



Administered by University of Maine System
Office of Strategic Procurement
Request for Qualifications (RFQ)

University of Southern Maine
Public Private Partnership (P3)
Sullivan Gym Project
RFQ #2027-021

Issued Date: September 11, 2026

Response Deadline Date/Time: October 21, 2026, 11:59 p.m.
EST

Response Submission Information:

Submitted electronically to UMSResponses@maine.edu
Email Subject Line – DH: USM P3 - RFQ#2027-021

Response Contact Information:

Email: UMSResponses@maine.edu

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1.0 INTRODUCTION

1.1 Definitions, Background, Purpose and Specifications

1.1.1 Definitions

The University of Maine System will hereinafter be referred to as the "University." Respondents to the document shall be referred to as "Respondent(s)" or "Respondent".

The Respondent to whom the Agreement is awarded shall be referred to as the "Contractor."

The University of Maine System and other components of the University shall be referred to as "Multi-Institution".

1.1.2 Background

Overview

Established in 1968, the University of Maine System (UMS) unites six distinctive public universities, comprising 10 campuses and numerous centers, in the common purpose of providing quality higher education while delivering on its traditional tripartite mission of teaching, research, and public service.

A comprehensive public institution of higher education, UMS serves more than 30,000 students annually and is supported by the efforts of more than 2,000 full-time and part-time faculty, more than 3,000 regular full-time and part-time staff, and a complement of part-time temporary (adjunct) faculty.

Reaching more than 500,000 people annually through educational and cultural offerings, the University of Maine System also benefits from more than two-thirds of its alumni population residing within the state; more than 123,000 individuals.

The System consists of six universities: The University of Maine (UMaine), including its regional campus the University of Maine at Machias (UMM); the University of Maine at Augusta (UMA); the University of Maine at Farmington (UMF); the University of Maine at Fort Kent (UMFK), the University of Maine at Presque Isle (UMPI); and the University of Southern Maine (USM). The System also includes the University of Maine School of Law and the University of Maine Graduate and Professional Center.

Campus thumbnails

University of Southern Maine

Known for its academic excellence and student focus, the University of Southern Maine (USM) is a community-engaged university taking advantage of its three-campus location in the economic and cultural heart of Maine to provide unmatched, authentic, hands-on learning experiences. This gives our graduates a leg up in launching their careers while at the same time meeting the workplace needs of our region and state.

Our significant financial and academic support provides our students access to a high quality education, helps ensure their success once they are here and enables them to pursue and realize their dreams upon graduation.

Reflecting the community it serves, USM has become known as “the University of Everyone,” welcoming a diverse mix of ages, backgrounds and income levels to our 8,000 plus student body. Ranging from traditional high school graduates to adults completing their degree, from high achievers to those who may not have seen a college education in their future, from new Mainers to veterans who have served our nation, the University of Southern Maine supports their academic pursuits and encourages their advancement.

1.1.3 Purpose

1.1.3.1 Project Description

Site conditions, existing structures, design objectives

The University of Maine system, acting through the University of Southern Maine, seeks to redevelop the existing Sullivan Center Complex, located on the Portland, Maine campus, for the future of campus recreation needs for students and faculty/staff members. The new or updated facility must minimally provide weight machines, cardiovascular and fitness equipment, gymnasium space, multipurpose activity rooms, locker rooms, and meeting space to meet growing demand from the residential community on campus. Overall, updated facilities require approximately 47,000 NSF of demanded on-campus recreation space.

The Sullivan Center site currently sits on the corners of Falmouth St. and Durham St. on the north side of the Portland Campus. Updated facilities on the Sullivan site are intended to support the recently developed Portland Commons residence hall and McGoldrick Student Center located to the southeast of the site along with the broader USM community.

1.1.3.2 Site Considerations

Existing Infrastructure

The Sullivan Center Complex currently comprises approximately 47,000 gross square feet of primarily campus recreation space for students and faculty/staff members. In addition to recreation functions, the Sullivan Complex currently houses Facilities Management, Health Services, Media Studies, and Event Services. The building also requires significant deferred maintenance across its roof and all major building systems which must be addressed as part of the project.

