



Request for Proposals

Low Voltage Systems Contractor

for

El Paso Leadership Academy - East Campus

January 11th, 2021

Proposals due Tuesday, January 26, 2021 at 2:00pm MST. No late proposals will be accepted.

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1. GENERAL INFORMATION

The El Paso Leadership Academy (EPLA) is a 501(c)(3) non-profit public charter school. EPLA is seeking to construct a new two-story 71,000 SF ground-up facility on undeveloped land in far east El Paso within the 79938 zip code. A Design-Build firm has been selected through a competitive RFQ/RFP Process for architectural, engineering, and construction services. EPLA has selected an Owner's Representative who will advise the Owner and manage the Project through project completion.

2. STATEMENT OF NEEDS

The purpose of this Request for Proposal (RFP) is to solicit sealed proposals from experienced Contractors to establish a term contract for **Low Voltage Systems** on the behalf of the El Paso Leadership Academy (EPLA). The selection of the Contractor will be at the sole discretion of El Paso Leadership Academy and will be based on El Paso Leadership Academy's sole opinion about which company best meets the needs and requirements of El Paso Leadership Academy. The El Paso Leadership Academy intends to enter into an agreement for these services with a single Contractor.

3. DEFINITIONS and QUALIFICATIONS

For purposes of this Request for Proposal, the following words and terms shall have the meanings specified below:

1. **Agreement** shall mean the terms and conditions contained in the Contract for Low Voltage Systems Contractor between El Paso Leadership Academy and the selected company; the form of the Agreement, which is included as EXHIBIT A – Standard Agreement of this RFP.
2. **Contractor** shall mean the Low Voltage Systems company including its agents and representatives, retained by Owner to provide comprehensive services for the Project.
3. **Owner's Representative** shall mean the person or entity that will represent and assist the Owner to plan and execute the Project. Referred to as "PM."
4. **Offeror(s)** shall mean those entities or persons submitting Proposal in response to this RFP, including their agents and representatives.
5. **Owner** shall mean El Paso Leadership Academy.
6. **Project Manager** shall mean the single person responsible for the day-to-day functions of the project. This person will lead the short list presentation during the selection process.
7. **Project Team or Project Delivery Team** shall mean the Owner, Design-Builder, Owner's Representative, and their respective agents and representatives.
8. **Statements of Qualification** shall mean an Offeror's written description of qualifications based on the terms and conditions contained in the RFP for the selection of Low Voltage Systems Contractor.
9. **Request for Proposal Due Date** shall mean the date established in this Request for Proposal.
10. **RFP** shall mean this Request for Proposal, including all addenda, attachments and exhibits thereto.
11. **Selection Committee** shall mean a group of individuals designated by the El Paso Leadership Academy to review the qualifications of the Offerors and recommend the most qualified.

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The general qualification requirements for the prospective Low Voltage Systems Contractor are listed below:

1. Contractor must have all required licensure required to conduct business in the State of Texas.
2. Contractor must be able to respond quickly to Owner requests for information.
3. Contractor must be able to provide sufficient qualified staff to perform the work quickly and effectively.

4. SCOPE OF SERVICES:

Please refer to the following exhibit:

EXHIBIT F – Scope of Services

Project Team

Selected Low Voltage Systems Contractor will be expected to work closely with the following Team Members who are currently under contract with El Paso Leadership Academy for this Project:

- El Paso Leadership Academy – Owner
- Heritage Charter Development – Design-Builder

Project Schedule

Offerors are advised that the work contemplated under this Project is coordinated with other commitments of the Owner and therefore it is imperative that the work be completed on schedule. Reference EXHIBIT E – Project Schedule for the Owner’s milestone dates. Additional schedule details are available upon request.

