE/WBE participation goals for a project prior to the final selection of a designer, provided that no such reduction or waiver shall be granted except under the following circumstances: the Designer must establish and document that it has been unable to obtain commitments from MBE/WBE subcontractors sufficient to meet the MBE/WBE goals for the project after having made a diligent, good faith effort to do so; all such documentation must accompany the Designer's request to reduce or waive the MBE/WBE participation goal submitted with its application and shall include, at a minimum, the following:

- A list of all items of work under the contract that the Designer made available for subcontracting to MBE/WBEs. The Designer shall identify all items of work that the Designer did not make so available and shall state the reasons for not making such work available for subcontracting to MBE/WBEs. The Designer shall also demonstrate that, where commercially reasonable, tasks were divided into units capable of being performed by MBE/WBEs.
- Evidence that the Designer sent written notices soliciting proposals to perform the items of work made available by the Designer for subcontracting to MBE/WBEs to all MBE/WBEs qualified to perform such work. The Designer shall identify (i) each MBE/WBE solicited, and (ii) each MBE/WBE listed in the SDO directory under the applicable work

category who was not solicited and the reasons therefor. The Designer shall also state the dates notices were mailed and provide a copy of the written notice(s) sent.

- Evidence that the Designer made reasonable efforts to follow up the written notices sent to MBE/WBEs with telephone calls or personal visits in order to determine with certainty whether the MBE/WBEs were interested in performing the work. Phone logs or other documentation must be submitted.
- A statement of the response received from each MBE/WBE solicited, including the reason for rejecting any MBE/WBE who submitted a proposal.
- Evidence of efforts made to assist MBE/WBEs that need assistance in obtaining insurance, or lines of credit with suppliers if the inability of MBE/WBEs to obtain, insurance, or lines of credit is a reason given for the Designer's inability to meet the MBE/WBE goals.
- The Designer also shall submit any other information reasonably requested by DCAMM to show that the Designer has taken all actions which could be reasonably expected to achieve the MBE/WBE participation goals.

The Designer may submit any other information supporting its request for a waiver or reduction in the MBE/WBE participation goals, such as evidence that the Designer placed advertisements in appropriate media and trade association publications announcing the Designer's interest in obtaining proposals from MBE/WBEs, and/or sent written notification to MBE/WBE economic development assistance agencies, trade groups and other organizations notifying them of the contract and the work to be subcontracted by the Designer to MBE/WBEs.

Requests by a selected Designer to reduce or waive the M/WBE participation goals for a particular project based upon the Designer's inability to obtain commitments from MBE/WBE subcontractors sufficient to meet the MBE/WBE goals after having made a diligent, good faith effort to do so must be received by DCAMM not later than with that firm's application to the DSB.

The Designer's compliance with these procedures and goals is a prerequisite for award of the contract, provided that DCAMM reserves the right to waive minor defects in documents and extend time limits in its sole discretion.

SCHEDULE FOR PARTICIPATION
BY MINORITY/WOMEN BUSINESS ENTERPRISES
DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE

DCAMM Project Number _____ Project Location _____

Project Name _____

This form must be submitted to DCAMM's Compliance Office by the Designer within five (5) working days after the Designer receives notice of selection (A-5 Letter). A Letter of Intent and SDO certification letter for each MBE/WBE must be submitted with this Schedule of MBE/WBE participation.

DESIGN FIRM CERTIFICATION:

The undersigned Design firm agrees that it will subcontract with the following listed firms for the work described and for the dollar amounts listed below. For purposes of this commitment, the MBE and WBE designation means that a business has been certified by SDO as an MBE, WBE or M/WBE. The Designer must indicate the MBE/WBE firms it intends to utilize on the contract as follows (attach additional sheets if necessary):

Company Name & Address	MBE or WBE	Describe MBE/WBE Scopes of Work	Total Dollar Value of Participation
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Combined MBE/WBE Goal \$ _____

Total Dollar Value of MBE Commitment: \$ _____

Total Dollar Value of WBE Commitment: \$ _____

The undersigned hereby certifies that he/she has read the terms and conditions of the contract with regard to MBE/WBE participation and is authorized to bind the Designer to the commitment set forth above.

Name of Designer Firm _____

Authorized Signature _____

Business Address _____

Print Name _____

Title _____

Telephone No. _____ Fax No. _____

Date _____

LETTER OF INTENT
MINORITY/WOMEN BUSINESS ENTERPRISES PARTICIPATION
DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE

(To be completed by MBE/WBE, and submitted to the Compliance Office by the Designer within five (5) working days after the Designer receives notice of selection (A-5 Letter).

DCAMM Project Number _____ Indicate SDO Certification:

Project Name _____ ___ MBE

Project Location _____ ___ WBE

To _____ ___ M/WBE
Name of Designer

1. This firm intends to perform work in connection with the above project.
2. This firm is currently certified by SDO to perform the work identified below, and has not changed its minority/women ownership, control, or management without notifying SDO within thirty (30) days of such a change. Attached is a copy of the most recent SDO certification letter issued to my company.
3. This firm understands that if the Designer referenced above is awarded the contract, the Designer intends to enter into an agreement with this firm to perform the activity described below for the prices indicated. This firm also understands that the above-referenced firm, as Designer, will make substitutions only as allowed by the Contract and applicable law.
4. This firm understands that under the terms of the Contract, only work actually performed by an MBE/WBE will be credited toward MBE/WBE participation goals, and this firm cannot assign or subcontract out any of its work without prior written approval of the DCAMM Compliance Office, and that any such assignment or subcontracting will not be credited toward MBE/WBE participation goals.

MBE/WBE PARTICIPATION

Describe MBE/WBE Scopes of Work	Dollar Value of Participation

Total Dollar Value: \$ _____

Name of MBE/WBE Firm _____

Authorized Signature _____

Business Address _____

Print Name _____

Title _____

Telephone No _____ Fax No. _____

Date _____

THIS OFFICIAL FORM MAY NOT BE ALTERED
POLICY ON EMPLOYMENT OF STUDY CONSULTANTS FOR SUBSEQUENT DESIGN PROJECTS

Amended by the Designer Selection Board on December 15, 2000

1. The Commissioner may appoint a designer to perform continued or extended services if the following conditions are met:
 - (i) *a written statement is filed with the Board explaining the reasons for the continuation or extension of services;*
 - (ii) *the program for the design services is filed with the Board if one is required by the regulations of the division; and*
 - (iii) *the Board approves the appointment of the designer for continued or extended services and states the reasons therefor.*

2. When the Board has required that applicants list consultants which the applicants may employ, in no event shall a consultant be used who is debarred pursuant to Section forty-four C of Chapter one hundred and forty-nine as amended, and any change or addition to the consultants named in the application and allowed by the Board upon appointment must be approved by the Deputy Commissioner and reported to the Board, along with a written statement by the designer or construction manager of the reasons for the change.



