



**CONTRACT FOR CONSTRUCTION**  
**FOR**  
**MODERNIZATION AND REMODELING PROJECTS**

TO: Prospective General Contractors (the “Contractor”)

SUBJECT: Request for Qualifications (“RFQ”)

ISSUE DATE: January 15, 2025

ISSUED BY: Dallas School District (the “Owner”)

CONTACT FOR RFQ: Bob Archer, Director of Facilities  
Dallas School District  
Phone: (503) 917-4600  
Email: [bob.archer@dspd2.org](mailto:bob.archer@dspd2.org)

STATEMENT OF  
QUALIFICATIONS DUE: February 6, 2025  
2:00 PM Local Time  
Submitted to  
Bob Archer, Director of Facilities  
Dallas School District  
111 SW Ash Street  
Dallas, Oregon 97338



**I. INTRODUCTION**

**A. REQUEST FOR QUALIFICATIONS**

**REQUEST FOR QUALIFICATIONS**

**CONSTRUCTION CONTRACTOR**

**DALLAS SCHOOL DISTRICT**

**MODERNIZATION AND REMODELING PROJECTS  
(the "Project")**

**Date of Issuance:** January 15, 2025

**Closing Time and Date:** February 6, 2025  
2:00 PM Local Time  
Submitted to  
Bob Archer, Director of Facilities  
Dallas School District  
111 SW Ash Street  
Dallas, Oregon 97338



## B. REQUEST FOR QUALIFICATIONS ADVERTISEMENT

### DALLAS SCHOOL DISTRICT MODERNIZATION AND REMODELING PROJECTS QUALIFICATIONS DUE 2:00 PM, FEBRUARY 6, 2025 REQUEST FOR QUALIFICATIONS

**NOTICE IS HEREBY GIVEN:** Dallas School District (the “Owner”) requests Qualifications from experienced General Contractors for Modernization and Remodeling Projects. Interested General Contractors will provide five (5) paper copies and one (1) PDF electronic copy on a flash drive of their Statement of Qualifications in a sealed envelope. Statements of Qualifications will be accepted by Bob Archer, Director of Facilities at the Dallas School District, District Office, 111 SW Ash Street, Dallas, OR 97338, until 2:00 PM Local Time on February 6, 2025, after which time no further Statements of Qualifications will be received. The Owner is using the Request for Qualifications (“RFQ”) process as the first step in a two-step solicitation process, in which distribution of the Invitation to Bid (“ITB”) will be limited to the firms identified as most qualified through their submitted Statements of Qualifications. The ITB will be distributed only to the firms that have been qualified and selected through the RFQ process.

**A Mandatory Pre-Qualification Meeting** will be held on Tuesday, January 21, 2025, at 2:00 PM at the Dallas School District, District Office, 111 SW Ash Street, Dallas, OR 97338.

#### **Project Scope of Work:**

##### **Dallas High School Existing CTE Building Renovation**

Size: 15,000 SF

Schedule: Construction start Summer 2025

Scope: Complete renovation of existing building for new CTE programming. Includes interior renovation, reconfiguration, system upgrades to mechanical, electrical and plumbing, finishes, and exterior envelope upgrades (siding, windows, doors). Scope also includes addition of two site structures, a new greenhouse and pole barn building, both located south of the existing building.

##### **LaCreole Middle School Gymnasium Addition**

Size: 8,000 SF – 9,000 SF

Schedule: Construction start Summer 2026

Scope: Addition of a new gymnasium to existing middle school building, including restrooms, bleachers, storage, support spaces.

The complete Request for Qualifications may be reviewed and obtained by visiting <https://hmkco.org/bid-documents/>, or by contacting Bob Archer, Director of Facilities, Dallas School District, at [bob.archer@dspd2.org](mailto:bob.archer@dspd2.org).

A detailed Scope of Work and requirements will be set forth in the Project Specifications Documents and Drawings during the ITB phase of this project which will follow the RFQ.

The General Contractor firms responding to this RFQ will be evaluated based upon company or team qualifications, history, safety, firm experience, staffing qualification, company locale and any other evaluation criteria identified in this procurement.

This solicitation does not obligate the Owner to pay any costs incurred in preparation of Statements of Qualifications. The Owner reserves the right to reject any Statement of



Qualifications not in compliance with all prescribed requirements. For good cause, the Owner may reject any or all Statements of Qualifications upon a written finding that it is in the public interest to do so.

**ANY PROTEST OR REQUEST FOR CHANGE MUST BE DELIVERED IN WRITING TO BOB ARCHER, DIRECTOR OF FACILITIES, DALLAS SCHOOL DISTRICT, AT 111 SW ASH STREET, DALLAS, OR 97338 ON OR BEFORE SEVEN (7) CALENDAR DAYS PRIOR TO THE DUE DATE FOR STATEMENTS OF QUALIFICATIONS.**

Dated this 15<sup>th</sup> day of January 2025

Bob Archer, Director of Facilities  
Dallas School District

**C. OVERVIEW OF STATEMENT OF QUALIFICATIONS**

If, after receiving the RFQ, you have inquiries, please contact Bob Archer, Director of Facilities, Dallas School District, at [bob.archer@dsd2.org](mailto:bob.archer@dsd2.org).

