

REQUEST FOR QUALIFICATIONS

ENGINEERING SERVICES

RFQ NO. 27-006



Date of Issue: September 28, 2026

Qualifications Statement Due Date: October 16, 2026 2:00 PM ET

Issued by:

**Facilities & Contract Administration Manager
yolandas.fergerson@cms.k12.nc.us**

INTRODUCTION

Charlotte-Mecklenburg Board of Education (hereinafter "CMBE") is soliciting the submittal of qualification statements from experienced Engineering Firms (hereinafter "Firm") interested in providing design services for project that will require disconnecting and reconnection of Direct Digital Control interface to existing unit.

The major activities that make up the scope of services include, but are not limited to, providing technical specifications and drawings, preliminary cost estimate, and construction administration services.

CMBE reserves the right to reject all submittals. This submittal request is neither a contractual offer nor a commitment to purchase services. CMBE assumes no contractual obligation as a result of the issuance of this request, the preparation or submission of a qualifications statement by a Firm, the evaluation of statements or final selection.

RFQ SCHEDULE

The table below shows the *intended* schedule for this RFQ. CMBE will make every effort to adhere to this schedule.

		Date and Time
Issue RFQ	CMBE	September 28, 2026
Submitted Written Questions	Firms	October 5, 2026, at 12:00 NOON
Provide Responses to Questions	CMBE	October 7, 2026 NLT 5:00 PM ET
Submit Proposals	Firms	October 16, 2026 NLT 2 PM ET
Contract Award	CMBE	TBA
Contract Effective Date	CMBE	Upon execution

Once the submittals have been reviewed, CMBE reserves the right to shortlist Firm(s) and request that the Firm(s) conduct a presentation and be interviewed by the selection committee.

RFQ QUESTIONS

Written questions shall be emailed to yolandas.fergerson@cms.k12.nc.us by the date and time specified above. Firms should enter "RFQ # 27-006 - Questions" as the subject for the email. Questions received prior to the submission deadline date, CMBE's response, and any additional terms deemed necessary by CMBE will be posted in the form of an addendum to [Operations Support Services](#) and shall become an Addendum to this RFQ. No information, instruction or advice provided orally or informally by any CMBE personnel, whether made in response to a question or otherwise in connection with this RFQ, shall be considered authoritative or binding. Firms shall rely only on written material contained in an Addendum to this RFQ.

SUBMISSION OF QUALIFICATIONS

The qualifications statement must be submitted with one (1) original, and one (1) electronic copy on flash drive. When responding to this RFQ, please follow all instructions carefully. Please submit proposal contents according to the outline specified. Failure to follow these instructions may be considered a non-responsive submission and may result in immediate elimination from further consideration. The qualifications statement should be sent to the address indicated in the table below.

Mailing address for delivery of proposal via US Postal Service	Office Address of delivery by any other method (hand delivery, overnight, or any other carrier)
RFQ Number: RFQ 27-006 Charlotte-Mecklenburg Schools ATTN: Yolanda Ferguson 3301 Stafford Drive Charlotte, North Carolina 28208 License Number	RFQ Number: RFQ 27-006 Charlotte-Mecklenburg Schools ATTN: Yolanda Ferguson 3301 Stafford Drive Charlotte, North Carolina 28208 License Number

IMPORTANT NOTE: All qualifications shall be physically delivered to the office address listed above on or before the submission deadline in order to be considered timely, regardless of the method of delivery. **This is an absolute requirement.** All risk of late arrival due to unanticipated delay-whether delivered by U.S. Postal Service, courier or other delivery service is entirely on the Firm(s). It is the sole responsibility of the Firm to have the qualifications physically in this Office by the specified time and date of opening.

Scope of Services

1. INVITATION TO PROPOSE

Charlotte-Mecklenburg Schools (CMS) is seeking proposals from qualified engineering firms to provide professional engineering services for the evaluation, design, bidding support, and construction administration of a Building Automation System (BAS) upgrade at Piney Grove Elementary School.

The objective of this project is to replace and/or upgrade the existing legacy control system with a fully integrated Direct Digital Control (DDC) system capable of monitoring, controlling, scheduling, alarming, trending, and optimizing HVAC operations while integrating with the CMS enterprise BAS platform.

The selected engineering firm shall provide all labor, professional services, project management, field investigation, design, specifications, construction administration, and closeout services

necessary to produce a complete and biddable construction package.

2. PROJECT DESCRIPTION

Piney Grove Elementary School currently utilizes an aging HVAC control system associated with air handling units, unit ventilators, boilers, pumps, hydronic distribution systems, and ancillary HVAC equipment. Existing control sequences indicate operation through a legacy EMCS platform and will require modernization to current DDC standards. The selected Engineer shall develop a complete BAS/DDC modernization design that provides:

- Full digital control of HVAC equipment.
- BACnet/IP compatible controls architecture.
- Integration with CMS enterprise BAS standards.
- Energy-efficient sequences of operation.
- Trending, alarming, scheduling, and remote monitoring capabilities.
- Replacement of obsolete control devices and infrastructure as required.
- Modern BAS graphics and user interface requirements.