OPERATIONAL SERVICES DIVISION
SUPPLIER DIVERSITY OFFICE

THE COMMONWEALTH OF MASSACHUSETTS
Executive Office for Administration and Finance
OPERATIONAL SERVICES DIVISION
One Ashburton Place, Suite 1017
Boston, MA 02108-1552

Charles D. Baker
Governor
Karyn E. Polito
Lieutenant Governor
Kristen Lepore
Secretary
Gary J. Lambert
Assistant Secretary for
Operational Services

Memorandum

To: All Public Awarding Authorities
From: Bill McAvoy, Deputy Assistant Secretary for Supplier Diversity and Chief Legal Counsel
Supplier Diversity Office of the Operational Services Division
Date: April 21, 2016
Re: MBE Certification Status of Portuguese-Owned Businesses

The purpose of this memorandum is to inform you that, effective April 12, 2016, all Portuguese-owned Minority Business Enterprises (MBEs), as certified by the Supplier Diversity Office (SDO), will no longer be considered MBEs but will instead be considered Portuguese Business Enterprises (PBEs). This change complies with an order of the Superior Court of the Commonwealth of Massachusetts in a case entitled Federal Concrete, Inc. v. Executive Office of Administrative & Finance et al., No. 1684CV00627. The change also complies with the language of SDO's current regulation.

The SDO's current regulations, 425 C.M.R. § 2.02, define "Portuguese" for purposes of certification as follows: "All persons having Portuguese origin. Portuguese persons shall only be included in the definition of minority if specifically set forth in programs funded by state transportation bond statutes which include such persons as eligible participants." As such, PBEs shall be eligible for participation in programs funded by state transportation bond statutes where such statutes include Portuguese businesses as eligible participants.

SDO has posted notice of this change on our website at www.mass.gov/sdo. We have also removed Portuguese-owned businesses from our certification database and lists of eligible MBEs. Later this week we will add such businesses back onto our certification database and lists, but as PBEs instead of MBEs. We will also inform the Portuguese-owned firms impacted by this change.

Awarding authorities are hereby advised that, for any bids submitted by a prime bidder after April 12, 2016, the SDO will not recognize, and the awarding authority should not recognize, an MBE certification issued to a Portuguese-owned firm. (In contrast, if the bid was submitted by the prime bidder to the Awarding Authority on or before April 12, 2016, any Portuguese-owned businesses included as MBEs on the prime bidder's list of MBE subcontractors may remain on that list and count toward the project's M/WBE participation goal.) Any bids submitted after April 12 may not count Portuguese-owned businesses toward the contract's M/WBE participation goals, unless PBE participation is permitted in the project as stated in the SDO regulation. If any Awarding Authority or prime bidder is unsure as to the current MBE or PBE status of a particular subcontractor, we encourage you to visit our website, as our records will be updated by the end of this week to reflect this change.

Recipients of this memo should feel free to forward this to other interested parties. If you have any questions about this change or about bids submitted after April 12, 2016, please feel free to contact our office at john.b.fitzpatrick@state.ma.us.

Tel: (617) 720-3300

www.mass.gov/osd

TDD: (617) 727-2716

Follow us on Twitter: @Mass_OSD

Fax: (617) 502-8841

GENERAL INSTRUCTIONS FOR FILING APPLICATIONS

1. As of 07/2016, the application form required for submission to the Designer Selection Board has been updated. The form is as follows: DSB Application Form (Updated July 2016) (included herein). All specific project applications must be submitted on the DSB (Updated July 2016) Application form. Failure to supply above documents will result in rejection of application.
2. Please mail One Original copy of the Master File Brochure to: **Designer Selection Board, One Ashburton Place, Room 1004, Boston, MA 02108**. Electronic copies are not accepted.
3. An electronic copy of the DSB Master File Brochure (Updated July 2016) and the DSB Application Form (Updated July 2016) are available for download from the Web site address: www.mass.gov/dcam/dsb.
4. Applications should be limited to the application plus a maximum of **3 supplementary pages** (double sided) unless otherwise noted. **Please ensure that the Original copy of the application that contains the sub-consultant acknowledgement and the SDO certifications are clearly marked ORIGINAL**. Computer generated forms are allowed provided they do not substantially deviate from the DSB format. **Submit 16 copies. Please duplicate forms double-sided, if possible, to minimize paper waste.**
5. No cover letters, binders and superfluous material. **Please staple upper right corner, landscape.**
6. DSB recommends that the principal who would be in charge of the project make sure that the form is complete including appropriate signature. Unsigned applications will not be considered.
7. Out of State Prime Firms MUST be registered with the Secretary of State. Please attach (one copy only with Original application) firm's State Registration Certificate – Registered to do business with the Commonwealth of Massachusetts.
8. When citing work performed by the applicant while employed by another firm, make certain said firm is properly identified including the individual's level of responsibility.
9. By including a firm as a sub-consultant the applicant certifies that the listed firm has been advised that it was being included in the applicants team and it has agreed to work on this Project should the team be selected. It is a requirement that all applicants supply a signed DSB SC-A's (Sub-Consultant Acknowledgement). There can be no change in consultants from those named unless approved by DCAMM and reported to the Designer Selection Board (C.7C, §51) It is a requirement that all applicants supply the signed document, attached to the application, by the listed sub-consultants stating that they are aware and agree to being nominated by said applicant. Failure to supply above documents may result in rejection of application.
10. DCAMM contracts require that the Prime and Sub-Consultant personnel must be registered by the Commonwealth of Massachusetts in their respective disciplines and therefore, when applicable, the DSB **requires** registration in the disciplines listed in order to satisfy DCAMM contract requirements.
11. A person may not submit more than one application as a "prime" applicant on the same project. The applications of any such applicant shall be considered disqualified. This rule does not preclude a person applying as a "prime" applicant even though the applicant is also listed as a consultant on one or more other "prime" applications on the same project. For the purposes of this paragraph the term "person" means an individual, corporation, association, partnership or other legal entity.
12. Eligibility requirements are set forth in this Public Notice in item 8(a). Sub-paragraph (iii) of item 8(a) requires: 1) the majority of directors or a majority of the stock ownership to be persons who are Mass. registered architects, landscape architects or engineers; 2) the chief executive officer to be a person who is so registered; and 3) the person to be in charge of the project to be so registered in the discipline required for the project.
13. When the Prime applicant is to fulfill any of the requested consultant roles in the advertisement, then that role shall be defined in the organization chart as the applicant. It should also be referenced in Section 7 (resume) and Section 8 (experience) such that it proves the applicant is skilled in supplying these roles on the project.
14. Current SDO Certification Letters showing that the MBE/WBE is certified in the area of work for which it is listed on the application must be submitted for each and every MBE and WBE firm listed on the application, and must be submitted with the original application.
15. Applicants are advised to apply only for those projects for which they are demonstrably qualified, as it reflects negatively on the applicant's credibility if the firm applies for every job advertised when only marginally qualified.
16. Applications should be mailed to the **Designer Selection Board, One Ashburton Place, Room 1004, Boston, MA 02108**.
17. The Board relies almost exclusively on the information submitted on the applications to arrive at a short list of semi-finalists. Therefore, do not include statements that refer to the Master File Brochure for additional information. The Master File Brochures are usually considered upon request of a DSB member when additional supplementary information is needed.