The site also includes shared parking that serves adjacent campus buildings, and any redevelopment must preserve existing parking capacity. Access to the Science Building's loading dock must be maintained throughout and following construction. For Facilities Management operations, access to Durham Street should ideally be preserved, and any development solution should retain a central campus presence located near the loading and equipment zone to support ongoing operations.

Site Constraints

Respondents should be aware of several site constraints that will shape the design and development approach. The Sullivan Complex currently provides approximately 39,000 gross square feet of dedicated recreation space, with the remainder occupied by shared campus users. Any development Qualifications must account for these shared users; respondents should plan to either incorporate these functions into the redeveloped facility or identify a viable path to relocating them elsewhere on campus, subject to university approval. Any proposal which utilizes existing green space should anticipate the potential for subsurface debris or waste removal upon excavation. Building setbacks along Falmouth Street are limited, which may constrain the footprint of new construction or additions. Respondents should also account for potential municipal zoning restrictions on building height applicable to this site, and are encouraged to conduct due diligence with the City of Portland as part of their proposal development.

1.1.4 Specifications / Scope of Work

Development partnership

The University desires a strong partner to assist in the redevelopment of the Sullivan Center building and surrounding exterior site. The University's goal is to deliver core recreational programming to the Portland Campus at a reduced fee impact to students. Core programming includes weight and fitness, athletics, and recreation space

The Respondent's proposed plans must focus on addressing the future of the Sullivan Center site, including providing campus recreation space to students and faculty/staff, and addressing deferred maintenance needs. Plans must include future locations of existing tenants in the Sullivan Center complex including Facilities Management, Health Services, Media Studies, and Event Services. USM is open to a full range of mixed-use development possibilities as solutions so long as these proposed plans prioritize the development of student facilities on campus.

However, potential plans may include opportunities for non-USM community usage and memberships. Additionally, the University is open to exploring alternative sites and additional phasing which may serve complimentary needs to the main project on the Sullivan Center site. Plans must also include temporary "swing" locations for any programming that is displaced during construction. These potential locations must be on campus. The demanded program for campus recreation space has been included in Appendix D.

Concept Options

Interior Renovation and New Construction:

- Renovate the interior of the existing Sullivan Center building

- Create a new building (addition) to the Sullivan Center over the existing parking
- Redesign the existing exterior site including the relocation of programs and parking.
- Prioritize maintaining the location of the Facilities Management space if possible. There is flexibility to relocate the other non-recreation departments.