3. SCOPE OF ENGINEERING SERVICES

Task 1 – Existing Conditions Assessment

The Engineer shall:

1. Review available mechanical, electrical, and controls documentation.
2. Conduct field investigations and equipment verification.
3. Inventory all existing BAS/DDC devices, controllers, sensors, actuators, relays, and communication infrastructure.
4. Verify existing sequences of operation.
5. Identify obsolete controls requiring replacement.
6. Evaluate network and communications requirements.
7. Document existing conditions and deficiencies.

Deliverable

- Existing Conditions Assessment Report
- Equipment Inventory
- Preliminary Controls Narrative

Task 2 – BAS/DDC Design

The Engineer shall prepare a complete BAS/DDC design package for all applicable HVAC systems, including but not limited to:

Air Handling Units

Provide monitoring and control of:

- Fan start/stop
 - Fan status
 - Supply air temperature
 - Return air temperature
 - Mixed air temperature
 - Outside air temperature
 - Economizer operation
 - Heating control valves
 - Cooling control valves
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- Smoke detector interlocks
- Occupancy scheduling
- Alarms and diagnostics

Unit Ventilators

Provide full DDC conversion including:

- Space temperature control
- Occupancy scheduling
- Heating control
- Cooling control
- Fan operation
- Alarm monitoring
- Trend logging

Boiler Plant

Provide control and monitoring for:

- Boiler enable/disable
- Boiler status
- Hot water supply temperature
- Hot water return temperature
- Temperature reset schedules
- Boiler alarms
- Pump interlocks

Chilled Water System

Provide integration and monitoring for:

- Chiller operation
- Chilled water supply temperature
- Chilled water return temperature
- Pump operation
- Flow verification
- Alarms
- Temperature reset strategies

Hydronic Pumps

Provide:

- Run command
- Run status
- Failure indication
- Pump interlocks

Exhaust and Ventilation Systems

Provide:

- Fan command
- Fan status
- Scheduling
- Alarm monitoring

Task 3 – Control Sequences

The Engineer shall develop new HVAC control sequences that:

- Meet CMS BAS Standards.
 - Improve energy efficiency.
 - Maintain occupant comfort.
 - Include occupied and unoccupied operation.
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- Include warm-up and setback modes.
- Include freeze protection strategies.
- Include economizer control sequences.
- Include optimum start/stop sequences.
- Include alarm and notification requirements.

Task 4 – BAS Point Lists and Network Architecture

The Engineer shall develop:

Point Lists

- Analog Inputs (AI)
- Analog Outputs (AO)
- Binary Inputs (BI)
- Binary Outputs (BO)
- Alarm points
- Trending points

Network Design

- BACnet/IP architecture
- Controller hierarchy
- Network infrastructure requirements
- Enterprise integration requirements
- Future expansion provisions

Task 5 – Construction Documents

The Engineer shall prepare signed and sealed construction documents including:

Drawings

- Control schematics
- Network diagrams
- Point schedules
- Equipment integration details
- BAS riser diagrams
- Sequence flow diagrams

Specifications

- BAS specification section
- Controls installation requirements
- Commissioning requirements
- Integration requirements
- Product requirements
- Warranty requirements

Cost Estimate

- Opinion of Probable Construction Cost (OPCC)

4. SITE VISITS

The Engineer shall provide a minimum of four (4) site visits as part of the base proposal.

Site Visit No. 1 – Existing Conditions Assessment

Activities shall include:

- Existing system evaluation.
 - Equipment inventory verification.
 - Existing controls assessment.
-

- Owner coordination meeting.

Site Visit No. 2 – Design Verification

Activities shall include:

- Field verification of proposed design.
- Review of control panel locations.
- Verification of communication pathways.

Site Visit No. 3 – Construction Observation

Activities shall include:

- Review of installation progress.
- Observation of panel installations.
- Observation of field device installation.

Site Visit No. 4 – Final Acceptance and Commissioning

Activities shall include:

- Functional testing observation.
- Commissioning verification.
- Punch list development.
- Final acceptance walkthrough.

A written field report shall be provided following each site visit.

5. BIDDING PHASE SERVICES

The Engineer shall provide bidding support services including:

- Attendance at pre-bid meetings.
- Responses to Requests for Information (RFIs).
- Preparation of addenda.
- Technical support during bidding.
- Assistance with contractor evaluation.
- Recommendation of award.

6. CONSTRUCTION ADMINISTRATION SERVICES

The Engineer shall provide construction administration services through project completion.

Submittal Review and Approval

The Engineer shall:

- Review BAS shop drawings.
- Review control diagrams.
- Review network architecture.
- Review product data.
- Review point schedules.
- Review sequence narratives.
- Review integration strategies.
- Review commissioning plans.
- Provide written approval, rejection, or corrective comments.

Submittal reviews shall be completed in accordance with the project schedule.

Requests for Information (RFIs)

The Engineer shall:

- Review contractor RFIs.
 - Prepare written responses.
 - Revise design documents as necessary.
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Change Order Review

The Engineer shall:

- Review proposed changes.
- Evaluate cost impacts.
- Provide recommendations to CMS.

7. PAYMENT APPLICATION REVIEW

The Engineer shall provide payment application review services throughout construction.

Services shall include:

- Review of contractor pay applications.
- Verification of work completed.
- Verification of equipment procurement status.
- Verification of installed quantities.
- Review of stored materials.
- Review of change order impacts.
- Written recommendation regarding approval or rejection of payment requests.

