CHAPTER 00200

INSTRUCTIONS TO PROPOSERS

COMPETITION PROCESS

A. PROJECT SCHEDULE

1. RFQ Advertisement 10 NOV 09
2. Informational Briefing: See Project Information for time and place; attendance is voluntary 19 NOV 09
3. Last Request for Information: 10 days prior to due date of Initial Proposals 23 NOV 09
4. RFQ Addendum 1 & 2 24 NOV 09
5. Initial Proposals Due, RFP/SOQ 03 DEC 09
6. No more than five proposers invited to submit Proposals 16 DEC 09
7. Issue RFP to short listed proposers 21 JAN 10
8. Pre-Proposal Briefing for proposers, attendance by proposers’ representatives is mandatory 26 JAN 10
9. Proprietary Meetings for proposers 11 FEB 10
10. Last Request for Information: 10 days prior to due date of proposals 19 MAR 10
11. Last Addendum Issued: 7 days prior to due date of proposals 23 MAR 10
12. Proposals Due (Technical proposal and cost) 30 MAR 10
13. University issues Request for Clarifications to Proposals, if any 06 APR 10
14. Best and Final proposals with clarifications due, if any (Technical and cost) 13 APR 10
15. Technical Evaluation Panel submits report to Jury 15 APR 10
16. Jury evaluates and scores B&F Proposals 15 APR 10
17. University opens cost proposals in public meeting 15 APR 10
18. University initiates negotiations with highest scoring proposer 16 APR 10
19. University & proposer complete negotiations 11 MAY 10
20. University Board of Regents authorizes contract 20 MAY 10
21. Notice-to-Proceed 17 JUN 10

The University reserves the right to change the schedule or terminate the proposal solicitation process at any time.
B. REQUEST FOR PROPOSALS

1. The RFP Documents consist of:
   a. Part 1: Description of Work
   b. Part 2: Selection Requirements
   c. Part 3: Performance Criteria
   d. Part 4: Contracting Requirements

C. REQUEST FOR INITIAL PROPOSALS, SOQ’s – ALREADY COMPLETED

1. Initial Proposal Submission: Date as indicated in 00050 - Project Information.
   a. Time: No later than 3:00 pm PST on the date indicated in the Project Schedule.
   b. Location: Capital Projects Office, at the address listed on the Project Title Page.
   c. Number of Copies: 1 original plus an original for each juror (total of 6).

2. No compensation will be made by University for submission of Initial Proposals.

3. Acceptance and Rejection: University reserves the right to reject any or all proposers as unqualified, including without limitation the right to reject any or all nonconforming, non-responsive, unbalanced, or conditional proposals. University reserves the right to reject the proposals of any proposer if University believes that it would not be in the best interest of the project to short-list or to make an award to that proposer, whether because the proposer is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by University.

4. Agreement to Prepare Best-and-Final (B&F) Proposal: If a proposer's Initial Proposal is accepted, the proposer will be expected to execute an agreement within 30 days after the date of notification of pre-qualification, to prepare a priced B&F Proposal for the design and construction of the project in accordance with the Request for Design-Build Proposals (RFP); said agreement to include:
   a. University's commitment to provide information in a timely manner, to employ qualified evaluators, and to evaluate the proposals in accordance with the published criteria.
   b. Proposer's commitment to abide by the rules of the RFP and to avoid contact with University staff, and the University's jury and technical evaluators, except as provided in the RFP.
   c. For a copy of the form of agreement, see Attachment A to Chapter 00200 - Instructions to Proposers.

D. REQUEST FOR BEST-AND-FINAL PROPOSALS (RFP)

5. Pre-Proposal Briefing(s): Date(s) as indicated in Project Schedule above.
   a. Time: 9:00 – 11:00 a.m. local time
   b. Location: Room 130, Aerospace Engineering Research Building (AERB).

6. Proprietary Meetings: Dates as indicated in the Project Schedule
   a. Time: TBD (all meetings to be completed on the same day)
   b. Location: TBD on the University campus.