5. PROPOSAL ADMINISTRATIVE PROCEDURES

- 5.1 ISSUING OFFICES: This RFP is being issued by the El Paso Leadership Academy.
- 5.2 SCOPE: This document contains the instructions governing the Statements of Qualification to be submitted; the format in which Statements of Qualification are to be submitted and the material to be submitted therein; product requirements, evaluation criteria; and sample contractual terms and conditions. ***An alteration of any kind to this RFP may result in an automatic rejection of your company’s proposal. If a contract were to be issued without detection of a change to this RFP, the contract will immediately be null and void and the Contractor awarded the contract will be held liable for all costs incurred to establish a contract with another Contractor to complete the project.***
- 5.3 REJECTION OF STATEMENTS OF QUALIFICATION: El Paso Leadership Academy shall reserve the right to cancel this Request for Proposal and reject all submissions at any time prior to a selection. Should El Paso Leadership Academy determine that only one Offeror is fully

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qualified or that one Offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that Offeror.

5.4. INQUIRIES & SUBMISSION OF PROPOSAL: **All communications** regarding the RFP must be clearly marked on the outside of the envelope / package to indicate: **“EL PASO LEADERSHIP ACADEMY”**.

5.4.1 Questions must be submitted by mail, express mail, email, or hand-delivered on or before **January 20th, 2021**. El Paso Leadership Academy will send a written or electronic response to each Contractor that has submitted a statement of interest. All questions must be directed to:

Ms. Emily Levario

Chief Financial Officer

El Paso Leadership Academy

elevario@epleadershipacademy.org

1918 Texas Avenue

El Paso, TX 79901

5.4.2 The Offerors are invited to attend a pre-submittal meeting virtually with the Owner and Owner’s Representative to clarify any questions they may have at that time.

January 18th, 2021

TBD

Virtually via Zoom

Log-in information provided upon request

5.4.3 All proposals must be sent in a sealed envelope / package to be clearly marked on the outside of the envelope / package to indicate: **El Paso Leadership Academy** to:

Ms. Emily Levario

Chief Financial Officer

El Paso Leadership Academy

elevario@epleadershipacademy.org

1918 Texas Avenue

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El Paso, TX 79901

One (1) hardcopy of the response must be submitted, along with **one (1)** electronic version of the RFP (answers in Portable Demand Format, i.e. PDF) on a USB flash drive. Hardcopy must have original signatures. An authorized representative of the Offeror must sign proposals. **It is very important that the contents of the USB flash drive be exactly the same as the original hard copy.**

Responses must be mailed, express mailed or hand delivered. No faxed or emailed copies of responses will be accepted unless approved prior by El Paso Leadership Academy. All materials must be submitted by the deadline. All material submitted in response to this RFP will become property of El Paso Leadership Academy.

- 5.4.4 Responses and all supporting documentation, if any, must be received on or before **January 26th, 2021**. Late responses may not be opened or considered. The Contractor assumes all responsibility for the timely receipt of the RFP response. [Proposals should be received by 2:00pm MST](#)

LATE PROPOSALS, REGARDLESS OF DELIVERY MEANS, MAY NOT BE ACCEPTED. Our experience with premium delivery service in El Paso, TX, is that on-time delivery is not consistent for overnight shipments. As stated above, acceptance of responses is contingent upon their arrival at our facility by the date/time stipulated. We assume no responsibility for the performance of the carrier you select.

- 5.5 Offerors mailing proposals should allow normal mail delivery time to ensure timely receipt of their proposals. Offerors assume the risk for the method of delivery chosen. The El Paso Leadership Academy assumes no responsibility for delays or delivery failures caused by a delivery service. Actual or electronic “postmarking” of a communication or proposal to The El Paso Leadership Academy by a deadline date, shall not substitute for actual receipt of a communication or proposal by The El Paso Leadership Academy.
- 5.6 Offeror must complete each section of the RFP in its entirety and in the formats contained within this document. The Offeror shall submit all information and documentation in the order requested in the RFP, even if it is redundant. Any response that is not made in accordance with the terms of the RFP will be rejected. El Paso Leadership Academy shall not be held responsible for searching through responses for the required information and documentation.
- 5.7 If the Offeror believes that any question in this RFP is unclear or susceptible to more than one interpretation, the Offeror must indicate that uncertainty and explain any conditions or assumptions pertinent to the response.
- 5.8 The Offeror should make every attempt to use terminology in their proposal that is consistent with that of the Project. Comparable terminology may be substituted where appropriate if the Contractor provides clear and concise definitions.
- 5.9 Each copy of the Statements of Qualification document should be bound in a single volume where practical. All information requested should be submitted; failure to submit all requested information may result in an unfavorable evaluation of the Offerors submission or rejection of the

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submittal. Documentation submitted with the submission should be bound in that single volume. Elaborate brochures and other representations beyond that sufficient to present a complete and effective submission are neither required nor desired.