18. Joint ventures are not encouraged. However, they may be advantageous for complex building types in which the participants have a combination of unique skills with a previous successful record of working together.
19. Current workload with DCAMM, other public agencies and the private sector are taken into consideration, however, usually only after the DSB has narrowed down the original applicants to a short list of qualified semi-finalists. The Board fosters effective broad-based participation in public work within the design professions.

NOTE **CMR 810 Publication/Instructions for Designers** (Form 9) was replaced by Designers Procedures Manual available on the Web site: <http://www.mass.gov/anf/docs/dcam/dlforms/designers-procedures-manual-aug08.pdf>

Commonwealth of Massachusetts DSB Master File Brochure (Updated July 2016)	1. Firm Name (or if not an entity, individual's name), and Business Address	2. Year Present Firm Established:	3. Date Prepared:	
	Telephone No.:	4. Specify type of ownership and check 1, 2 or 3 below, if applicable.		
	1a. Submittal is for _____ Parent Company _____ Branch or Subsidiary Office	<input type="checkbox"/> (1) SDO Certified Minority Business Enterprise (MBE)		
	1b. Federal ID#:	<input type="checkbox"/> (2) SDO Certified Woman Business Enterprise (WBE)		
		<input type="checkbox"/> (3) SDO Certified Minority Woman Business Enterprise (M/WBE)		
		<input type="checkbox"/> (4) SDO Certified Service Disabled Veteran Owned Business Enterprise (SDVOBE)		
	<input type="checkbox"/> (5) SDO Certified Veteran Owned Business Enterprise (VBE)			

5. Name of Parent company, if any:	5a. Former Company Name(s), if any, and Year(s) Established:
------------------------------------	--

6. Name of Sole Proprietor or Names of ALL Firm Partners and Officers							
Name	Title	MA.Reg. #	Status/Discipline	Name	Title	MA.Reg. #	Status/Discipline
a.				d.			
b.				e.			
c.				f.			

7. If Corporation, or Other Entity Other than a Partnership, provide Names of ALL Members of the Board of Directors:							
Name	Title	MA.Reg. #	Status/Discipline	Name	Title	MA.Reg. #	Status/Discipline
a.				d.			
b.				e.			
c.				f.			

8. Names of ALL Owners (Stocks or Other Ownership):									
Name	Title	Ownership	MA Reg. #	Status/Discipline	Name	Title	Ownership	MA Reg. #	Status/Discipline
a.					d.				
b.					e.				
c.					f.				

9. Personnel by Discipline: (List each person only once, by primary function -- average number employed throughout the preceding 6 month period. Indicate both the total numbers in each discipline and, within brackets, the total number holding Massachusetts's registrations.)									
Admin. Personnel	_____ (_____)	Ecologists	_____ (_____)	Licensed Site Profs.	___ (_____)	Other	_____ (_____)		
Architects	_____ (_____)	Electrical Engineers	_____ (_____)	Mechanical Engrs.	___ (_____)		_____ (_____)		
Acoustical Engrs.	_____ (_____)	Environmental Engrs.	_____ (_____)	Planners: Urb./Reg	___ (_____)		_____ (_____)		
Code Specialists	_____ (_____)	Fire Protection Engrs	_____ (_____)	Specification Writers	___ (_____)		_____ (_____)		
Civil Engrs.	_____ (_____)	Geotech. Engrs.	_____ (_____)	Structural Engineers	___ (_____)		_____ (_____)		
Construction Inspectors	_____ (_____)	Industrial Hygienist	_____ (_____)	Surveyors	___ (_____)		_____ (_____)		
Cost Estimators	_____ (_____)	Interior Designers	_____ (_____)		___ (_____)		_____ (_____)		
Drafters	_____ (_____)	Landscape Architects	_____ (_____)		___ (_____)	Total	_____ (_____)		

10.	Summary of Professional Services Fees Received: (insert Index number)	Last 5 Years (most recent year first)					Ranges of Professional Services Fees			
		2011	2010	2009	2008	2007	INDEX			
	Federal Work	_____	_____	_____	_____	_____	1.	Less than \$100,000	5.	\$1 million to \$2 million
	Commonwealth of Massachusetts work	_____	_____	_____	_____	_____	2.	\$100,000 to \$250,000	6.	\$2 million to \$5 million
	All other domestic and foreign work	_____	_____	_____	_____	_____	3.	\$250,000 to \$500,000	7.	\$5 million to \$10 million
							4.	\$500,000 to \$1 million	8.	\$10 million or greater