7. B&F Proposal Submission: Date as indicated in Project Schedule above.
   a. Time: No later than 3:00 p.m. local time on the date indicated in the Project Schedule. Proposals received after the date/time noted will be rejected.
   b. Location: Capital Projects Office, at the address indicated on the Project Title Page.
   c. Number of Copies:
      i. One original of Proposal and proposal security (under separate cover).
      ii. 10 extra copies of all written materials (Proposal Notebooks) in 8.5 in x 11 inch 3-ring binders, with facsimile copies of Proposal Form (with prices blanked out).
      iii. 2 compact disk copies of proposal in Adobe Portable Document Format (PDF) format.

8. Proposal Security: Each Best and Final Proposal must be accompanied by proposal security on
the bond form provided in the RFP and made payable to the Regents of the University of Washington in an amount of five percent of the proposer's proposal lump-sum price.

9. Proposals will not be opened publicly, except for cost proposals, which shall be opened after all other evaluation criteria except cost have been evaluated and scored by the Jury.

10. Acceptance, Award and Rejection: All proposals will remain subject to acceptance for 90 days after the deadline for receipt of the proposals, but University may, at its sole discretion, release any proposal and return the proposal security prior to that date.
   a. University reserves the right to reject any or all proposals, including without limitation the right to reject any or all nonconforming, non-responsive, unbalanced, or conditional proposals.
   b. University reserves the right to reject the proposal of any proposer if University believes that it would not be in the best interest of the project to make an award to that proposer, whether because the proposal is not responsive or the proposer is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by University.
   c. University also reserves the right to waive all informalities not involving price, time, or changes in the work, and to negotiate contract terms with the apparent successful proposer.

11. Execution of Agreement: When the University gives a Notice of Award to the successful proposer, the proposer will be expected to execute the Agreement within 30 days thereafter and deliver the required contract security.

EVALUATION

A. THE EVALUATORS

1. University Jury:
   a. Evaluation and recommendation will be made by a jury appointed by the University for that purpose (Jury).
   b. In the event that the University rejects the Jury’s recommendation, no award will be made and the RFP process will begin again.
   c. Jury Composition:
      i. Ethan Malone, SDOT
      ii. Ron Endlich, Sound Transit
      iii. Thomas Pittsford, Campus Engineering - Structural, UW
      iv. Kristine Kenney, Landscape Architect, UW
      v. Andy Casillas, Project Manager, CPO, UW

2. Technical Review Panel:
   a. The panel will be composed of University staff and consultants responsible for the preparation of the program, performance specifications, and standards, or have responsibilities for campus operations, maintenance, security, parking, etc.
   b. Panel Composition:
      i. Marni Heffron, P.E., PTOE, Heffron Transportation
      ii. Bernie Alonzo, RLA, LEED AP, GGN
      iii. Greg Giraldo, P.E., Civil Engineer, SvR
      iv. Jacob McCann, P.E., Structural Engineer, KPFF
      v. David Hull, Supervisor Service Planning, Metro Transit Division, Department of Transportation
      vi. Don Davis, Deputy Executive Director, Link Light Rail - Sound Transit
      vii. Mark Murray, Manager, Facility Safety, EH&S, UW
      viii. Other University staff, as necessary.

3. Contact with University's Evaluators Prohibited: Prospective proposers are prohibited from discussing the RFP and the project with any member of the jury, technical review panel, or the University's staff, except as provided herein. Unauthorized contact with evaluators during the proposal preparation and evaluation periods may be grounds for disqualification.
4. Notice of Award: A public announcement of the successful initial proposers and the best and final proposer will be made.

5. University may conduct such other investigations as University deems necessary to assist in the evaluation of any proposal and to establish the responsibility, qualifications, and financial ability of proposers, proposed design professionals, subcontractors, suppliers, and other individuals and entities to perform the work in accordance with the Contract Documents.

B. SELECTION CRITERIA

1. Basis of Selection: The successful proposal (both initial SOQ proposal, and best-and-final proposal) will be the one that provides the best value to the University, based on total score calculated by the Jury using ranked quality, price, and stated criteria ("weighted criteria"), as well as any exceptional qualifications. SOQ scoring criteria 1-6 has already been completed and will be carried over into the total evaluation scoring.