5.10 The capacity of the Offeror to make a complete presentation in a brief and concise manner will be favorably considered.

Statements of Qualification shall be printed on letter-size (8-1/2" x 11") paper and assembled with spiral-type bindings, comb bindings or staples. **DO NOT USE METAL-RING HARD COVER BINDERS.** Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.). Ownership of all data, materials and documentation originated and prepared by El Paso Leadership Academy pursuant to the RFP shall belong exclusively to El Paso Leadership Academy. Each bound copy must be in the following order:

- Cover
- Table of Contents
- Executive Summary (TAB 1)
- History of the Contractor / Organizational Structure (TAB 2)
- Staffing Plan/Key Personnel (TAB 3)
- Experience on Similar Projects, Size, and Complexity (TAB 4)
- Management Plan and Understanding of Scope of Work (TAB 5)
- Proposed Fee (TAB 6)
- Acknowledgement/Exception/Disclosure (TAB 7)

Properly submitted Proposals will not be returned to Offerors.

5.11 **COMMUNICATIONS:** From the issuance of this RFP until contract award, communications concerning this solicitation, its evaluation and negotiations are formal. All correspondence, whether oral or written, must be communicated directly to the individual shown in part 5.4.1 of this section. Contractors may not be permitted to speak directly with other El Paso Leadership Academy personnel to obtain or receive clarification on technical issues but must have permission from the individual shown in part 5.4.1 of this section prior to making such contact. At any time during the RFP process, El Paso Leadership Academy will not provide answers to questions pertaining to responses from other Contractor's submissions, equipment, or services. Offerors are instructed to not seek information from El Paso Leadership Academy personnel on the RFP evaluation results. If an Offeror is approached by El Paso Leadership Academy personnel with information or questions concerning the RFP, the Offeror shall immediately contact the individual shown in part 5.4.1 for direction. Failure to abide by this formal communication requirement may cause El Paso Leadership Academy to disqualify a Contractor's submission from further consideration.

Offerors may not engage in "private communications" with any member of the Board of Directors of the El Paso Leadership Academy regarding this RFP from the date of issuance of the RFP until the procurement process is complete and a contract has been negotiated with the selected Offeror. Private communication means any communication other than communications that take place at a posted meeting of the full Board or a

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meeting of a committee of the Board or a meeting which has been specifically authorized by the Board for the purpose of negotiating with an Offeror.

5.12 INCURRING COSTS: EI Paso Leadership Academy will not be held responsible for any costs incurred by the Offeror for work performed in the preparation and production of a proposal or for any work performed prior to the issuance of a contract or notice to proceed.

5.13 ADDENDA TO RFP: Addenda to this RFP may be necessary prior to the closing date and will be furnished to *all* prospective Offerors. Failure to acknowledge receipt of addenda in accordance with the instructions contained in the addenda may result in the proposal not being considered. EI Paso Leadership Academy will notify all Contractors of addenda via email or certified mail. Notwithstanding, it shall be the responsibility of the Contractors to become informed of any addenda to RFP.

5.14 PERTINENT DATES: Key RFP schedule milestones, subject to change at the Owner's sole discretion are:

Release of Request for Proposal	January 11 th , 2021	
Pre-Submittal Meeting	January 18 th , 2021	
Submission of Proposal	January 26 th , 2021	by 2:00pm MSThere
Short List Presentations (if required)	February 1 st , 2021	

5.15 NOTIFICATION OF AWARD: Contractors will be notified of the final selection and award after EI Paso Leadership Academy has negotiated a satisfactory contract.

5.16 CONTRACTUAL DOCUMENT: This RFP and the selected Offerors Statements of Qualification will become the basis for the development of the legally binding contract between EI Paso Leadership Academy and the Offeror. In the event, the services should fail to meet the standards as specified in the Offerors submission, EI Paso Leadership Academy reserves the right to terminate and cancel any contract.