Experience Profile Code Numbers for use with questions 11, 12 and 13

001	Acoustics; Noise Abatement	037	Fisheries; Fish Ladders	065	Microclimatology; Tropical Engineering	100	Special Environments; Clean Rooms, Etc.
002	Aerial Photogrammetry	038	Forestry & Forest Products	066	Military Design Standards	101	Structural Design; Special Structures
003	Agricultural Development; Grain Storage; Farm Mechanization	039	Garages; Vehicle Maintenance Facilities; Parking Decks	067	Mining and Mineralogy	102	Surveying; Platting; Mapping; Flood Plain Studies
004	Air Pollution Control	040	Gas Systems (<i>Propane; Natural, Etc.</i>)	068	Missile Facilities (<i>Silos; Fuels; Transport</i>)	103	Swimming Pools
005	Airports; Navajds; Airport Lighting; Aircraft Fueling	041	Graphic Design	069	Modular Systems Design; Pre-fabricated	104	Storm Water Handling & Facilities
006	Airports; Terminals & Hangars; Freight Handling	042	Harbors; Jetties, Piers, Ship Terminal Facilities Structures or Components	070	Naval Architecture; Off-Shore Platforms	105	Telephone <i>Systems (Rural; Mobile Intercom; ; Etc.)</i>
007	Arctic Facilities	043	Heating, Ventilating, Air Conditioning	071	Nuclear Facilities; Nuclear Shielding	106	Testing & Inspection Services
008	Auditoriums & Theaters	044	Health Systems Planning	072	Office Buildings; Industrial Parks	107	Traffic & Transportation Engineering
009	Automation; Controls; Instrumentation	045	Highrise; Air-Rights-Type Buildings	073	Oceanographic Engineering	108	Towers (Self-Supporting & Guyed Systems)
010	Barracks; Dormitories	046	Highways; Streets; Airfield Paving; Parking Lots	074	Ordnance; Munitions; Special Weapons	109	Tunnels & Subways
011	Bridges	047	Historical Preservation	075	Petroleum Exploration; Refining	110	Urban Renewals; Community Development
012	Cemeteries	048	Hospital and Medical Facilities	076	petroleum and Fuel (<i>Storage and Distribution</i>)	111	Utilities (<i>Gas & Steam</i>)
013	Chemical Processing & Storage	048A	Medical Facilities - Mental Health	077	Pipelines (<i>Cross-Country - Liquid & Gas</i>)	112	Value Analysis; Life-Cycle Costing
014	Churches; Chapels	048B	Medical Facilities - Acute Care	078	Planning (<i>Community, Regional</i>)	113	Warehouses & Depots
015	Codes; Standards; Ordinances	048C	Medical Facilities - Ambulatory Care, Clinics	079	Planning (<i>Site, Installation, and Project</i>)	114	Water Resources; Hydrology; Ground Water
016	Cold Storage; Refrigeration; Fast Freeze	049	Hotels, Motels	080	Plumbing and Piping Design	115	Water Supply; Treatment and Distribution
017	Commercial Building (<i>low rise</i>); Shopping Centers	050	Housing (Residential, Multi-Family; Apartments; Condominiums)	081	Pneumatic Structures, Air-Support Buildings	116	Wind Tunnels; Research/Testing Facilities Design
018	Communication Systems; TV; Microwave	050A	Housing - Residential Mental Health	082	Postal Facilities	117	Zoning; Land Use Studies
019	Computer Facilities; Computer Service	050B	Housing - Resid. Mental Ret. /Group Home	083	Power Generation, Transmission, Distribution	201	_____
020	Conservation and Resource Management	050C	Housing - Elderly	084	Prisons & Correctional Facilities	202	_____
021	Construction Management	050D	Housing - Assisted Living	084A	Correctional Facilities - Minimum Security	203	_____
022	Corrosion Control; Cathodic Protection; Electrolysis	051	Hydraulics and Pneumatics	084B	Correctional Facilities - Medium Security	204	_____
023	Cost Estimating	052	Industrial Buildings; Manufacturing Plants	084C	Correctional Facilities - Maximum Security	205	_____
024	Dams (<i>Concrete; Arch</i>)	053	Industrial Processes; Quality Control	084D	Correctional Facilities - Youth Detention		
025	Dams (<i>Earth; Rock</i>); Dikes; Levees	054	Industrial Waste Treatment	084E	Public Safety Facilities - Police/Fire Stations		
026	Desalination (<i>Process & Facilities</i>)	055	Interior Design; Space Planning	084F	Public Safety Facilities - Training		
027	Dining Halls; Clubs; Restaurants	056	Facilities Management	085	Product, Machine & Equipment Design		
028	Ecological & Archeological Investigations	057	Irrigation; Drainage	086	Radar; Sonar; Radio & Radar Telescopes		
029	Educational Facilities; Classrooms	058	Judicial and Courtroom Facilities	088	Recreation Facilities (<i>Parks, Marinas, Etc.</i>)		
029A	Educational Facilities; Higher Ed	058A	Laboratories; Commercial	088A	Recreation Facilities - Ice Rinks		
029B	Educational Facilities; Secondary Ed	058B	Laboratories; Higher Ed Research Sciences	088B	Recreation Facilities - Senior/Community Centers		
029C	Educational Facilities; Elementary Ed	058C	Laboratories; Heavy Equipment	088C	Park Support Facilities (<i>Bath House; Visitor Center</i>)		
029D	Educational Facilities; Child Day Care	058D	Laboratories; Pathology, Medical Examiner	089	Rehabilitation (<i>Buildings; Structures; Facilities</i>)		
030	Electronics	059	Laboratories; Crime Investigation	090	Resource Recovery; Recycling		
031	Elevators; Escalators; People Movers	060	Landscape Architecture	091	Radio Frequency Systems & Shields		
032	Energy Conservation; New Energy Sources	061	Libraries; Museums; Galleries	092	Rivers; Canals; Waterways; Flood Control		
032A	Sustainable Design	062	Lighting (Interiors; Display; Theatre, Etc.)	093	Safety Engineering; Accident Studies, OSHA Studies		
033	Environmental Impact Studies, Assessments or Statements	063	Lighting (<i>Exteriors</i>)	094	Security Systems; Intruder & Smoke Detection		
034	Fallout Shelters; Blast-Resistant Design	064	Materials Handling Systems; Conveyors; Sorters	095	Seismic Designs and Studies		
035	Field Houses; Gyms; Stadiums		Metallurgy	096	Sewage Collection, Treatment and Disposal		
036	Fire Protection			097	Soils & Geologic Studies; Foundations		
				098	Solar Energy Utilization		
				099	Solid Wastes; Incineration; Land Fill		
				099A	Hazardous materials Abatement		

11. Profile of Firm's Project Experience, Last 5 Years									
	Profile Code	No. of Projects	Total Gross Fees (in thousands)	Profile Code	No. of Projects	Total Gross Fees (in thousands)	Profile Code	No. of Projects	Total Gross Fees (in thousands)
1.				11.			21.		
2.				12.			22.		
3.				13.			23.		
4.				14.			24.		
5.				15.			25.		
6.				16.			26.		
7.				17.			27.		
8.				18.			28.		
9.				19.			29.		
10.				20.			30.		

12. List all current Projects (except for work for the Commonwealth) for which Prime Applicant is performing or is under contract to perform any design services (add/subtract rows as needed).

Profile Code	Role P, C, JV *	Phases St., Sch., D.D., C.D.,A.C. *	Project Name, Location & Principal-in-Charge	Owner Name & Address (Include Contact name and phone number)	Project Cost (in thousands)	Completion Date (Actual or Estimated) (R)Renovation or (N)New
			1.			
			2.			
			3.			
			4.			
			5.			
			6.			
			7.			