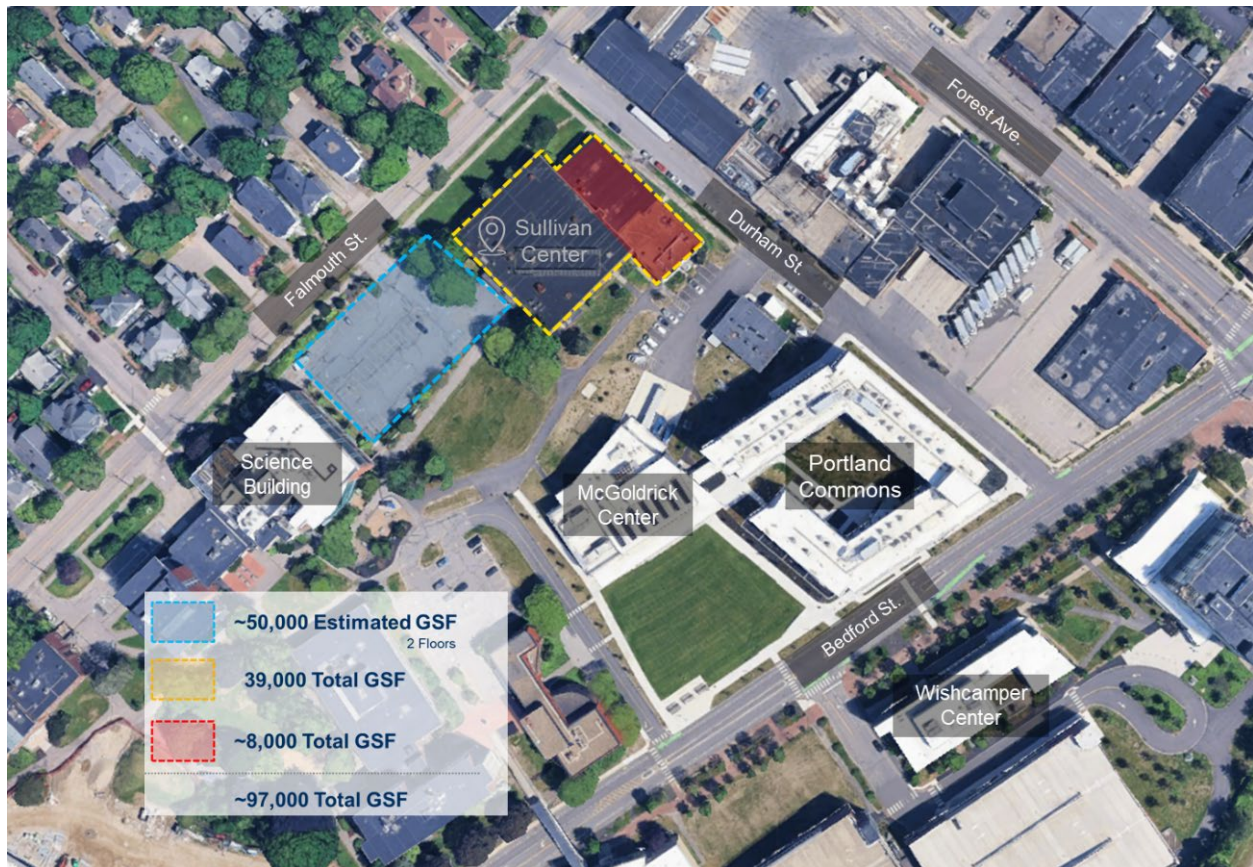


Figure 1 - Interior Renovation + New Construction Options

Site Redevelopment

- Redevelop the entire Sullivan Center site
- Create new building footprint for the Sullivan Center
- Prioritize maintaining Facilities Management location if possible. There is flexibility to relocate the other non-recreation departments.
- Introduce new complimentary mixed-use development to the site.
Redesign the existing exterior site including the relocation of programs and parking.



Figure 2 - Site Redevelopment Options

1.2 Submittal Requirements

The following constitutes the submittal requirements and evaluation criteria for the Owner to evaluate RFQ responses. The RFQ response must follow the order provided below to facilitate review of the responses. In addition, the RFQ response must provide tabs correlating to each of the following criteria numbers below. Total response should be limited to 25 pages of text and graphics (twenty pages front and back) beginning at Tab 1. Tabs that include text, photographs, and/or graphics will be counted as pages. Tabs showing only the tab title and number will not be counted as pages. All pages should be numbered.

Please note that the submittal requirements and evaluation criteria listed in this RFQ apply to the entire responding Team. Information pertaining to potential Team members should be submitted as part of the RFQ response.

Submittals must respond to each criterion in the following order:

- Cover Page
- Insert Appendix A – UMS Response Cover Page
- Insert Appendix B – Debarment, Performance and Non-Collusion Certification
- Cover Letter
- Table of Contents
- Tab 1: Team Composition

- Tab 2: Technical Capability
- Tab 3: Relevant Experience & References
- Tab 4: Preliminary Project Approach

A description of Tabs 1, 2, 3, and 4 is included below in further detail.