5.17 EXCEPTIONS TO TERMS AND CONDITIONS: It is the specific intent of EI Paso Leadership Academy that the only terms and conditions with the successful Offeror shall be those contained within this RFP, including exhibits; provided, however, that Owner reserves the right to change the terms of the sample contract attached to this RFP. The final contract between the Owner and the successful Offeror will be negotiated between the parties. Nonetheless, Offerors are advised that by taking exceptions to any of the terms and conditions in this solicitation, they risk their proposal being considered unacceptable by EI Paso Leadership Academy. However, if an Offeror takes exception to any term or condition, the Offeror shall in a separate section of their original proposal response: 1. Identify the specific term/condition in question, 2. Specify the language that is causing conflict, and 3. Explain in detail why the language is unacceptable. The Offeror is also required as part of their response to provide proposed alternate language for each term/condition that is identified.

6. PROPOSAL PREPARATION REQUIREMENTS

6.1 GENERAL REQUIREMENTS: El Paso Leadership Academy is governed by the Texas Public Information Act, Chapter 552, Texas Government Code. In the event El Paso Leadership Academy receives a request for information regarding an Offerors submission in response to this RFP, El Paso Leadership Academy shall notify the Offeror. EL PASO LEADERSHIP ACADEMY may request a determination from the Attorney General of the State of Texas in regard to the application of the Public Information Act to the requested information and whether the information is to be made available to the public. EL PASO LEADERSHIP ACADEMY, its officers and employees shall have the right to rely on the determinations of the Texas Attorney General, and EL PASO LEADERSHIP ACADEMY, its officers and employees shall have no liability to any Offeror for disclosure to the public in accordance with a decision by the Attorney General. Trade secrets or proprietary information submitted by an Offeror may be exempt from public disclosure by the Texas Attorney General. Offeror must provide written notice of what information is considered proprietary before or at the time the data is submitted. The written notice must specifically identify the data or materials to be protected and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific works, figures, or paragraphs that constitute trade secret or proprietary information.

6.2 ORAL PRESENTATION AND CONTRACTOR SITE VISITS: Offerors who submit Statements of Qualification in response to this RFP may be required to give an oral presentation of their submission to El Paso Leadership Academy. This provides an opportunity for the Offeror to clarify or elaborate on the proposal. This is intended to be a fact finding and explanation session. El Paso Leadership Academy will schedule the time and location of these presentations. The Offeror is responsible for all travel and lodging costs that may be incurred by the Offeror to conduct this oral presentation. The time and location of any such presentations will be determined at a later date.

El Paso Leadership Academy reserves the right to visit or not visit any Offerors' client sites as a part of the evaluation process.

6.3 SPECIFIC REQUIREMENTS: The following components are to be considered as contents for a complete submittal. Owner shall evaluate and compare only Statements of Qualification that substantially conform to the terms and conditions of the RFP. El Paso Leadership Academy reserves the right to reject any and all submissions and to waive any technicalities. The response format must be presented and submitted in TABs as noted below:

COVER SHEET

TAB 1 - Executive Summary

The Executive Summary shall provide a brief summary of the Statements of Qualification contents, emphasizing any unique aspects or strengths of the submission. This section shall be a maximum of two (2) pages and signed by Offeror.

TAB 2 - History of the Contractor/Organizational Structure

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Provide a narrative on the history of the company including years in business and the depth of resources to provide Low Voltage Systems. Explain the size of your company, including office locations and the legal structure. This section shall be a maximum of three (3) pages.

A. *Organizational Structure:*

If the Offeror is a corporation, provide the following information:

- Date of incorporation
- Place of incorporation and principal place of business
- Officers and Directors (include position, address and telephone number)
- Affiliates, partner corporations, and subsidiaries

If the Offeror is a general or limited partnership, provide the following information:

- General Partners (include address and telephone number)
- Limited Partners, if applicable (include address and telephone number)

If the Offeror is a joint venture, provide the following information:

- Date of formation
- Name and address of each venture partner
- Principals of each venture partner
- Venture partner holding the majority of interest in the joint venture and its percentage of interest.