Statements of Qualifications are due prior to **2:00 PM Local Time on February 6, 2025**. Statements of Qualifications received after the specified time will not be considered.

This solicitation does not obligate the Owner to pay any costs incurred in preparation of Statements of Qualifications. The Owner reserves the right to reject any Statement of Qualifications not in compliance with all prescribed requirements. For good cause, the Owner may reject any or all Statements of Qualifications upon a written finding that it is in the public interest to do so.

**D. PROJECT OVERVIEW**

**Dallas High School Existing CTE Building Renovation**

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Schedule: Construction start Summer 2025

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Scope: Addition of a new gymnasium to existing middle school building, including restrooms, bleachers, storage, support spaces.



## II. SELECTION PROCESS

### A. SELECTION OVERVIEW

The Owner is seeking a qualified Contractor with current relevant experience in modernization and remodeling projects.

In accordance with Oregon Administrative Rules 137-049-0620 and 137-049-0645, the Owner will use a “two-step” Request for Qualifications (RFQ) and Invitation to Bid (ITB) competitive procurement process to select and enter into a contract with the Contractor. In accordance with those rules and ORS 279C.335, the Owner has obtained an exemption from applicable competitive bidding requirements (Exemption Order dated **January 13, 2025**).

The Owner has established the two-step RFQ/ITB approach through the exemption process and by filing Findings supporting the use of this approach. The RFQ/ITB approach was established in lieu of the more traditional Design-Bid-Build, in order to realize the maximum benefit from the existing design documents while ensuring that the Contractor is highly qualified to perform the work of the Project. The basis for the RFQ/ITB approach is addressed in greater detail in the Exemption Order mentioned above.

The selection process under this RFQ will be conducted in a fair and impartial manner, whereby several qualified individuals will evaluate all responsive Statements of Qualifications.

The selection pursuant to the RFQ will have three major parts:

1. Evaluation of Qualifications;
2. Proposal evaluation and initial ranking;
3. Interviews (if deemed applicable), reference checks, final ranking and selection.

The Owner has published the notice of the RFQ in the Oregon ‘Daily Journal of Commerce’.

The Owner will review all Statements of Qualifications to ensure that each submission meets the minimum qualifications required.

The Owner will convene an evaluation committee made up of three to five qualified members representing the Owner, Stakeholders, or the general public to evaluate all Qualifications. The intent is to pre-qualify 4 – 5 Contractors.

### B. SCHEDULE FOR SELECTION

The milestones for the selection process are set forth below. Required dates for submittals and any other activities are provided elsewhere in this RFQ or will be provided in the ITB.



<b>PROJECT MILESTONE</b>	<b>COMPLETION DATE</b>
<b>RFQ</b>	
Issue RFQ	January 15, 2025
Due Date for Submission of Qualifications	February 6, 2025
Scoring of RFQ	February 25, 2025
Notice of Selection	February 26, 2025
<b>ITB</b>	
ITB Issued to Pre-Qualified Contractors	March 5, 2025
Due Date for Submission of Bids	April 3, 2025
Notice of Intent to Award	April 7, 2025
Owner Board Award of Contract	April 14, 2025
<b>CONSTRUCTION PHASE</b>	
Mandatory Pre-Construction Meeting	TBD
Mobilization	May 12, 2025
Construction	June 12, 2025
Substantial Completion	December 12, 2025

### **III. SERVICES TO BE PROVIDED**

#### **A. DESCRIPTION OF SERVICES**

##### **Dallas High School Existing CTE Building Renovation**

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Schedule: Construction start Summer 2025

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##### **La Creole Middle School Gymnasium Addition**

Size: 8,000 SF – 9,000 SF

Schedule: Construction start Summer 2026

Scope: Addition of a new gymnasium to existing middle school building, including restrooms, bleachers, storage, support spaces.



**These Documents are not for permitting or construction purposes. These documents are for the RFQ and ITB process only. Furthermore, these Documents are subject to revision prior to the issuance of the ITB and thereafter as provided in the ITB.**

## **B. SPECIAL REQUIREMENTS**

In order to implement the two-step RFQ/ITB method of Contractor selection and construction, the Owner will impose some special requirements to ensure an adequate level of competition. Potential Contractors shall note the following requirements concerning management of this Project:

1. The selected Contractor will be required to document good faith efforts to develop business opportunities for Minority Owned, Women Owned, and Emerging Small Business Enterprises, as required by ORS Chapter 200.
2. The selected Contractor will be required to comply with the applicable Oregon prevailing wage rates. The particular prevailing wage rates applicable to the Project will be specified in the ITB.
3. Additional special requirements will be identified in the ITB.