2. Design/Quality/Quantity/Qualifications Criteria: In evaluating proposals, University will consider the following in the order given, based on the Exhibits submitted with the Proposal Form and its attachments:

<table>
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<tr>
<th>RFP Evaluation Criteria</th>
<th>Weighting (Maximum Points)</th>
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<tbody>
<tr>
<td>1 Technical Qualifications: Company technical qualifications, such as specialized experience and technical competence in Bridge and Roadway Design and Bridge and Roadway construction. Evaluations will be based on company experiences on projects that are similar in size and scale to the scope of this project.</td>
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<tr>
<td>2 Capability: Capability to perform the work of this project as demonstrated by the following: Describe the proposed project team capabilities for performing both the design and construction elements of the project, including a description of whether the key team members are employees of the proposing firm, employees of subcontractors or sub-consultants, or whether they are employees of a joint venture proposing. Describe the organizational structure of the entity proposing. Identify how the design and construction expertise of your firm or team will be integrated into a cohesive Design-Build organization, including a description of the management strategies, internal communication protocols, coordination tools, and planning efforts that you will employ to ensure an effective project. Provide an organization chart showing the staffing proposal for key individuals to be assigned to the project. At a minimum, the corporate executive dedicated to the project, the design manager, project manager, superintendent, traffic engineering manager, and safety officer shall be identified. List the title of the position, the name and qualifications of the key individuals to be assigned to the project, and the responsibilities of each key team member. Include a copy of the resume of the key individuals.</td>
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<tr>
<td>3 Experience: Relevant past performance of the proposer’s team as they relate to design build projects: Describe your proposed team’s experience in completing Design-Build projects. Provide a list of five similar and completed projects. For each project provide a description of the project, issues addressed during design, the duration of construction, the final cost, an owners reference with telephone number who is familiar with your proposed team’s performance in completing the project, and note if</td>
<td>15</td>
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any of the individuals named in your Project Team participated as members of the project team for the listed projects. If your firm has not completed five Design-Build projects, then list five projects you believe were successfully completed that provide you firm with the necessary experience and skills to successfully complete this project.

Describe the experience of key subcontractors or partners (as applicable) in working on Design-Build projects.

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<th>4</th>
<th><strong>Quality</strong>: Summarize key elements of how the Design-Build team will maintain quality from design through construction that the Proposer anticipates using including how responsibility for each phase is managed. Do not include a quality management plan in the proposal.</th>
<th>10</th>
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</table>
| 5 | **Financial**: Submit one (1) unbound copy of the University of Washington Project Financial Questionnaire, additional Financial Statements (if required), and bonding information required by this paragraph in a sealed envelope marked “Confidential Material in Response to Section 5”. This financial information will not be copied or distributed except as needed in the financial review process and will not be provided for other firms to review. The information will be forwarded to the University’s financial consultant, reviewed and returned to the firm within two weeks after completion of the evaluation process. If the information is found to be deficient, the firm will be given 48 hours to bring its information into conformity. The University reserves the right to reject any Proposal which, in its sole discretion, the University deems is non-responsive to this section.

An electronic copy of the Questionnaire is available online at www.cpo.washington.edu, by clicking on the “Business” link and then selecting the “Construction Business Opportunities”. | 5 |
| 6 | **Safety**: Safety and accident prevention record of the firm. Submit the firm’s Accident Prevention Program and the following information with the Proposal along with any other relevant information that documents the firm’s safety record:

Complete the University of Washington’s Safety and Health Qualification Statement, Attachment II, and submit this with your Proposal. A copy of the Safety and Health Qualification Statement is included in this RFQ as Attachment II, and an electronic copy of the Statement is available online at www.cpo.washington.edu, by clicking on the Business link, and then selecting the “Construction Business Opportunities”. | 5 |
| 7 | **Technical & Design Solution**: Submit a description of the project through narrative and drawing form which includes: (a) an understanding of the site including its adjacent uses, its existing structures and infrastructure, and pedestrian and vehicular circulation needs; (b) compliance with the technical requirements outlined in this RFP; and (c) creative integration of design and technical criteria into a holistic design and implementation strategy that successfully optimizes the design principles, and aesthetic and functional goals outlined in this RFP. (Additional evaluation criteria for schedule, minimizing Metro, garage and trail impacts, will be issued in Addenum) | 45 |
### Request for D-B Proposals

**Rainier Vista Pedestrian Landbridge, Project No. 203207**  
Capital Projects Office, University of Washington

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#### RFP Evaluation Criteria