1.2.1 Description of Tabs

1.2.1.1 Team Composition

- 1.2.1.1.1 Description of Project Team: Provide a description of the project team, including, but not limited to any architect, engineers, specialty consultants, legal counsel, operator, and general contractor or construction manager that the Prime (any of which above may be designated) proposes to use for the Project's design and construction. The description should include an explanation of the team selected, a brief overview of each firm and relevant experience. Include an organizational chart showing the relationships between key personnel and highlighting who would be the primary contacts with the University.
- 1.2.1.1.2 Role of Key Personnel: Briefly outline the roles of the key personnel for the Team. Provide resumes of key personnel, including length of time in current position with the company. Resumes may be included as an Appendix as to not count toward the 20-page limit. For all key personnel, list information on any lawsuits, legal claims or litigation in which they have been named individually or that resulted from a project in which they served on the development team or played a management role in the project oversight.
- 1.2.1.1.3 Contact Person: Provide a single point of contact for all future communication with the Owner. Disclose the contact person's name, title, organization, address, telephone number and e-mail address.

1.2.1.2 Technical Capability

Specifically, the Team should demonstrate proficiency / experience in the following areas and provide a short description of how this proficiency / experience applies to achieving financial close and successful implementation and operations of the Project:

- 1.2.1.2.1 Development Implementation: Demonstrated success partnering with universities to meet design and construction requirements, delivering projects on schedule and on budget, including experience structuring and delivering public-private partnership (P3) projects.
- 1.2.1.2.2 Recreation: Experience designing and constructing campus or community recreation and athletics projects.
- 1.2.1.2.3 Sustainability: Experience designing new construction and renovations to sustainability standards, with a track

record of achieving cost-effective outcomes against targets such as LEED, WELL, and Fitwel certification, as well as regulatory and code compliance.

1.2.1.2.4 Accessibility: Experience designing and delivering projects that meet or exceed applicable accessibility standards and codes.

1.2.1.2.5 Recreation Center Operations: Experience operating and maintaining comparable campus recreation and athletics facilities, including co-located or multi-use facilities.

1.2.1.2.6 Financial Capability: Proposers must demonstrate their financial capacity to complete and maintain the Project over the term of the agreement. Proposers must provide specific evidence that they have available the appropriate financial resources to complete all aspects of the Project or demonstrate their capability to raise financing for a project of this nature and scope.

1.2.1.3 **Relevant Experience & References**

Provide a list, in order of relevance to the Project, of at least four (4) recent comparable projects in which the proposing Team has participated, preferably projects that were developed within the past ten (10) years with at least one (1) of the comparable projects being developed within the past five (5) years. Respondents are requested to include projects that have relevance to the Project opportunity described in this RFQ. Each included project should list the teaming structure and identify if the proposed team (in response to this RFQ) have collaborated previously.

For each of the four (4) required comparable recent projects, a general project description must be provided along with the following specific information submitted in the order and format prescribed:

- Title of project;
- Owner of project with a representative's name, title, address, telephone number, and e-mail address at the relevant university/institution with detailed knowledge of the project(s);
- Location of project;
- Use(s) of facility (types of spaces included);
- Square footage of facilities in total and by types of space (i.e. recreation, clinic/medical office, office, retail, other, etc.);
- Total project cost;;
- Construction costs on a per square foot basis;
- Delivery method;
- Architect for the project;
- General contractor for the project;
- Construction timeline and opening date;
- Sustainability achievements;
- Photographs of the completed project or if the project has not been constructed, architectural renderings of the project;
- Any arbitration, mediation, or litigation that has arisen from each development contract and the current stage of

resolution of any of those items. For those items that have been concluded or resolved, the outcome of the arbitration, mediation, or litigation that was conducted.

1.2.1.4 Preliminary Project Approach

This section of the proposals should include a description of the Proposers' initial interest and anticipated approach for the development of the site. Proposers shall provide a concise narrative describing their preliminary vision for delivering the Project and key features that their concepts would incorporate. This section is intended to capture strategic thinking and demonstrate alignment with the University's broader objectives without committing to a specific design or financial proposal. No renderings, site plans, or detailed budgets are required at this stage.