8. COMMISSIONING SUPPORT

The Engineer shall support commissioning activities including:

- Startup observation.
- Functional performance testing.
- Trend verification.
- Alarm verification.
- Sequence verification.
- Deficiency documentation.
- Final acceptance support.

9. DELIVERABLES

The selected Engineer shall provide:

1. Existing Conditions Assessment Report
2. Basis of Design Narrative
3. Control Schematics
4. Sequences of Operation
5. Detailed Point Lists
6. BAS Network Architecture Drawings
7. Technical Specifications
8. Engineer's Cost Estimate
9. Bid Phase Support Services
10. Construction Administration Services
11. Four Site Visit Reports
12. Submittal Review Log
13. Payment Application Review Recommendations
14. Final Record Document Package

10. PROPOSAL REQUIREMENTS

Proposals shall include:

- Firm qualifications.
 - Relevant K-12 BAS/DDC upgrade experience.
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- Experience with Niagara, BACnet/IP, and enterprise BAS integrations.
- Project team resumes.
- Approach and methodology.
- Proposed schedule.
- Fee proposal.
- List of similar projects completed within the past five years.
- References from at least three school district clients.

11. SELECTION CRITERIA

Proposals will be evaluated based on:

- Qualifications and experience with BAS/DDC design.
- Experience in occupied K-12 educational facilities.
- Experience with BAS modernization projects.
- Understanding of CMS requirements.
- Proposed project team.
- Quality of proposed approach.
- Proposed fee.

CMS Building Automation System Standards and Enterprise Integration Requirements

The Engineer shall design the Building Automation System (BAS) upgrade in full compliance with current Charlotte-Mecklenburg Schools (CMS) BAS standards, enterprise integration requirements, cybersecurity standards, graphics standards, naming conventions, alarm requirements, trending requirements, and network architecture requirements.

The Engineer shall coordinate with CMS Facilities, Information Technology Services, and BAS administrators to verify current requirements and integration standards.

The design shall:

- Integrate seamlessly with the CMS enterprise BAS platform.
- Utilize open-protocol communications, including BACnet/IP, BACnet MS/TP, and other CMS-approved protocols as applicable.
- Provide full interoperability between field devices, supervisory controllers, and enterprise-level systems.
- Include all hardware, software, licensing, graphics, databases, control programs, and integration components required for complete operation and monitoring.
- Support centralized scheduling, alarm management, trending, reporting, and remote access through the CMS enterprise BAS.
- Conform to current CMS point naming conventions, graphics standards, controller standards, and sequence-of-operation requirements.
- Include cybersecurity measures consistent with CMS Information Technology requirements and industry best practices.

Non-Proprietary Requirements

The Engineer shall not develop a proprietary controls design or specify equipment that restricts future competitive procurement.

The design shall:

- Be vendor-neutral to the greatest extent practical.
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- Avoid sole-source or manufacturer-specific requirements unless approved in writing by CMS.
- Utilize open architecture controls capable of integration with the CMS enterprise BAS.
- Ensure that all programming, databases, graphics, source code, licenses, passwords, and configuration files become the property of Charlotte-Mecklenburg Schools upon project completion.
- Prevent vendor lock-in and allow future maintenance, expansion, and replacement by qualified BAS contractors.
- Require that all controllers be fully programmable and accessible without proprietary tools unavailable to CMS.
- Require that no recurring licensing fees be necessary for normal system operation unless specifically approved by CMS.

Migration and Future Expansion

The Engineer shall develop a migration strategy that allows future BAS modernization projects at CMS facilities to be integrated into a common district-wide platform.

The design shall include:

- Controller replacement matrix.
- Network architecture diagrams.
- Integration requirements.
- Expansion capacity for future HVAC and energy management systems.
- Standardized graphics and reporting requirements.
- Long-term maintainability and lifecycle considerations.

CMS Review and Approval

All proposed BAS architecture, controls platform selections, integration methods, and network designs shall be submitted to CMS Facilities Engineering and CMS BAS representatives for review and approval prior to final design completion.

Design Services for Replacement of 13 Unit Ventilators and 2 Split systems and 4 Air Handling Units for South Charlotte Middle School.

SUMMARY: Provide Engineering and Design services to replace 13 Unit Ventilators and two Split Control Systems and upgrade of four Air Handling Units. Equip new units with Direct Digital Control. Ensure proper sizing for new unit ventilators. Controls and valve replacement for four Air Handling Units. Replacement of 2 Unit Ventilators with like units. Installation and programing for the up-fit of entire mechanical plant. Eliminate all associated pneumatic controls. PH II of the project will be to replace unit ventilators and convert entire school campus to Direct Digital Control. There will be a PH II and IV to complete the entire campus in the future. Drawing will need to include future phases.

CONTENTS OF QUALIFICATIONS STATEMENT

Respondents must carefully read the information in this "Contents of Qualifications Statement" section and submit a complete Qualifications Statement responding to each request for information. Incomplete Qualifications Statements will be considered non-responsive and are subject to rejection.

Qualifications shall be submitted on 8-1/2 x 11 paper, side bound with Table of Contents and reference tabs for key sections. The qualification statement must be submitted with one (1) original, and one (1) electronic copy on flash drive.