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<tr>
<th>Evaluation Criteria</th>
<th>Weighting (Maximum Points)</th>
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<tr>
<td><strong>Proposal Price:</strong> Proposer with the lowest price shall be awarded the maximum points for this criterion: all others shall be awarded points in reverse proportion to the amount of their costs exceeds the lowest cost proposer. If all proposers exceed the project budget, the University reserves the right to cancel the project.</td>
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<td><strong>Commercial Proposal:</strong></td>
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<td>(a) Compliance with proposed contract. Evaluation will be based on no to limited exceptions to terms and conditions. Proposer to submit letter to such effect; and</td>
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<td>(b) Ability to provide a performance and payment bond for the project in the full amount of the Design-Build contract. The proposer must submit a letter from their bonding company indicating that the bonding company will provide payment and performance bonds in the name of the proposer if the proposer is awarded a Design-Build contract.</td>
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<td>(c) Bonding Capacity: Proposer (prime) must demonstrate to have a minimum available capacity of $25 million for performance and payment bonds.</td>
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<td>(d) Insurability: Statement to the effect that the insurance requirements of the Agreement can be met by the proposer.</td>
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<td><strong>Workload:</strong> Impact of recent, current, and projected workloads of the firm on the firm’s ability to perform the work of this project</td>
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<td><strong>Location:</strong> Location of the firm’s offices on its ability to perform the work of this project</td>
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<td><strong>MWBE Outreach Plan:</strong> Submit an MWBE Outreach Plan outlining the proactive strategy, resource commitments, and specific steps the firm intends to employ in reaching out to minority and women owned businesses (MWBEs) certified by the State of Washington’s Office of Minority and Women’s Business Enterprises. The MWBE Outreach Plan should demonstrate how the firm intends to work toward meeting the University’s voluntary goals that the participation of Minority Business Enterprises (MBEs) will equal 10% of the dollar amount of the contract for this project, and that the participation of Women’s Business Enterprises (WBEs) will equal 6% of the dollar amount of the contract for this project.</td>
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**Maximum Total Points** 200

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3. Alternatives: Both required (if any) and unsolicited alternatives will only be considered after the successful B&F Proposal has been determined.

4. Proposal Exhibits: Submit design narrative and other data as indicated in Submittal Requirements, which shall be of form and character sufficient to adequately explain the design intent and the character of the proposed construction. In B&F Proposals, incorporate into the exhibits all substantiation specified in the Performance Specifications as to be submitted with the B&F Proposal.
TERMS AND PROCEDURES

A. Copies of Documents: Complete sets of Documents may be obtained from the University at the address indicated in Project Information.

1. Proposal Documents: RFP documents on compact disk(s) in Adobe PDF format are available online or by request at a nominal cost. One purchased set per registered proposer.
2. Documents will not be issued to subcontractors or suppliers.
3. Complete sets of Proposal Documents must be used in preparing proposals. Neither the University nor any consultant of the University who might have been involved in the preparation of the Proposal Documents assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Proposal Documents.
4. The University makes copies of the Proposal Documents available on the above terms only for the purpose of obtaining proposals for the work and does not confer any license or grant for any other use.

B. Questions: All questions about the meaning or intent of the Documents are to be directed to the University at the address indicated in Project Information.

1. Interpretations or clarifications considered necessary by the University in response to such questions will be issued by Addenda e-mailed, faxed, or mailed to all parties recorded by University as having received the Proposal Documents.
2. Proposers may arrange for courier delivery at their own expense.
3. Questions received less than 10 days prior to the date for opening of proposals may not be answered.
4. Only questions answered by formal, written Addenda to the RFP will be binding; oral and other interpretations or clarifications will be without legal effect.
5. Addenda may also be issued to modify the Proposal Documents as deemed advisable by the University.

C. Briefings: Representatives of the University will be present to discuss the project.

1. University will transmit to all prospective proposers of record such Addenda as the University considers necessary in response to questions arising at the briefing.
2. Oral statements made by the University’s staff or consultants at briefings may not be relied upon and will not be binding or legally effective.
3. Questions and statements deemed by the University to be appropriate and relevant to the RFP will be answered in an Addendum to the RFP.