If the Offeror is not a corporation, general or limited partnership, or joint venture, please identify the type of business entity and provide any pertinent information.

Provide the total number of employees (divided into full-time and part-time and if a sole proprietor, so state this.)

B. *Organizational Chart:* The Offeror shall submit a detailed organizational chart identifying the individuals that the Offeror proposes to perform the service required under the Agreement. Any Contractors or individuals that are proposed to be subcontracted to the Offeror shall be clearly noted as such.

TAB 3 - Staff Plan/Key Personnel

Contractors must provide a proposed project team including a staffing plan with key personnel to be assigned to this project.

For each key personnel identified by the Offeror, the following information shall be provided:

- (a) Name and title, including Project responsibilities and roles

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- (b) Educational background
- (c) Professional registrations and memberships (if applicable)
 - Years of relevant experience
 - Relevant project experience
- (d) List of specific projects and role in that project
- (e) References

State each person's long-term availability and commitment to the project and any obligations that your company has during the time period of the project that may impact your ability to provide the services necessary to meet the project schedule.

This designated Project Manager shall not change from the date of submittal until the completion of the Project without advanced, written approval by El Paso Leadership Academy.

TAB 4 - Experience on Similar Projects, Size, and Complexity

Describe the offeror's experience in the last (5) years in any projects involving Low Voltage Systems of significant scope similar to the services required for the Project included in this RFP:

- Project name, location, description, size, and project cost
- Date of Substantial Completion
- Owner and any other key project team members (include address and telephone number)
- Services performed by the Offeror or persons currently employed by the Offeror as well as the Offeror's office performing the work (if applicable)
- Any awards, recognition, or commendations related to the project
- Personnel who worked on the project who are being proposed for this project

Meditation/Litigation Proceedings: Describe any mediation proceedings or litigation in the last five (5) years initiated by or against the Offeror related to any construction project by providing the following:

- Project name, location and description
- Date
- Owner and any other key project team members (include address and telephone number)
- Services performed
- Nature of dispute and outcome

Disclosures of Conflicts: Disclose any financial or legal conflicts of interest, whether existing or potential, which may affect Offerors performance of services required under the Agreement if Offeror is selected as the Contractor including, but not limited to, any business services currently

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being provided for institutions that may be in direct competition with El Paso Leadership Academy.

References:

- Provide the name, address, and telephone number of three (3) project Owners to act as references for the Offeror with whom Offeror or has worked with within the last five (5) years. Identify the project(s), location(s), and services performed.
- The Offeror provides consent to Owner to contact the Offerors references, for purposes of evaluating the Offeror for the Project. Any information obtained from the Offerors references will not be disclosed to the Offeror.

TAB 5 - Management Plan and Understanding of Scope of Work

(5 page maximum not including deliverable samples)

The Offeror shall provide a detailed narrative of the approach that will be used for the Project. The Offeror should identify any unique experience, qualifications, techniques, and approaches that will best achieve the Project's objectives

The following issues should be addressed:

1. Acknowledgement of the project schedule as shown in EXHIBIT E – Project Schedule
2. Proposed material and equipment data sheets
3. Proposed procurement and installation schedules

TAB 6 – Proposed Fee

Based on these documents, and any available Project information which the Offeror may obtain through his own resources, it is the Owner's intent to award a Contract for Low Voltage Systems to the most qualified and most responsive bidder Offeror based on the following criteria :

- Qualifications of the Offeror
- Cost for Low Voltage Systems as described in this RFP.

Complete EXHIBIT D – Proposal Form as your Services Fee Proposal and provide clarifications to proposal as necessary in space provided. Note that the written value will govern in the event there is a discrepancy between the written value and the numerical value.

Please note that proposed fee shall be inclusive of the offerors cost of doing business and maintaining insurance requirements denoted in EXHIBIT B – Insurance Requirements in this RFP.

All work included in this RFP is exempt from state sales tax.

The cost of all applicable permits, fees, etc. shall be included in the fee proposal.

TAB 7 - Acknowledgement/Exception/Disclosure

Agreement

Provide suggested revisions or objections to El Paso Leadership Academy intended Standard Agreement Between Owner and Contractor included here as EXHIBIT A – Standard Agreement. If none, then state so.