Qualification Statement must include all the following information:

- **Introduction - Letter of Transmittal**

- Summarize in a brief and concise manner the Firm's understanding of the scope of work and make a positive commitment to perform the work in a professional and timely manner.

- **Qualifications of Firm**

Please provide:

- General work plan that demonstrates the Firm's complete understanding of the scope of work
- Company's recent (last 5 years) relevant experience in providing design services for similar projects
- Previous project success for projects of same or similar scope as this project
- Overall qualifications of project managers and key personnel to be used on these projects
- Provide a summary of any litigation, claim(s), or contract dispute(s) filed by or against the Firm in the past five (5) years that are related to the services that the Firm provides in the regular course of business. The summary shall state the nature of the litigation, claim, or contract dispute; a brief description of the case; the outcome or projected outcome; and the monetary amount involved. If no litigation claim(s) or contract dispute(s) have been filed by or against the Firm in the

past five (5) years, please state that. List any regulatory or license agency sanctions. If no license sanctions against the Firm, please state that.

3. Project Management and Key Personnel

Please provide:

- Firm staff resumes should show experience with school systems or other governmental entities for staff assigned to this project.
- Statement of qualifications of the Firm and its key personnel who will be assigned to work with CMBE.
- List of personnel who will work on the project including their specific qualifications and experience on projects of similar scope.
- List any professional training and experience, especially in relation to the type and magnitude of work required for this scope of services.
- List any licenses or certifications related to the scope of work described in this Request for Qualifications.
- Describe the Firm's approach to and/or method of cost control and project scheduling.
- Current workload and percentage of availability of key personnel.
- Hourly billing rates charged by your Firm for each position type.

4. References - Past Performance and Existing Contracts

Please provide:

- List of previous and current clients for work similar to this scope of work within the past five (5) years. Include names and location of project, brief description and Firm's key personnel's involvement, name of project manager and telephone number, date and value of project. In addition, please complete Attachment A: Reference Disclosure Form and submit with qualifications.

EVALUATION METHOD - SELECTION PROCESS

CMBE will use the following selection process. This process is designed to ensure that Firms are selected in a fair and uniform manner, those selected for work are qualified and experienced in the professional services desired, and to ensure that every qualified Firm has the opportunity to be considered for providing professional services to CMBE.

A Selection Committee will evaluate responses to the Request for Qualifications and determine the most qualified applicants. Upon receipt of the packages from respondents, the Selection Committee will review using a scoring criterion that has been determined by the committee and detailed below. Past performance will be scored based on responses from the references submitted by the responder and/or the experience of CMBE staff with Firm's past performance.

The Selection Committee will use the total point scores to rank the prospective Firms. The Selection Committee will determine a list of the most highly qualified Firms based upon the ranking scores.

EVALUATION CRITERIA

The Content of Qualifications Statement, as referenced above, shall be evaluated as follows:

Description	Total Possible Points
Qualification of Firm:	
• Success of Previous Projects (i.e., still in operation, how long in operation, etc.).	20
• Project Understanding	10
• Experience on similar projects	15
• Previous/Pending Litigation	5
Project Management and Key Personnel:	
• Experience on similar projects	10
• Projects on time and in budget	5
• Professional Training/Qualification	5
• Cost Control/Scheduling	10
• Past Performance/References	20
Total	100

FIRM INSURANCE REQUIREMENTS

The successful Firm will be required to provide CMBE with Certificates of Insurance meeting CMBE's insurance requirements at the time of project award as specified below. Failure to provide the required insurance will result in cancellation of the selection and CMBE will have the right to enter into an agreement with the Firm with the next highest ranking. Firm shall maintain at all times during the term of this Agreement, at the Firm's sole expense:

I. Commercial General Liability Insurance

Insurance with a limit not less than \$1,000,000 per occurrence/aggregate including coverage for bodily injury, property damage, products and completed operations, personal/advertising injury liability and contractual liability.

II. Business Automobile Insurance

Insurance with a limit of not less than \$1,000,000 per occurrence combined single limit each occurrence for bodily injury and property damage liability covering all owned, non-owned, and hired vehicles.

III. Workers Compensation & Employers Liability Insurance

Insurance meeting the statutory requirements of the State of North Carolina and any applicable Federal laws; and Employers' Liability - \$100,000 per accident limit, \$500,000 disease per policy limit, \$100,000 disease each employee limit.

IV. General Requirements

a) CMBE shall be named as an additional insured under the commercial general liability insurance for operations or services rendered under this agreement.

b) The Certificate Holder's Address should read: The Charlotte-Mecklenburg Board of Education P.O. Box 30035, Charlotte, NC 28230-0035

c) CMBE shall be a designated insured under the auto liability

d) The contractor shall not commence any work in connection with the resulting contract until it has obtained all of the types of insurance set forth in this section and furnished the project manager with proof of insurance coverage by certificates of insurance accompanying the contract. The contractor shall be responsible for notifying CMBE of any material changes (including renewals) to or cancellation of the insurance coverages required above. Notice to CMBE must be completed in writing within 48 hours of the changes.

e) The contractor shall not allow any subcontractor to commence work until all such subcontractors have obtained the same insurance coverages as described above.

f) All insurance policies shall be written by insurers

qualified to do business in the State of North Carolina. If any of the coverage conditions are met by a program of self-insurance, the contractor must submit evidence of the right to self-insure as provided by the State of North Carolina.

g) CMBE shall be exempt from, and in no way liable for any sums of money that may represent a deductible or self-insured retention in any insurance policy. The payment of the deductible/retention shall be the sole responsibility of the contractor and/or subcontractor.

h) The contractor's insurance shall be primary, of any self-funding and/or insurance otherwise carried by CMBE for all loss or damages arising from the contractor's operations under this agreement. The contractor and each of its subcontractors shall and does waive all rights of subrogation against CMBE and each of the Indemnitees.