D. Examination of Proposal Documents and Site: It is the responsibility of each proposer, before submitting a proposal, to:

1. Examine thoroughly the Proposal Documents;
2. Visit the site to become familiar with and satisfy the proposer as to the general, local, and site conditions that may affect cost, progress, or performance of the work.
3. Consider federal, state, and local laws and regulations that may affect cost, progress, and performance of the work;
4. Study and carefully correlate the proposer's knowledge and observations with the Proposal Documents and other related data;
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Capital Projects Office, University of Washington

5. Promptly notify the University of any conflicts, errors, ambiguities, and discrepancies which the proposer has discovered in the Proposal Documents.

E. Information Relating to Existing Surface and Subsurface Conditions and Structures: The University has identified certain reports, maps and/or tests, which have been utilized by the University in preparation of the Proposal Documents.
   1. The proposer may rely on the general accuracy of the factual technical data contained in such reports but not upon other data, interpretations, recommendations or opinions contained in such reports, and not upon the completeness thereof for the purposes of preparing its proposal, for design, or for construction.
   2. Where such reports and maps are not included in the Proposal Documents, copies will be made available by University to any proposer on written request.
   3. Reports and maps included in the Proposal Documents are Contract Documents; however the proposer is responsible for any interpretation or conclusion it may have drawn from such reports.

F. Supplementary Investigations: Before submitting a proposal each proposer will be responsible for obtaining such additional or supplementary examinations, investigations, explorations, tests, studies, or data concerning conditions (surface, subsurface, and underground facilities) at or contiguous to the site or otherwise, which may affect cost, progress, or performance of the work, or which relate to any aspect of the means, methods, techniques, sequences, or procedures of construction to be employed by the proposer and safety precautions and programs incident thereto, or which the proposer deems necessary to prepare its proposal for performing the work in accordance with the time, price, and other terms and conditions of the Contract Documents.

G. Access to Site: On request, the University will provide each proposer access to the site to conduct such examinations, investigations, explorations, tests, and studies as each proposer deems necessary for submission of a proposal. Proposer must fill all holes and clean up and restore the site to its former condition upon completion of such explorations, investigations, tests, and studies. Proposer must acquire necessary permits at Proposer’s own expense. Work will be performed at Proposer’s own risk.

H. Availability of Site for Work: The site upon which the work is to be performed, rights-of-way and easements for access thereto, and other areas designated for use by Design-Build in performing the work are identified in the Contract Documents.
   1. All additional land or areas and access thereto required for temporary construction facilities, construction equipment, or storage of materials and equipment to be incorporated into the work are to be obtained and paid for by Design-Build.
   2. Easements for permanent structures or permanent changes in existing facilities are to be obtained and paid for by the University unless otherwise provided in the Contract Documents.

I. Sales and Use Taxes: Taxes addressed in General Conditions. See conditions of contract.

J. Contract Time: The time within which the work is to be completed will be incorporated into the Agreement.
   1. See Proposal Form for intermediate milestones relating to completion; see Chapter 00570, Contract Definitions, for definitions of milestones.
   2. The apparent successful proposer will be required to satisfy University that it will be able to achieve Substantial Completion and final completion within the proposed times.
SUBMITTAL REQUIREMENTS

A. Initial Statement of Qualifications
   1. RFQ/SOQ

B. Initial & Best and Final Proposals
   1. Initial Proposal Outline:
      a. Cover letter identifying the proposer and acknowledging that the Initial Proposal qualifications and design-build team composition remain the same, or have been supplemented.
      b. Proposal Form completed and signed, including proposal security in original only. Copies to have prices blanked out on facsimile copies of Proposal Form.
      c. Description of the Proposal:
         i. General description of the design proposal: including site and relationship to adjacent right-of-ways, exterior design and materials, roadway alignment with an overview of the plan and profiles.
         ii. Engineering concepts in response to the performance requirements.
         iii. Response to evaluation criteria: Provide a criterion/bullet point by criterion/bullet point discussion of the merits of the design proposal.
      d. Preliminary design and construction schedule for design document preparation, submittals/reviews and substantial completion date; bar chart style, single page.
      e. Construction sequencing proposal.
   2. Proposal Exhibits: See the Proposal Form for Exhibits that must be attached to or submitted with each Proposal; NO OTHER EXHIBITS ARE ALLOWED.
      a. Design General overview of plan and profile sections of Pedestrian Landbridge and roadway.
      d. Proposal Notebooks (number as indicated above) in three-ring binders.
      e. All materials submitted will become the property of the University.
      f. University reserves the right to publish or display publicly all proposal exhibits.