New Vendor Application and W-9 Form

Provide written acknowledgement of the New Vendor Application requirement for this RFP as noted in EXHIBIT C.2 – New Vendor Application. Contractor shall furnish a completed New Vendor Application no later than (5) calendar days after execution of agreement and agrees that Contractor shall not begin work until Owner has verified receipt.

Insurance Requirements

Provide written acknowledgement of the insurance requirements for this RFP as noted on EXHIBIT B – Insurance Requirements, as well as written proof of ability to obtain the insurance coverage.

Contractor shall furnish required certificates of insurance no later than ten (10) calendar days after execution of Contract. Contractor acknowledges and agrees that Contractor shall not begin work until Owner has received the fully executed Certificates of Insurance. Contractor further acknowledges and agrees that violation of this provision, EXHIBIT B – Insurance Requirements, by the Contractor shall constitute a material breach of Contract.

Omissions/Deviations

Offeror shall provide a full description of any omissions or deviations from the requirements set forth in the RFP and the reasons why the omissions or deviations are in the best interest of El Paso Leadership Academy. If there are no omissions or deviations from the RFP, the Respondents shall state the following:

“The Proposal contains no omissions or deviations from the RFP.”

Arbitration/Litigation Proceedings

Describe any arbitration proceedings or litigation in the last five (5) years initiated by or against the Offeror related to any project by providing the following:

- Project name, location, and description
- Date of Substantial Completion
- Owner and any other key project team members (include address and telephone number)
- Services performed

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- Nature of dispute and outcome

Disclosures of Conflicts

Per EXHIBIT C.1 – FORM CIQ, disclose any financial or legal conflicts of interest, whether existing or potential, which may affect Offeror’s performance of services required under the Agreement if Offeror is selected as the Contractor, including but not limited to, any business services currently being provided for institutions that may be in direct competition with El Paso Leadership Academy.

7. EVALUATION AND AWARD CRITERIA

7.1 EVALUATION CRITERIA: Statements of Qualification generally will be evaluated using the following criteria:

- History of the Company/Organizational Structure (0-5 Points)
- Staffing Plan/Key Personnel (0-10 Points)
- Experience on Similar Projects, Size and Complexity (0–20 Points)
- Management Plan and Understanding of the Scope of Work (0–20 Points)
- Proposed Fee (0-45 Points)

7.2 SELECTION CRITERIA: El Paso Leadership Academy shall make the selection and award based on demonstrated competence and qualifications to perform the services. El Paso Leadership Academy shall first select the most highly qualified Offeror and then negotiate a contract with that Offeror at a fair and reasonable price. If a satisfactory contract cannot be negotiated with the most qualified Offeror, then El Paso Leadership Academy shall end negotiations with that Offeror and select the next most highly qualified Offeror and negotiate a contract with that Offeror at a fair and reasonable price. The award document will be a contract incorporating by reference all the requirements, terms and conditions of the solicitation and the Offeror's submission as negotiated.

7.3 RIGHT TO WAIVE FORMALITIES AND ACCEPT OR REJECT PROPOSALS: The Owner reserves the right to waive any or all formalities of this RFP process. Minor irregularities in proposals that are immaterial or inconsequential in nature may be waived by the Owner whenever it is determined, in the Owner’s sole judgment, that such irregularities do not affect the process or the outcome.

The Owner is under no obligation to select any Offeror and reserves the right to accept or reject any or all proposals based solely on the Owner’s determination as to the suitability of the proposals received, and the best interests of the Owner.

8. EXHIBITS

The following exhibits are provided to assist Offerors in preparing their responses to this RFP and are considered part of this RFP package.

EXHIBIT A – Standard Agreement

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EXHIBIT B – Insurance Requirements

EXHIBIT C.1 – Form CIQ

EXHIBIT C.2 – New Vendor Application

EXHIBIT D – Proposal Form

EXHIBIT E – Project Schedule

EXHIBIT F – Scope of Services

EXHIBIT G – Cabling Guidelines and Specifications

EXHIBIT H – Project Documents