ATTACHMENT A
REFERENCE DISCLOSURE FORM

Firm shall provide information regarding experience in work similar this scope of work by listing FIVE (5) RECENT CLIENTS. References should be clients of a similar scale as the services requested in this RFQ. Only one reference can be provided from CMBE.

1. COMPANY NAME: _____

PERSON TO CONTACT: _____

TELEPHONE NUMBER: _____

TYPE OF SERVICE PROVIDED: _____

SIZE: _____

JOB DATES:
BEGINNING _____ END _____

2. COMPANY NAME: _____

PERSON TO CONTACT: _____

TELEPHONE NUMBER: _____

TYPE OF SERVICE PROVIDED: _____

SIZE: _____

JOB DATES:
BEGINNING _____ END _____

3. COMPANY NAME: _____

PERSON TO CONTACT: _____

TELEPHONE NUMBER: _____

TYPE OF SERVICE PROVIDED: _____

SIZE: _____

JOB DATES:
BEGINNING _____ END _____

4. COMPANY NAME: _____

PERSON TO CONTACT: _____

TELEPHONE NUMBER: _____

TYPE OF SERVICE PROVIDED: _____

SIZE: _____

JOB DATES:
BEGINNING _____ END _____

5. COMPANY NAME: _____

PERSON TO CONTACT: _____

TELEPHONE NUMBER: _____

TYPE OF SERVICE PROVIDED: _____

SIZE: _____

JOB DATES:
BEGINNING _____ END _____

EXECUTION OF CONTRACT

OFFEROR: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

OFFICE PHONE NUMBER: _____

MOBILE PHONE NUMBER: _____

FEDERAL EMPLOYER IDENTIFICATION NUMBER: _____

By submitting qualifications, the firm accepts CMS Terms and Conditions and the Federal Uniform Guidance terms and conditions. Contracts funded with federal grant or loan funds must be procured in a manner that conforms with all applicable Federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200). Additional information can be found at: <http://bit.ly/2TtNU3T>

In compliance with this request for qualifications, and subject to all the conditions herein, the undersigned offers and agrees to furnish and deliver any or all items upon which the qualifications are based if accepted within 90 days from the date of opening. By executing this document, I certify that this qualification statement is made without prior understanding, agreement, or connection with any firm, corporation, or person submitting qualifications for the same services, and is in all respects fair and without collusion or fraud. Under penalty of perjury, the undersigned offeror certifies that this qualification statement has not been arrived at collusively or otherwise in violation of Federal or North Carolina law.

BY: _____ TITLE: _____ DATE: _____
(Signature)

(Typed or printed name)

THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

**Certification Regarding Debarment, Suspension, and Other
Responsibility Matters - Primary Covered Transactions**

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
 - (b) have not within a three-year period preceding this bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - (d) have not within a three-year period preceding this application/bid had one or more public transactions (Federal, State or Local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this bid.

Company Name (Please Print)

Signature of Authorized Representative

Date

RETURN THIS DOCUMENT IN YOUR QUOTATION

Instructions for Certification

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out in this document in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this bid is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "bid," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this bid is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS
AND
COOPERATIVE AGREEMENTS**

Lobbying

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Company Name (Please Print)

Signature of Authorized Representative

Date

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See next page for public burden disclosure)

1. Type of Federal Action: a. contract _____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: a. _____ bid/offer/application _____ b. initial award c. post-award	3. Report Type: a. initial filing _____ b. material change For material change only: Year _____ quarter _____ Date of last report _____
4. Name and Address of Reporting Entity: _____ Prime _____ Subawardee _____ Tier _____, if Known: Congressional District, if known:	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(If individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(Including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only	Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)	

**CHARLOTTE-MECKLENBURG SCHOOLS
SMALL BUSINESS ENTERPRISE PROGRAM**

**Request for Qualifications SBE Participation Guidelines
For Architecture and Engineering**

In accordance with G.S. 143-128.1, it shall be the policy of the Charlotte-Mecklenburg Board of Education to promote full and equal access to business opportunities with Charlotte-Mecklenburg Schools. Small business enterprises (SBE) as well as other responsible vendors shall have a fair and reasonable opportunity to participate in CMS business opportunities.

The Superintendent shall implement an SBE Program which includes aspirational goals for SBE utilization in proportion to the availability of qualified vendors in particular areas of procurement. An annual report shall be made to the Board of Education regarding SBE utilization in comparison to the aspirational goals.