The narratives should address:

- Initial thoughts on the proposed Project outlined in this RFQ;
- Industry standard metrics on construction cost per SF and total hard and soft costs given experience within the Southern Maine market / on similar projects;
- Opinion on current capital markets and the impact on the success of the Project;
- Preliminary overview of the type of P3 structures (including financing, operations, and maintenance) recommended for the Project, based on the preliminary information provided in the RFQ, including strategies for revenue generation through student fees, memberships, programming, etc.;
- Preliminary approach to identifying and pursuing additional funding sources for the project (e.g., incentives, tax credits, etc.);
- Preliminary considerations regarding property tax treatment and impact on Project's affordability;
- Preliminary approach to local entitlement and regulatory review processes, including community engagement;
- Lessons learned from previous projects, including what worked and what has not worked as it relates to design, construction, financing, operations, and maintenance;
- Preliminary schedule considerations including major milestones (financial close, construction completion);

1.3 General Information

1.3.1 Key Terms and Future Agreements

The University developed the following preliminary list of key terms for review and consideration during and after the solicitation process.

- **Assignment and Transfer.** There will be no right to assign or transfer the Ground Lease without the written consent of the University.
- **Buy-out by University.** The Ground Lease will contain provisions providing the University with a right, at its sole option, to buy out the remainder of the

Ground Lease term. This buy-out provision will be negotiated with the Respondent.

- **Delivery of Premises at the End of Term.** At the conclusion of the term of the Ground Lease, any improvements located on the site will remain and shall be delivered to the University fully operational and in good condition as determined jointly by the University and the Ground Lessee. The useful life of the asset is expected to be, at a minimum, 10 years beyond the ground lease period. Upon termination or expiration of the lease, the Institution will have the right to require that the Project be demolished at the sole expense of the Ground Lessee.
- **Insurance.** At this time, the Respondent / Ground Lessee should assume it will be responsible for providing insurance for both pre- and post-occupancy. The minimum insurance requirements will be provided to Respondents at a later date.

1.3.2 Communication with the University

It is the responsibility of the Respondent to inquire about any requirement of this document that is not understood. Responses to inquiries, if they change or clarify the document in a substantial manner, will be forwarded by addenda to all parties that have received a copy of the document. Addenda will also be posted on our web site, www.maine.edu/strategic/upcoming_bids.php

It is the responsibility of all Respondents to check the web site before submitting a response to ensure that they have all pertinent documents. The University will not be bound by oral responses to inquiries or written responses other than addenda.

Inquiries must be made using the **Response Contact Information** provided on the cover sheet of this document. Refer to table in **Section 1.3.1 Timeline of Key Events** for deadline requirements.

1.3.3 Optional Interviews

At its discretion, the evaluation committee may invite Proposers to participate in an interview following submission of RFQ responses. These interviews, if conducted, would provide Proposers the opportunity to clarify or elaborate on their qualifications, address any questions arising from the committee's initial review, and further demonstrate their team's approach and fit for the Project. Interviews would be scheduled at a time to be determined by the University and are not guaranteed to all Proposers; the University reserves the right to make a shortlisting determination based solely on written RFQ submissions if it deems interviews unnecessary.

1.3.4 Confidentiality

The University must adhere to the provisions of the Maine Freedom of Access Act (FOAA), 1 MRSA §401 et seq. As a condition of submitting a response under this section, a respondent must accept that, to the extent required by the Maine FOAA, responses to this solicitation, and any ensuing contractual documents, are considered public records and therefore are subject to freedom of access requests.

The information contained in responses submitted for the University's consideration will be held in confidence until all evaluations are concluded and a Respondent selected (the successful Respondent). At that time the University will issue award notice letters to all participating Respondents and all Respondents' responses may be made available to participating Respondents upon request. Such request must be made by submitting a written request to the individual noted in the Response Contact Information shown on the cover sheet of this document, with a copy of the request provided to the other Respondents. Such requests are public records.

After the protest period has passed and the Agreement is fully executed, responses will be available for public inspection upon request.