			8.			
			9.			
			10.			
			11.			
			12.			
			13.			
			14.			
			15.			
			16.			
			17.			
			18.			
			19.			

13. List all Projects completed within the past 5 years for which Prime Applicant has performed, or has entered into a contract to perform any design services for all public agencies within the Commonwealth (add/subtract rows as needed).

Profile Code	Role P, C, JV	Phases St., Sch., D.D., C.D.,A.C.	Project Name, Location & Principal-in-Charge	Owner Name & Address (Include Contact name and phone number)	Project Cost (in thousands)	Completion Date (Actual or Estimated) (R)Renovation or (N)New
			1.			
			2.			
			3.			
			4.			
			5.			
			6.			
			7.			
			8.			

14. Professional Liability Insurance:
Professional Liability Policy Certificate Number Present Policy Expiration Date Aggregate Amount Payable

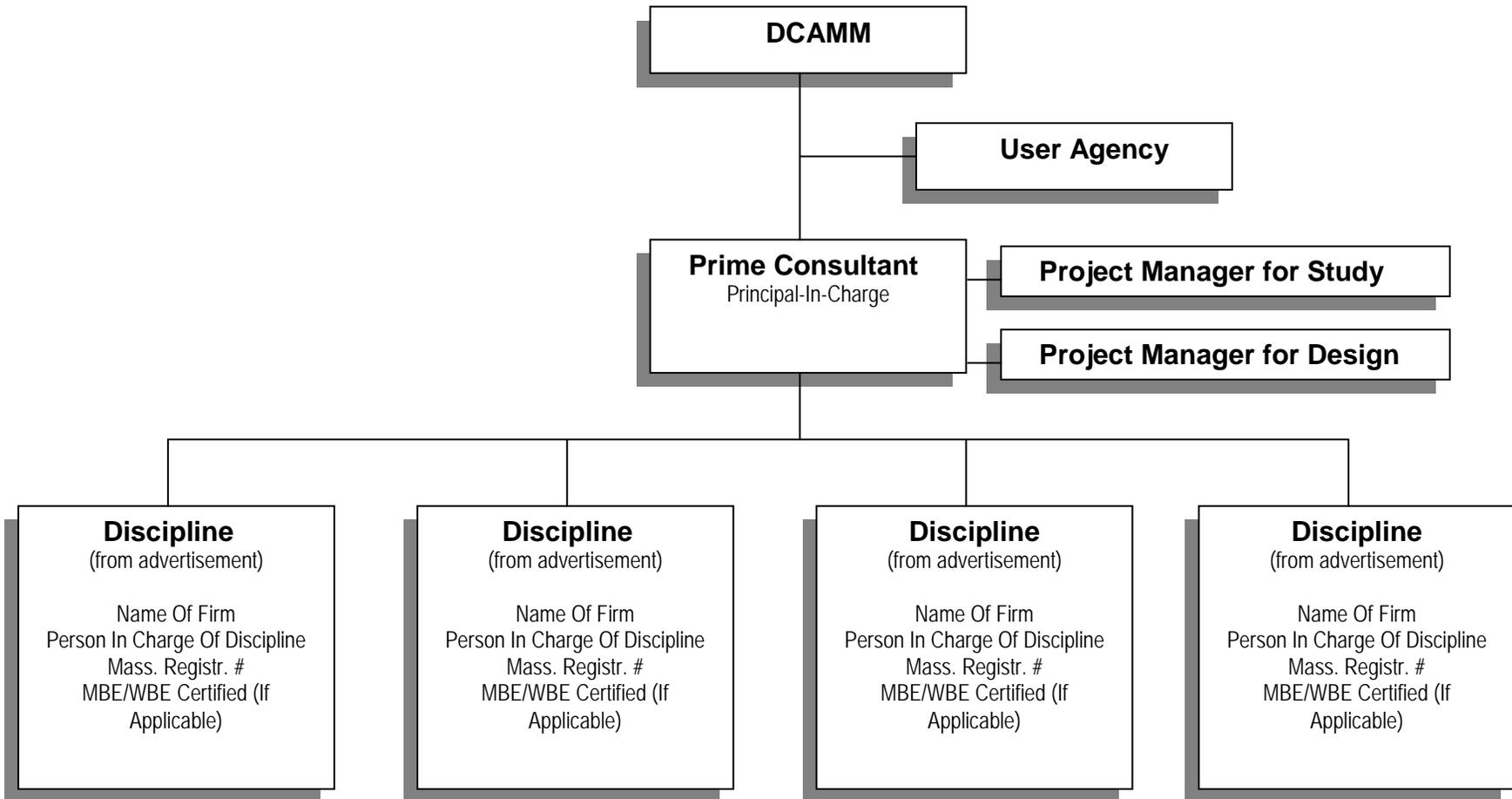
15. I certify that all information is submitted under the penalties of perjury and that I am familiar with the Mass. State Building Code and also Mass. General Laws, Chapter 149, Section 44A-44H, Section 44M, and Chapter 30, Section 39M. I also certify that the undersigned is an Authorized Signatory of the Firm and is a Principal or Officer of the Firm.

Submitted by (Signature) _____ Printed Name and Title _____ Date _____

* P = Principal; C = Consultant; JV = Joint Venture; St. = Study; Sch = Schematic; D.D. = Design Development; C.D. = Construction Documents; A.C. = Administration of Contract