Policy Adopted: 01/12/93
Policy Amended: 07/09/96
Policy Amended: 02/22/05
Policy Amended: 08/25/26

Requirements

The fundamental requirement of the policy is that all contractors, vendors and consultants, who contact with the Board of Education, will: (i) not discriminate against any person in regard to race, color, religion, age, national origin, sex, or disability; and (ii) provide a full and fair opportunity for participation of SBEs in contracts. Participation shall be measured in terms of the actual dollars received by SBEs.

“Small” as used in this policy means a business enterprise owned, operated, and controlled by one (1) or more eligible owners who have 51% ownership, interest, holds the professional or contractor license necessary for operation as well as management, control, and have technical expertise directly related to the primary product or service of the business, and is 25% or less of the applicable size standards established by the Small Business Administration.

Responders responding to this solicitation shall comply with the SBE Program by making a Good Faith Effort to utilize the following aspirational goals for SBE participation under this contract for professional service and construction contracts:

Category	SBE Goal
Construction	21%
Architecture & Engineering	16%
Professional Services	23%
Contracted Services (other than Architecture, Engineering, and other Professional Services)	14%
Goods	11%

Responders will describe how your firm will address the SBE Objectives. This may include the forms listed below and a commitment to obtain a certain overall percentage.

Responders shall include in their proposals, the following documentation:

- ☐ **Small Business Enterprise Identification Form** (including suppliers)
SBE Guidelines 2005-Rev 08.17.26

- ☐ **Affidavit A** (if subcontracting)

OR

- ☐ **Small Business Enterprise Identification Form**
- ☐ **Affidavit B** (if self-performing all work with own workforce AND will not purchase any materials or supplies in the performance of the contract. Upon request, provide sufficient information for Charlotte-Mecklenburg Schools to determine that the Bidder does not customarily subcontract work on this type of project)

The forms ask for the scope of work and the dollar amount. Respondents may not be able to give specific dollar amounts until you know the project scope assigned. However, you may list an overall percentage based on the scopes of work intended to be performed by SBE consultants and subcontractors.

The overall participation committed for the school is based upon all activities associated with the project including design sub-consultants, lower tier subcontractors, printing, courier services, suppliers and other services.

Upon receipt of notice of award, the low responder who is subcontracting anything must provide the following information:

- ☐ **Appendix I, II and/or III**

With each pay request the prime contractors will submit Appendix IV listing payments made to all subcontractors. Failure to submit these and all documents as requested is grounds for rejection of the bid.

Compliance Documentation

All written statements, affidavits or intentions made by Respondents shall become a part of the agreement between the Consultant and Charlotte-Mecklenburg Schools for performance on this contract. Failure to comply with any of these statements, affidavits or intentions or with the SBE Program Guidelines shall constitute a breach of contract. A finding by Charlotte-Mecklenburg Schools that any information submitted either prior to award of the contract or during the performance of the contract is inaccurate, false, or incomplete, shall also constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option Charlotte-Mecklenburg Schools whether to terminate the contract for breach.

In determining whether a contractor has made Good Faith Efforts, Charlotte-Mecklenburg Schools will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, intensity, and results of these efforts.

Good Faith Effort Documentation – The bidder’s documentation to meet the goals set forth in these provisions shall include the following evidence:

1. Copies of solicitations for quotes to at least three (3) SBE firms for each subcontract to be let under this contract. Each solicitation shall contain a specific description of the work to be subcontracted, location where the bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
2. Copies of quotes or responses received from each firm responding to the solicitation.
3. A telephone log of follow-up calls to each firm sent a solicitation.

4. For subcontracts where an SBE firm is not considered to be the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
5. Documentation of any contacts, correspondence or conversation with SBE firms made in an attempt to meet the aspirational goals.
6. The successful bidder shall maintain records relating to all commitments for a period of at least one year following acceptance of final payment.

Note: Additional Good Faith Efforts are identified in Affidavit A.

After review of the Respondent's Good Faith Efforts, the Respondent may request and be granted a Waiver of the SBE aspirational goals that have not been met for that particular project. A Waiver may be granted upon review of the Respondent's documentation and determination that, in fact, a Good Faith Effort has been put forth. The Respondent's SBE Utilization Commitment shall be incorporated into the contract.

Charlotte-Mecklenburg Schools is authorized to establish specifications requiring bidders to subcontract a certain designated percentage of the construction and repair work amount, provided that nothing contained in these requirements shall be construed to require that the award of subcontracts be made to subcontractors who do not submit the lowest responsive bid.

NOTE: Charlotte-Mecklenburg Schools reserves the right to waive any irregularities in SBE documentation if they can be resolved prior to award of the contract, and Charlotte-Mecklenburg Schools finds it to be in its best interest to do so and award the contract.

Dispute Resolution Procedures

Under G.S. 143-135.26 (11), states that a public entity shall use the dispute resolution process adopted by the State Building Commission, or shall adopt another dispute resolution process, which shall include mediation, to be used as an alternative to the dispute resolution process adopted by the State Building Commission. This dispute resolution process shall be available to all the parties involved in the public entity's construction project including the public entity, the architect, the construction manager, the contractor, and the first-tier and lower-tier subcontractors and shall be available for any issues arising out of the contract or construction process.