Pricing and other information that is an integral part of the offer cannot be considered confidential after an award has been made. The University will honor requests for confidentiality for information that meets the definition of "trade secret" under Maine law. Clearly mark any portion of your submitted materials which are entitled to "trade secret" exemption from disclosure under Maine's Freedom of Access Act. Failure to so identify as trade secret will authorize the University to conclude that no portions are so exempt; and that your entity will defend, indemnify and hold harmless the University in any and all legal actions that seek to compel the University to disclose under Maine's Freedom of Access Act some or all of your submitted materials and/or contract, if any, executed between the University and your entity.

1.3.5 Costs of Preparation

Respondent assumes all costs of preparation of the response and any presentations necessary to the response process.

1.3.6 Specification Protest Process and Remedies:

If a Respondent feels that the specifications are written in a way that limits competition, a specification protest may be sent to the Office of Strategic Procurement to the email address provided on the cover page of this document. Specification Protests will be responded to within five (5) business days of receipt. Determination of protest validity is at the sole discretion of the University. The due date of the proposal may be changed if necessary to allow consideration of the protest and issuance of any necessary addenda. Specification protests shall be presented to the University in writing as soon as identified, but no less than five (5) business days prior to the Deadline for Proposal Submission noted in Section 1.3.1. No protest against the award due to the specifications shall be considered after this deadline. Protests shall include the reason for the protest and any proposed changes to the specifications.

1.4 General Submission Provisions

1.4.1 Timeline of Key Events

Reference Section	Event Name	Event Due Date
Section 1.2.2	Deadline for Written Inquiries/Questions	September 28, 2026
Section 1.2.2	Response to Written Inquiries/Questions	October 2, 2026

	(subject to change)	
Section 1.2.2	Deadline for Submission	October 21, 2026
Section 2.2	Qualification Announcement (subject to change)	October 29, 2026

1.4.2 Eligibility to Submit Responses

Public entities, private for-profit companies, and non-profit companies and institutions are invited to submit a response to this document.

1.4.3 Debarment

Respondents must complete and submit the “Debarment, Performance and Non-Collusion Certification Form provided in Appendix B. Failure to provide this certification may result in the disqualification of the Respondent’s proposal, at the University’s discretion.

Submission of a signed response in response to this solicitation is certification that your firm (or any subcontractor) is not currently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any State or Federal department or agency. Submission is also agreement that the University will be notified of any change in this status.

1.4.4 Response Understanding

By submitting a response, the Respondent agrees and assures that the specifications are adequate, and the Respondent accepts the terms and conditions herein. Any exceptions should be noted in your response

1.4.5 Response Validity

Unless specified otherwise, all responses shall be valid for ninety (90) days from the due date of the response.

1.4.6 Non-Response Submission

The University will not consider non-responsive submissions, i.e., those with material deficiencies, omissions, errors or inconsistencies or that otherwise do not follow instructions. The University in its sole discretion will determine what is Non-Responsive.

1.4.7 Response Submission

A **SIGNED** virus-free electronic copy must be submitted as follows:

- The response must be received electronically to the E-Mail shown in the **Response Submission Information** section of the cover page of this document.
- Electronic submission must be received by the required **Response Deadline Date/Time** reflected on the cover page of this document.
- Response submissions that exceed 20 MB will be submitted with multiple emails modifying email subject line shown in the **Response Submission Information** section of the cover page of this document to include: Submission 1 of X (‘X’ representing the number of files being submitted).

2.0 METHOD OF REVIEW AND STATEMENT OF QUALIFICATIONS REVIEW

2.1 Evaluation Criteria

The following criteria shall be used by the evaluation committee to complete a consensus-based evaluation determining which respondents will be shortlisted to advance to the RFP stage. The evaluation score will be based on a 100-point scale and will measure the degree to which each response meets the following criteria:

Section	Category	Points
1.2.1.1	Team Composition	Key personnel and development partners demonstrated technical capability, and local market experience, including proven collaboration with local contractors and subcontractors.
1.2.1.2	Technical Capability	Proven experience and capability designing and constructing projects of similar program, size and complexity through alternative delivery methods such as a P3 structure. Proven financial capacity and resources to develop a large-scale, complex project. Proven ability and strategy to manage and maintain athletic/recreation assets over long-term agreements.
1.2.1.3	Relevant Experience & References	Team's higher education and/or municipal P3 experience, including successful delivery of projects under various ownership and financing structures. Demonstrated placemaking capability within a campus context, familiarity with the local market and entitlement processes, and sustainability expertise, specifically the ability to design, operate, and manage similar facilities.
1.2.1.4	Preliminary Project Approach	The team's initial thoughts on the project-specific development approach.
	Overall Quality of Submission	The overall clarity, organization, and professionalism of the submission, including how effectively it communicates the team's qualifications and understanding of project objectives.

2.2 Award

The University reserves the right to waive minor irregularities, which may include contacting the Respondent to resolve the irregularity. Scholarships, donations, or gifts to the University, will not be considered in the evaluation of responses. The University reserves the right to reject any or all responses, in whole or in part, and is not necessarily bound to accept the lowest cost response if that response is contrary to the best interests of the University. The University may cancel this request or reject any or all responses in whole or in part. Should the University determine in its sole discretion that only one Respondent is fully qualified, or that one Respondent is clearly more qualified than any other under consideration, an Agreement may be awarded to that Respondent without further action.

2.3 Tie Bids

When two equal bids are received, there shall be a preference for “in-state bidders”. When tie bids are both in-state, or both out-of-state, the award will be made to the bid that arrives first which will be determined by reviewing the electronic submission date and time stamp.

2.4 Negotiations

The University reserves the right to negotiate with the successful Respondent to finalize a contract. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the University’s Request for Proposals to an extent that may affect the price of goods or services requested. The University reserves the right to terminate contract negotiations with a selected respondent who submits a proposed contract significantly different from the response they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Respondent, the University may withdraw its award and negotiate with the next-highest ranked Respondent, and so on, until an acceptable contract has been finalized. Alternatively, the University may cancel the RFP, at its sole discretion.

2.5 Award Protest

Respondents may appeal the award decision by submitting a written protest to the University of Maine System’s University of Maine System’s Executive Director of Strategic Procurement and Chief Procurement Officer within five (5) business days of the date of the award notice, with a copy of the protest to the successful Respondent. The protest must contain a statement of the basis for the challenge. Further information regarding the appeal process can be found at:

[Administrative Practice Letter VII-A - University of Maine System](#)

If this RFP results in the creation of a pre-qualified or pre-approved list of vendors, then the appeal procedures mentioned above are available upon the original determination of that vendor list, but not during subsequent competitive procedures involving only the pre-qualified or pre-approved list participants.

3.0 RESPONSE FORMAT REQUIREMENTS

3.1 General Format Instructions

3.1.1 Electronic Submissions

Documents submitted as part of the electronic response are to be prepared on standard electronic formats of 8-1/2” x 11” and of PDF file type. Submissions requiring additional supporting information, such as, foldouts containing charts, spreadsheets, and oversize exhibits are permissible and must be submitted as Appendices, clearly numbered and referencing the Section in which they provide supporting information.

For clarity, the Respondent’s name should appear on every document page, including Appendices. Each Appendix must reference the section or subsection number to which it corresponds.

3.1.2 Respondents Responsibility

It is the responsibility of the Respondent to provide all information requested in the document package at the time of submission. Failure to provide information requested in this document may, at the discretion of the University's evaluation review team, result in a lower rating for the incomplete sections and may result in the response being disqualified for consideration. Include any forms provided in the application package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in this document.

3.2 Response Format Instructions

This section contains instructions for Respondents to use in preparing their response. The Respondent's submission must follow the outline used below, including the numbering of section and sub-section headings. Failure to use the outline specified in this section or to respond to all questions and instructions throughout this document may result in the response being disqualified as non-responsive or receiving a reduced score.

The University and its evaluation team for this document have sole discretion to determine whether a variance from the document specifications should result in either disqualification or reduction in scoring of a response.