Commonwealth of Massachusetts DSB Application Form (Updated July 2016)	1. Project Name/Location for Which Firm is Filing:	2a. DSB #	Item #				
		2b. Mass. State Project #					
3a. Firm (Or Joint-Venture) - Name and Address Of Primary Office To Perform The Work:	3e. Name Of Proposed Project Manager: For Study: (if applicable) For Design: (if applicable)						
3b. Date Present and Predecessor Firms Were Established:	3f. Name and Address Of Other Participating Offices Of The Prime Applicant, If Different From Item 3a Above:						
3c. Federal ID #:	3g. Name and Address Of Parent Company, If Any:						
3d. Name and Title Of Principal-In-Charge Of The Project (MA Registration Required): Email Address: Telephone No: Fax No.:	3h. Check Below If Your Firm Is Either: (1) SDO Certified Minority Business Enterprise (MBE) <input type="checkbox"/> (2) SDO Certified Woman Business Enterprise (WBE) <input type="checkbox"/> (3) SDO Certified Minority Woman Business Enterprise (M/WBE) <input type="checkbox"/> (4) SDO Certified Service Disabled Veteran Owned Business Enterprise (SDVOBE) <input type="checkbox"/> (5) SDO Certified Veteran Owned Business Enterprise (VBE) <input type="checkbox"/>						
4. Personnel From Prime Firm Included In Question #3a Above By Discipline (List Each Person Only Once, By Primary Function -- Average Number Employed Throughout The Preceding 6 Month Period. Indicate Both The Total Number In Each Discipline And, Within Brackets, The Total Number Holding Massachusetts Registrations):							
Admin. Personnel	_____ (_____)	Ecologists	_____ (_____)	Licensed Site Profs.	_____ (_____)	Other	_____ (_____)
Architects	_____ (_____)	Electrical Engrs.	_____ (_____)	Mechanical Engrs.	_____ (_____)	_____	_____ (_____)
Acoustical Engrs.	_____ (_____)	Environmental Engrs.	_____ (_____)	Planners: Urban./Reg.	_____ (_____)	_____	_____ (_____)
Civil Engrs.	_____ (_____)	Fire Protection Engrs.	_____ (_____)	Specification Writers	_____ (_____)	_____	_____ (_____)
Code Specialists	_____ (_____)	Geotech. Engrs.	_____ (_____)	Structural Engrs.	_____ (_____)	_____	_____ (_____)
Construction	_____ (_____)	Industrial Hygienists	_____ (_____)	Surveyors	_____ (_____)	_____	_____ (_____)
Cost Estimators	_____ (_____)	Interior Designers	_____ (_____)	_____	_____ (_____)	_____	_____ (_____)
Drafters	_____ (_____)	Landscape Architects	_____ (_____)	_____	_____ (_____)	Total	_____ (_____)
5. Has this Joint-Venture previously worked together? <input type="checkbox"/> Yes <input type="checkbox"/> No							

6. List **ONLY** Those Prime and Sub-Consultant Personnel Specifically Requested In The Advertisement. This Information Should Be Presented Below In The Form Of An Organizational Chart. Include Name Of Firm and Name Of The One Person In Charge Of The Discipline, With Mass. Registration Number, As Well As MBE/WBE Status, If Applicable:



7. Brief Resume of ONLY those Prime Applicant and Sub-Consultant personnel requested in the Advertisement. <u>Include Resumes of Project Managers</u> . Resumes should be consistent with the persons listed on the Organizational Chart in Question # 6. Additional sheets should be provided only as required for the number of Key Personnel requested in the Advertisement and they must be in the format provided. By including a Firm as a Sub-Consultant, the Prime Applicant certifies that the listed Firm has agreed to work on this Project, should the team be selected.	
a. Name and Title Within Firm:	a. Name and Title Within Firm:
b. Project Assignment:	b. Project Assignment:
c. Name and Address Of Office In Which Individual Identified In 7a Resides: <div style="text-align: right;"> MBE <input type="checkbox"/> WBE <input type="checkbox"/> SDOVBE <input type="checkbox"/> VBE <input type="checkbox"/> </div>	c. Name and Address Of Office In Which Individual Identified In 7a Resides: <div style="text-align: right;"> MBE <input type="checkbox"/> WBE <input type="checkbox"/> SDOVBE <input type="checkbox"/> VBE <input type="checkbox"/> </div>
d. Years Experience: With This Firm: _____ With Other Firms: _____	d. Years Experience: With This Firm: _____ With Other Firms: _____
e. Education: Degree(s) /Year/Specialization	e. Education: Degree(s) /Year/Specialization
f. Active Registration: Year First Registered/Discipline/Mass Registration Number	f. Active Registration: Year First Registered/Discipline/Mass Registration Number:
g. Current Work Assignments and Availability For This Project:	g. Current Work Assignments and Availability For This Project
h. Other Experience and Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, If Not Current Firm):	h. Other Experience and Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed , If Not Current Firm):

8a. Current and Relevant Work By Prime Applicant Or Joint-Venture Members. Include ONLY Work Which Best Illustrates Current Qualifications In The Areas Listed In The DSB Advertisement (List Up To But Not More Than 5 Projects).					
a. Project Name and Location Principal-In-Charge	b. Brief Description Of Project and Services (Include Reference To Areas Of Experience Listed In DSB Advertisement)	c. Client's Name, Address and Phone Number. Include Name Of Contact Person	d. Completion Date (Actual Or Estimated)	e. Project Cost (In Thousands)	
				Construction Costs(Actual, Or Estimated If Not Completed)	Fee For Work For Which Firm Was Responsible.
(1)					
(2)					
(3)					
(4)					
(5)					

8b. List Current and Relevant Work By Sub-Consultants Which Best Illustrates Current Qualifications In The Areas Listed In The Advertisement (Up To But Not More Than 5 Projects For Each Sub-Consultant). Use Additional Sheets Only As Required For The Number Of Sub-Consultants Requested In The Advertisement and They Must Be In The Format Provided.

Sub-Consultant Name:

a. Project Name and Location Principal-In-Charge	b. Brief Description Of Project and Services (Include Reference To Areas Of Experience Listed In DSB Advertisement)	c. Client's Name, Address and Phone Number (Include Name Of Contact Person)	d. Completion Date (Actual Or Estimated)	e. Project Cost (In Thousands)	
				Construction Costs (Actual, Or Estimated If Not Completed)	Fee for Work for Which Firm Was Responsible
(1)					
(2)					
(3)					
(4)					
(5)					

9. List All Projects Within The Past 5 Years For Which Prime Applicant Has Performed, Or Has Entered Into A Contract To Perform, Any Design Services For All Public Agencies Within The Commonwealth.

# of Total Projects:		# of Active Projects:	Total Construction Cost (In Thousands) of Active Projects (excluding studies):		
Role P, C, JV *	Phases St., Sch., D.D., C.D.,A.C. *	Project Name, Location and Principal-In-Charge:	Awarding Authority (Include Contact Name and Phone Number)	Construction Costs (In Thousands) (Actual, or Estimated if Not	Completion Date (Actual or Estimated) (R)Renovation or (N)New
		1.			
		2.			
		3.			
		4.			
		5.			
		6.			
		7.			
		8.			
		9.			
		10.			