The public entity may set a reasonable threshold, not to exceed fifteen thousand dollars (\$15,000), concerning the amount in controversy that must be at issue before a party may require other parties to participate in the dispute resolution process. The public entity may require that the cost of the process be divided between the parties to the dispute with at least one-third of the cost to be paid by the public entity, if the public entity is a party to the dispute. The public entity may require in its contract that a party participate in mediation concerning a dispute as a precondition to initiating litigation concerning the dispute.

Charlotte- Mecklenburg Schools
SBE Documentation Overview

Form	Submission Requirements	Required Form
Subcontractor / Supplier Identification Form Lists the total dollar amount of such participation by SBE subcontractors and suppliers the Bidder <u>will use</u> on the project.	Due with bid/proposal	Small Business Enterprise Identification Form
Listing of Good Faith Efforts (GFE) Indicates the actions you undertook to recruit and solicit subcontractors, vendors, or suppliers for this project.	Due with bid/proposal (if subcontracting)	Affidavit A
Intent to Perform Contract with Own Workforce Indicates that the Bidder does not customarily subcontract elements of this type project, normally performs all elements of work on this project with his/her own current work force AND <u>will not purchase any materials or supplies in the performance of the contract.</u>	Due with bid/proposal (self-performing)	Affidavit B
Portion of Work to be Performed by SBE Firms Identifies small business that is equal to or greater than the SBE total goal for Construction 21%, Other Services 14%, and/or Goods 11% of the bidders total contract price. Appendix I is signed by the SBE.	Within three (3) business days after notification of being the apparent low bidder	Affidavit C and Appendix I
Documentation of Good Faith Efforts (GFE) Indicates GFEs of bidders who <u>do not</u> achieve the overall SBE goal for Construction 21%, Other Services 14%, and/or Goods 11% participation by SBEs. Documentation provided should correspond with the items checked on Affidavit A. Appendix I is signed by the SBE.	Within three (3) business days after notification of being the apparent low bidder	Affidavit D and Appendix I
Professional Services Indicates the minimum percent of the total dollar amount of the contract with SBEs. Appendix I is signed by the SBE.	Within three (3) business days after receiving Letter of Commitment	Appendix I, II and/or III
Documentation for All Contract Payments Contractor shall provide with each pay request to CMS all payments to contractors, subcontractors, supplies and service providers.	Must submit with each pay request and final payment	Appendix IV

Small Business Enterprise Identification Form

I, _____
(Name of Bidder)

do hereby certify that on this project, we will use the following small business enterprises as construction subcontractors, vendors, suppliers or providers of professional services.

[illegible]

* SBE Subgroup categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**) American Indian (**I**), Female (**F**), or Socially and Economically Disadvantaged (**D**)

The total value of SBE contracting will be (\$) _____.

Attach this form and AFFIDAVIT A or this form and AFFIDAVIT B to the Bid

Attach AFFIDAVIT A or AFFIDAVIT B to the Bid

State of North Carolina AFFIDAVIT A – Listing of the Good Faith Effort

County of _____

Affidavit of _____
(Name of Bidder)

I have made a good faith effort to comply under the following areas checked:

Bidder must earn at least 50 points from the Good Faith Efforts list for their bid to be considered responsive.

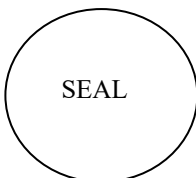
- ☐ **1 – (10 Points)** Contacted small businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- ☐ **2 – (10 Points)** Made the construction plans, specifications and requirements available for review by prospective small businesses or providing these documents to them at least 10 days before the bids are due.
- ☐ **3 – (15 Points)** Broken down or combined elements of work into economically feasible units to facilitate small business participation.
- ☐ **4 – (10 Points)** Worked with the trade, community, or contractor organizations included in the bid documents that provide assistance in recruitment of small businesses.
- ☐ **5 – (10 Points)** Attended pre-bid meetings scheduled by the public owner.
- ☐ **6 – (20 Points)** Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- ☐ **7 – (15 Points)** Negotiated in good faith with interested small businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a small business based on lack of qualification should have the reasons documented in writing.
- ☐ **8 – (25 Points)** Provided assistance to an otherwise qualified small business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted small businesses in obtaining the same unit pricing with the bidder's suppliers in order to help small businesses in establishing credit.
- ☐ **9 – (20 Points)** Negotiated joint venture and partnership arrangements with small businesses in order to increase opportunities for small business participation on a public construction or repair project when possible.
- ☐ **10 – (20 Points)** Provided quick pay agreements and policies to enable small contractors and suppliers to meet cash-flow demands.