C. Proposal Forms: Proposal Forms are included in the Proposal Documents; additional copies may be obtained from the University. An electronic version of the Proposal Forms will be provided by the University.
   1. All blanks on the Proposal Form must be completed by printing electronically, in black ink or by typewriter.
      a. In addition to signatures, names must be typed or printed in black ink.
      b. The address and telephone number for communications regarding the proposal must be shown.
      c. Washington State contractor registration number must be shown.
      d. Design professional registration numbers must be shown.
   2. Proposals by partnerships must be executed in the partnership name and signed by a partner, whose title must appear under the signature.
      a. The official address of the partnership must be shown below the signature.
   3. Proposals by corporations must be executed in the corporate name by the president or a vice-president (or other corporate officer accompanied by evidence of authority to sign) and the corporate seal must be affixed and attested by the secretary or an assistant secretary.
      a. The corporate address and state of incorporation must be shown below the signature.
b. If the proposer is an out-of-state corporation, evidence of authority to conduct business in the state where the work is to be performed must be attached.

4. The Proposal Form shall contain an acknowledgement of receipt of all Addenda, the numbers of which must be filled in on the Proposal Form.

D. Submission: Proposals shall be enclosed in an opaque sealed envelope or box, marked with the project title and the designated portion of the project for which it is submitted and the name and address of the proposer.

1. Deliver all Proposals to the Capital Projects Office at the address listed on the RFP Project Title Page.

2. If the submission is sent through the mail or other delivery system, the sealed envelope or box shall be enclosed in a separate envelope marked "BEST AND FINAL PROPOSAL ENCLOSED".

3. All Exhibits shown on the Proposal Form shall accompany the Proposal Form in the same envelope or box; clearly identify each separate item with the proposer’s name and project name.
   a. Exception: Display boards may be delivered by hand to University’s Contact Person at a designated location, under the same deadlines as the Proposal itself.

4. Best and Final Proposals: Original copy of Proposal containing the proposed costs shall be submitted separately from the other materials and the sealed envelope shall be marked “Original Proposal” along with the name of the proposer.

E. Proposal Security: Proposal security for Best and Final Proposals must be in the form of a surety bond on the form attached.

1. Surety Bonds: Issued by a surety meeting the requirement of the General Conditions.

2. The proposal security of the successful proposer will be retained until such proposer has executed the Agreement, furnished any required contract security, and met the other conditions of the Notice of Award, whereupon the proposal security will be returned.

3. If the successful proposer fails to execute and deliver the Agreement and furnish the required contract security within 30 days after the Notice of Award, University may annul the Notice of Award and the proposal security of that proposer will be forfeited.

4. The proposal security of other proposers whom the University believes to have a reasonable chance of receiving the award may be retained by University until 7 days after the effective date of the Agreement with the successful proposer or 90 days after opening of proposals, whichever is earlier.

5. The proposal security of proposers whose proposal is not considered competitive will be returned within seven days after notice of award to the successful proposer.

6. Withdrawal or Modification after Submission: Proposals may not be modified after submission; withdrawal of proposal after submission will result in forfeiture of proposal security.

7. Disqualification: Any proposer may be disqualified due to breach of proposal procedures, resulting in forfeiture of proposal security.

8. Execution of Agreement: Notice of Award will be accompanied by the required number of unsigned copies of the Agreement with all other written Contract Documents attached.

1. The proposer shall sign and deliver the required number of copies of the Agreement and attached documents to University with the required contract security.

2. Within 15 days thereafter University shall deliver one fully signed copy to the proposer.

3. The Conditions of the Contract set forth the University's requirements as to performance and
payment bonds and certificates of insurance as contract security. When the successful proposer delivers the executed Agreement to University, it must be accompanied by the required contract security.

END OF CHAPTER 00200
Request for D-B Proposals
Rainier Vista Pedestrian Landbridge, Project No. 203207
Capital Projects Office, University of Washington

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