Re-phrasing of the content provided in this document will, at best, be considered minimally responsive. The University seeks detailed yet succinct responses that demonstrate the Respondent's experience and ability to perform the requirements specified throughout this document.

3.2.1 Section 1 - Response Cover Page

- 3.2.1.1 Label this response - Section 1 – UMS Response Cover Page
- 3.2.1.2 Insert Appendix A – University of Maine System Response Cover Page
- 3.2.1.3 Insert Appendix B – Debarment, Performance and Non-Collusion Certification

3.2.2 Section 2 – RFQ submission

- 3.2.2.1 Label this response – Section 2 – RFQ Submission
- 3.2.2.2 Insert responses to submittal requirements in section 1.2:
 - Table of Contents
 - Tab 1: Section 1.2.1.1 Team Composition
 - Tab 2: Section 1.2.1.2 Technical Capability
 - Tab 3: Section 1.2.1.3 Relevant Experience & References
 - Tab 4: Section 1.2.1.4 Preliminary Project Approach

Appendix A – University of Maine System Response Cover Page

RFQ #2027-021
USM Sullivan Gym P3

Organization Name:	
Chief Executive – Name/Title:	
Telephone:	
Fax:	
Email:	
Headquarters Street Address:	
Headquarters City/State/Zip:	
Lead Point of Contact for Quote – Name/Title:	
Telephone:	
Fax:	
Email:	
Street Address:	
City/State/Zip:	

1. This pricing structure contained herein will remain firm for a period of 90 days from the date and time of the quote deadline date.
2. No personnel currently employed by the University or any other University agency participated, either directly or indirectly, in any activities relating to the preparation of the Respondent's response.
3. No attempt has been made or will be made by the Respondent to induce any other person or firm to submit or not to submit a response.
4. The undersigned is authorized to enter into contractual obligations on behalf of the above-named organization.
5. By submitting a response to a Request for Proposal, bid or other offer to do business with the University your entity understands and agrees that:
 - a. The Agreement provisions in **Section 1.2.1.2** of this document will not be modified and are thereby incorporated into any agreement entered into between University and your entity; that such terms and condition shall control in the event of any conflict with such agreement; and that your entity will not propose or demand any contrary terms;
 - b. The above Agreement provisions in **Section 1.2.1.2** of this document will govern the interpretation of such agreement notwithstanding the expression of any other term and/or condition to the contrary;
 - c. Your entity agrees that the resulting Agreement will be the entire agreement between the University (including University's employees and other End Users) and Respondent and in the event that the Respondent requires terms of use agreements or other agreements, policies or understanding, whether on an order form, invoice, website, electronic, click-through, verbal or in writing, with University's employees or other End Users, such agreements shall be null, void and without effect, and the terms of the Agreement shall apply.
 - d. Your entity will identify at the time of submission which, if any, portion or your submitted materials are entitled to "trade secret" exemption from disclosure under Maine's Freedom of Access Act; that failure to so identify will authorize UMS to conclude that no portions are so exempt; and that your entity will defend, indemnify and hold harmless UMS in any and all legal actions that seek to compel UMS to disclose under Maine's Freedom of Access Act some or all of your submitted materials and/or contract, if any, executed between UMS and your entity.

To the best of my knowledge all information provided in the enclosed response, both programmatic and financial, is complete and accurate at the time of submission.

Date: _____

Name and Title (Printed)

Authorized Signature

Appendix B – Debarment, Performance and Non-Collusion Certification

University of Maine System
DEBARMENT, PERFORMANCE and NON-COLLUSION
CERTIFICATION
RFQ #2027-021
USM Sullivan Gym P3

By signing this document, I certify to the best of my knowledge and belief that the aforementioned organization, its principals and any subcontractors named in this proposal:

- a. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
 - i. Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.
 - ii. Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - iii. 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 (b) of this certification; and
 - iv. Have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.
- c. Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.

Failure to provide this certification may result in the disqualification of the Respondent's proposal, at the University's discretion.

Date: _____

Name and Title (Printed)

Authorized Signature