In accordance with GS 143-128.1 and Board of Education Policy the undersigned will enter into a formal agreement with the firms listed in the Identification of Small Business Participation schedule conditional upon execution of a contract with the Owner. Failure to abide by this statutory provision will constitute a breach of the contract. The undersigned hereby certifies that he or she has read the terms of the Small Business Enterprise commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ **Name of Authorized Officer:** _____

Signature: _____

Title: _____



State of _____ *, County of* _____

Subscribed and sworn to before me this _____ *day of* _____ *20* _____

Notary Public _____

My commission expires _____

Attach AFFIDAVIT A or AFFIDAVIT B to the Bid

**State of North Carolina --AFFIDAVIT B-- Intent to Perform Contract
with Own Workforce.**

County of _____

Affidavit of _____
(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the _____
_____ contract.
(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; **AND** the bidder will not purchase any materials or supplies in the performance of the contract

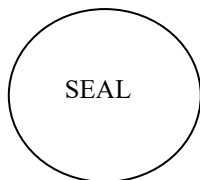
The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: _____ **Name of Authorized Officer:** _____

Signature: _____

Title: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____

APPENDIX I
LETTER OF INTENT TO
PERFORM AS A
SUBCONTRACTOR OR SUBCONSULTANT
(PROVIDE MATERIALS OR/ & SERVICES)

PROJECT: _____
(Project Name)

TO: _____
(Name of Prime Bidder/Architect)

The undersigned intends to perform work in connection with the above project as

_____ Small Business Enterprise

The SBE status of the undersigned is/is not certified by a council or governmental entities. Our SBE certification number is _____.

The undersigned is prepared to perform the following described work or provide materials or services in connection with the above project (specify in detail particular work items, materials or services to be performed or provided) at the following price: _____.

You have projected the following commencement date for such work, and the undersigned is projecting completion of such work as follows:

Items	Projected Commencement Date	Projected Completion Date

Subcontracting at any tier must be reported and is subject to all SBE compliance requirements. This form shall be used for SBE subcontracting at any level.

Date: _____

(Name & Phone No. of SBE Company)

(Name & Title of Authorized Officer)

(Signature)

THE PRIME CONTRACTOR OR ARCHITECT MUST GET THIS FORM COMPLETED BY
THE SUBCONTRACTORS/SUPPLIERS

APPENDIX II

SBE UTILIZATION COMMITMENT FORM FOR PROFESSIONAL SERVICES

We, _____, do certify that on the
(Architect)

(Project Name)

_____, _____
(Project Number) (Dollar Amount of Bid)

If the bidder intends to subcontract, this form must be completed regardless of the amount or lack of SBE participation attained.

I will expend a minimum of _____% of the total dollar amount of the contract with small business enterprises. SBEs will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below.

Attach additional sheets if required

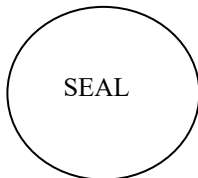
Name and Address	*SBE Subgroup Category	Work description	Dollar Value

SBE Subgroup categories: Black, African American (B), Hispanic (H), Asian American (A) Native American Indian (N), Female (F) Socially and Economically Disadvantaged (D)

The undersigned will enter into a formal agreement with Small Business Firms for work listed in this schedule conditional upon execution of a contract with the Charlotte-Mecklenburg Board of Education. **Failure to fulfill this commitment may constitute a breach of the contract.**

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____



Signature: _____

Title: _____

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____

APPENDIX III
SBE UTILIZATION COMMITMENT FORM
FOR
PURCHASES OF GOODS & OTHER SERVICES

We, _____, do certify that on the
(Bidder)

(Project Name)

(Project Number)

(Dollar Amount of Bid)

If the bidder intends to subcontract, this form must be completed regardless of the amount or lack of SBE participation attained.

I will expend a minimum of _____% of the total dollar amount of the contract with small business enterprises. SBEs will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below.

Attach additional sheets if required

Name and Address	*SBE Subgroup Category	Work description	Dollar Value

SBE Subgroup categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**) Native American Indian (**N**), Female (**F**) Socially and Economically Disadvantaged (**D**)

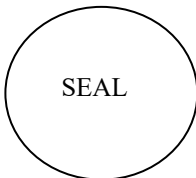
The undersigned will enter into a formal agreement with Small Business Firms for work listed in this schedule conditional upon execution of a contract with the Charlotte-Mecklenburg Board of Education.
Failure to fulfill this commitment may constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____

APPENDIX IV

DOCUMENTATION FOR ALL PAYMENTS TO CONTRACTORS, SUBCONTRACTORS, SUPPLIERS, AND SERVICE PROVIDERS

Prime Contractor/Architect: _____

Address & Phone: _____

Project Name: _____

Pay Application #: _____ Period: _____

Current Requested Payment Amount _____

The following is a list of payments to be made to all contractors/suppliers & other providers on this project for the above-mentioned period.

Firm Name and Address	*SBE Subgroup Category	Amount to be Paid from this pay Request	Approved Change Orders	Total Payments to date (does not include current requested amount)	Total Amount Committed	Comments
Totals						

SBE Subgroup categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**) Native American Indian (**N**), Female (**F**) Socially and Economically Disadvantaged (**D**)

Date: _____

Approved/Certified By: _____

Name

Title

Signature

****THIS DOCUMENT MUST BE SUBMITTED WITH EACH PAY REQUEST & FINAL PAYMENT****

**APPENDIX V
WAIVER REQUEST
FOR GOOD FAITH EFFORTS**

PROJECT: _____
COMPANY: _____
ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP:** _____
CONTACT PERSON: _____ **PHONE NO:** _____
TITLE: _____

The said company request a Full () or Partial () waiver for the SBE aspirational goals for this particular project for the following reasons:

Signature: _____ Date: _____

CMS USE ONLY

Good Faith Efforts Verified: _____

Request of Waiver Granted: YES (____) NO (____)

Comments: _____

SBE Administrator: _____ **Date:**