* P = Principal; C = Consultant; JV = Joint Venture; St. = Study; Sch. = Schematic; D.D. = Design Development; C.D. = Construction Documents; A.C. = Administration of Contract

10. Use This Space To Provide Any Additional Information Or Description Of Resources Supporting The Qualifications Of Your Firm And That Of Your Sub-Consultants For The Proposed Project. If Needed, Up To Three, Double-Sided 8 1/2" X 11" Supplementary Sheets Will Be Accepted. **APPLICANTS ARE ENCOURAGED TO RESPOND SPECIFICALLY IN THIS SECTION TO THE APPLICATION EVALUATION - PROJECT EXPERIENCE REQUESTED IN THE ADVERTISEMENT.**

Be specific – No Boiler Plate

11. Professional Liability Insurance:

Name of Company	Aggregate Amount	Policy Number	Expiration Date
-----------------	------------------	---------------	-----------------

12. Have monies been paid by you, or on your behalf, as a result of Professional Liability Claims (in any jurisdiction) occurring within the last 5 years and in excess of \$50,000 per incident? Answer **YES** or **NO**. If YES, please include the name(s) of the Project(s) and Client(s), and an explanation (attach separate sheet if necessary).

13. Name Of Sole Proprietor Or Names Of All Firm Partners and Officers:

Name	Title	MA Reg #	Status/Discipline	Name	Title	MA Reg #	Status/Discipline
a.				d.			
b.				e.			
c.				f.			

14. If Corporation, Provide Names Of All Members Of The Board Of Directors:

Name	Title	MA Reg #	Status/Discipline	Name	Title	MA Reg #	Status/Discipline
a.				d.			
b.				e.			
c.				f.			

15. Names Of All Owners (Stocks Or Other Ownership):

Name and Title	% Ownership	MA Reg.#	Status/Discipline	Name and Title	% Ownership	MA Reg.#	Status/Discipline
a.				d.			
b.				e.			
c.				f.			

16. I hereby certify that the undersigned is an Authorized Signatory of Firm and is a Principal or Officer of Firm. I further certify that this firm is a "Designer", as that term is defined in Chapter 7C, Section 44 of the General Laws, or that the services required are limited to construction management or the preparation of master plans, studies, surveys, soil tests, cost estimates or programs. The information contained in this application is true, accurate and sworn to by the undersigned under the pains and penalties of perjury.

Submitted By _____ Printed Name and Title _____ Date _____
 (Signature)

The following forms MUST be attached to only ONE (ORIGINAL Copy) application: 1. SDO Certification required for MBE/WBE Firms; 2. Sub-Consultant Acknowledgment.

DSB S-CA	Commonwealth of Massachusetts Designer Selection Board SUB-CONSULTANT ACKNOWLEDGMENT
-------------	--

Project: _____

Applicant Designer: _____

Sub-consultant: _____

SUB-CONSULTANT ACKNOWLEDGMENT

The sub-consultant named above hereby certifies that it has been notified by the Applicant Designer that it has been nominated to perform work on the Applicant Designer's team for the above Project, which is under consideration at the Designer Selection Board.

Signature of Sub-Consultant Duly Authorized Representative

Print Name and Title

Date _____

It is a requirement that all applicants supply this document signed, attached to the Original application, for each of the listed sub-consultants stating that they are aware and agree to being nominated by said applicant designer. Electronic signatures are accepted.

**COMMONWEALTH OF MASSACHUSETTS
DESIGNER SELECTION BOARD PROJECT CRITERIA**

DSB LIST # 16-12 **ITEM #** 1 **DSB PUBLIC NOTICE DATE:** August 10, 2016

LAST DATE FOR FILING APPLICATION IS: August 31, 2016 at 2:00 PM

The Board requests applications to be submitted by any of the following firms:

() Architect () Engineer
() Architect/Engineer (A/E) () Other:

PROJECT NUMBER: 2 Perry Way
PROJECT TITLE: Study & Design for the Renovation of the River Valley Charter School
PROJECT LOCATION: 2 Perry Way, Newburyport, MA
AWARDING AGENCY: River Valley Charter School (RVCS)
APPROPRIATION SOURCE: RVCS Capital Improvement & Cash Reserve Funds
AVAILABLE AMOUNT: \$450,000
ESTIMATED CONSTRUCTION COST: \$300,000

TOTAL FEE, excluding reimbursables or any authorized per diem payments, based on scope of work and services authorized if project is completed.

(<input checked="" type="checkbox"/>) Lump Sum Established Set Fee for Study Phase Per M.G.L. C.7C, §50	<u>\$4,000</u>	dollars
(<input checked="" type="checkbox"/>) Lump Sum Established Set Fee for Final Design Phase Per M.G.L. C.7C, §50, based on the approved estimated construction cost in the certified study.	<u>Max 9.2% of construction cost</u>	percent

IMMEDIATE SERVICES AUTHORIZED:
() CERTIFIABLE BUILDING STUDY
() OTHER:

It is intended that the following continued services will be required of the selected Designer, and approval of the Designer by the DSB for the study phase shall also constitute approval of the Designer for continued services at the Awarding Authority's discretion. If the Awarding Authority determines that the continued services will not be required of the Designer then the Awarding Authority must notify the Designer and the Board, upon making that determination.

() SCHEMATIC PLANS AND OUTLINE SPECIFICATIONS
() DESIGN DEVELOPMENT PLANS AND SPECIFICATIONS
() CONSTRUCTION PLANS AND SPECIFICATIONS
() ADMINISTRATION OF CONSTRUCTION CONTRACT
() OTHER:

MBE/WBE PARTICIPATION:

The River Valley Charter School (RVCS) has not established minimum MBE/WBE participation goals for this project. Applicants from MBE and WBE firms as prime or sub-consultants are encouraged.

APPROPRIATION LANGUAGE:
N/A

GENERAL SCOPE OF WORK:



River Valley Charter School (RVCS) is chartered to serve up to 288 students in grades K-8 The Middle School serves 64 students in grades seven and eight, and 8 staff members. The school intends to renovate its current Middle School space at the 2 Perry Way location. The space is approximately 3500 s.f. The renovation will center around the demolition of a pre-existing stage to make new learning space, as well as renovations to fit and finish throughout the space. Some relocation of existing non-bearing walls and layout is anticipated. MEP/FP changes will only need to be designed to accommodate the revised layout and design.

The project will include re-design of existing space to better meet the needs of the middle school program. The design will include the addition of a maker-space to support STEM education, as well as other adjustments to existing spaces in order to improve workflow and enhance the effectiveness of the learning spaces.

The owner and architect will work to agree on a scope of work that will meet the budget requirements. Some alternate design options for price consideration during the cost estimate phase by the architect is anticipated.

The architect is expected to create preliminary design drawings for renovation, including conceptual renderings suitable to share with the entire RVCS community. The architect is also expected to provide plans at Design Development, and Construction level, as well as to issue bid documents and provide construction administration.

The estimated project schedule:

Date to engage Architect: 9/30/2016

Date for construction to begin 6/19/2017

Date for construction to end 8/16/2017

Date to Occupy the building 8/22/2017

STUDY PHASE – Scope of Services:

Review existing middle school space to assess needs and potential design enhancements, including mechanical systems. Meet with owner to develop project timeline, agree on work scope, and establish initial layout plans for price estimating.

ADDITIONAL SUPPORTING DOCUMENTS:

River Valley Charter School Vision Statement:

<http://www.mass.gov/anf/docs/dcam/dsblist/dsb161201-river-valley-charter-school-vision-statement.pdf>

Middle School Work Group Wish List:

<http://www.mass.gov/anf/docs/dcam/dsblist/dsb161201-middle-school-work-group-wish-list.pdf>

RVCS First Floor Existing Plan:

<http://www.mass.gov/anf/docs/dcam/dsblist/dsb161201-rvcs-first-floor-existing-plan.pdf>

Middle School Proposed Renovation Area:

<http://www.mass.gov/anf/docs/dcam/dsblist/161201-middle-school-proposed-renovation-area.pdf>

GENERAL CONDITIONS OF THIS CONTRACT:

Design Contract

RVCS has established a goal of two months to complete design (SD, DD and CD). At the conclusion of the study, if the applicant is requested by RVCS to perform final design services, the applicant agrees to execute a mutually agreed design contract.

Financial Statement

Chapter 7C, Section 51 requires that on public design contracts where the total design fee is expected to exceed \$10,000 or for the design of a project for which the estimated construction cost is expected to exceed \$100,000 the designer shall:

- a) File its latest CPA or PA audited financial statement with the Division of Capital Asset Management and Maintenance (DCAMM), and continue to do so annually throughout the term of the contract;
- b) Submit a statement from a CPA or PA that states that they have examined management's internal auditing controls, and expresses their opinion regarding those controls.

DCAMM Procedures

The designer will follow the procedures established in DCAMM's Designer Procedures Manual dated August 2008 (<http://www.mass.gov/anf/docs/dcam/dlforms/designers-procedures-manual-aug08.pdf>). Applicants are urged to review and become familiar with the following supplemental material, which is available on the web at:

<http://www.mass.gov/dcam>.

Meetings

RVCS and the Designer will hold periodic meetings to ensure that critical issues are not overlooked and that all team members have an opportunity to contribute their expertise, to anticipate potential obstacles, to identify potential solutions, and to expedite the decision-making process. Attendance by key design team members will be required at all meetings.

LEED Certification- This project will not require LEED certification. Use of green design and materials is encouraged.

Universal Design

Design solutions provided under this contract are expected to provide environments elements that meet the diverse and changing needs of users across age, ability, language, ethnicity and economic circumstance. RVCS welcomes innovative design strategies that are usable by the widest range of people operating in the widest range of situations without special or separate design.

Accessibility

The consultant's design must comply, *at a minimum*, with 521 CMR, The Rules and Regulations of the Architectural Access Board (<http://www.mass.gov/eopss/consumer-prot-and-bus-lic/license-type/aab/aab-rules-and-regulations.html>), as well as the 2010 ADA Standards for Accessible Design (<http://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm>). When the requirements of these two laws differ the consultant shall comply with the one that provides the greater degree of accessibility. The consultant is also expected to understand and reflect in its design the civil rights obligations of the Commonwealth under Title II of the Americans with Disabilities Act (http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm) to provide equal access to programs, services and activities. RVCS will use its Accessibility Consultants to provide technical assistance and oversight for accessibility compliance during the study, design and construction process, including accessibility audits of existing buildings.

Environmental and other supplemental services

RVCS reserves the right to obtain supplemental services through independent consultants who will collaborate with the Principal-in-Charge (P.I.C.) and the project team.

Construction Specifications

The Designer shall be responsible for creating detailed comprehensive Specifications specifically suited to the project in Standard CSI format.

Cost Estimating

Cost estimates and cost estimate reconciliation will be part of basic Design services for this project..

CONDITIONS FOR APPLICATION:

Current or updated Master File Brochures must be on file with the Board. As a condition of application, each applicant, if selected for the new project, agrees to carry professional liability insurance in an amount equal to the lesser of \$5,000,000 or 10% of the Project's Fixed Limit Construction Cost, but in no event less than \$250,000 per claim in accordance with the Study Contract and Design Contract (i.e., minimum coverage of \$250,000 up to \$5,000,000 depending on the construction cost). RVCS may seek additional coverage for the selected designer, and if so will bear the cost of the additional coverage. Note that the requirement for professional liability insurance shall apply to both the Contract for Study Services and Contract for Final Design and Construction Administrative Services when a project is advertised for both study and design services.

APPLICATION EVALUATION – PERSONNEL

Applications will be evaluated based on the applicant and consultant's personnel. Please see Section 6 on DSB Application Form: On the organizational chart, identify the team by listing them in the same order as below. Include resumes for all personnel.

- | | |
|---------------------------------|--|
| 1. Architect (P.I.C.)* | 5. Cost Estimator (Independent Consultant Required) |
| 2. Mechanical Engineer (M/P/FP) | 6. Specifications Consultant (Independent Consultant Required) |
| 3. Electrical Engineer | 7. Building Code Consultant (Independent Consultant Required) |
| 4. Structural Engineer | |

*Should the advertisement require the applicant to be either an Architect or an A&E firm, the P.I.C. or P.M. must be a Registered Architect in the Commonwealth of Massachusetts.

Where an "independent consultant" is required the Applicant may not provide the services "in house." If the Applicant plans to fulfill any of the other sub-consultant roles, so indicate on the organizational chart. Project Managers for Study and Final Design should be listed separately on the organizational chart.

APPLICATION EVALUATION – PROJECT EXPERIENCE

Applications will be evaluated based upon the requirements of M.G.L. Ch. 7C §49 and the work listed on DSB Application Form Sections 8, 9 AND 10 which illustrate current qualifications in the following areas:

1. Demonstrated strong ability to communicate effectively with the owners in the design phase through project completion
2. Demonstrated ability to design to budget, minimize construction costs, and complete design projects with a compressed time schedule.
3. Experience designing educational facilities, with an emphasis on renovating elementary/middle schools.
4. Experience with public bidding and management of public projects.

APPLICANTS PLEASE NOTE

A copy of the most current Application Form and General Instructions - **DSB Application Form (Updated July 2016)** are included with this Public Notice and available for download at www.mass.gov/dcam/dsb

Applications that are incomplete will be rejected. Applications that are submitted on a form other than **DSB Application Form (Updated July 2016)** may be rejected as non-compliant and not be considered by the Board. Applications received at the DSB Office after the advertised deadline will not be considered.