## **IV. REQUIREMENTS FOR STATEMENTS OF QUALIFICATIONS**

### **A. SUBMITTAL REQUIREMENTS**

#### **1. DATE, LOCATION, AND DELIVERY METHOD**

- a. Interested Contractors must submit their Statements of Qualifications no later than **2:00 PM Local Time on February 6, 2025**. Any Statement of Qualifications received after 2:00 PM shall be considered late and rejected. It is the responsibility of the Contractor to ensure that qualifications have been received.

- b. Statements of Qualifications shall be addressed to:

Dallas School District  
Bob Archer, Director of Facilities  
111 SW Ash Street  
Dallas, Oregon 97338

- c. Statements of Qualifications must be mailed or delivered to the address above. **NO FAX OR E-MAIL TRANSMITTED STATEMENTS OF QUALIFICATIONS WILL BE ACCEPTED.**

#### **2. FORM OF STATEMENT OF QUALIFICATIONS**

A Contractor's submitted Statement of Qualifications:

- a. Shall include five (5) paper copies and one (1) PDF electronic copy on a flash drive in a sealed envelope.



- b. Shall be tabulated in separate sections with separator pages in relation to the detailed response requirements set forth in Section IV.D of this RFQ. Any additional information deemed appropriate should be submitted as a separate document on the same flash drive.
- c. Shall be in PDF format, 8 1/2" x 11" paper size, with font type no smaller than 11-point.
- d. Shall be limited to 30 pages of content (i.e. 30 single-sided pages or 15 double-sided pages). Total page count includes the cover letter, but NOT front and back cover, section dividers provided they do not convey information requested in the RFQ, the résumés or other forms and attachments required to be submitted.
- e. Shall be submitted in the following order and structure:
  1. Cover Letter (counts as number of pages submitted)
  2. RFQ Response (counts as number of pages submitted)
  3. Résumés (not counted in number of pages submitted)
  4. Completed Attachments (not counted in number of pages submitted)

### 3. BONDING CAPACITY

Each potential Contractor must be capable of providing a 100% performance bond and 100% payment bond for the Project in the full amount of the Contract. Performance and payment bonds will be required promptly after execution of the Contract and in any event prior to issuance of the Notice to Proceed.

## B. PUBLIC RECORDS

1. This RFQ and one (1) copy of each Statement of Qualifications, together with copies of all documents pertaining to the award of a Contract, shall be kept by the Owner and made a part of a file or record, which shall be open to public inspection. **If a Statement of Qualifications contains any information that is considered a Trade Secret under ORS 192.345(2), each sheet of such information shall be marked with the following disclosure in bold, red text:**

**"This information constitutes a trade secret under ORS 192.345(2) and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS Chapter 192."**

Such identification is for Owner's information and is not itself binding on the Owner. In all instances, Owner will make the final decision as to what information must be disclosed under a public records request or otherwise.



2. The Oregon Public Records Law exempts from disclosure only bona fide trade secrets, and the exemption from disclosure applies only "unless the public interest requires disclosure in the particular instance", ORS 192.345(2). Therefore, nondisclosure of documents or any portion of a document submitted as part of a Statement of Qualifications may depend upon official or judicial determinations made pursuant to the Public Records Law.
3. The above restriction may not include fee schedule or price information, which shall be open to public inspection
4. Identifying the Statement of Qualifications in total as a trade secret is not acceptable. Failure to identify a portion of the Statement of Qualifications as a trade secret shall be deemed a waiver of any future claim of that information as a trade secret.

**C. THE SCHOOL DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER.**

The Owner is committed to achieving a workforce that represents the diversity of Oregon and being a leader in providing fair and equal employment opportunity for all interested applicants and employees.

**D. DETAILED QUALIFICATION REQUIREMENTS**

**Every Statement of Qualifications must reply to each of the following items. Responses must be in the same order listed below. Concise and direct answers are encouraged.**

By listing individuals in the Statement of Qualifications, the firm guarantees that these individuals will be available to work on the Project at the approximate percentages shown. The Owner reserves the right to approve or reject any changes to the proposed personnel. The Owner further reserves the right to request a substitution of personnel if deemed to be in the best interest of the Owner.

**1. Cover Letter**

**2. Company Overview:**

- a. Provide an overview of your company including years in business, office locations, and general work history answering the following questions:
  1. How long has your organization been in business in Oregon as a Contractor under your present business name and license number?
  2. Please confirm that you hold an Oregon Construction Contractors License that is current, valid, and in good standing with the Oregon Construction Contractors Board



- (CCB). Has the license been suspended or revoked in the past ten (10) years? If so, please explain.
3. Have you, your responsible managing individual, or any partner, or officer or member ever been licensed in Oregon under a different name or license number? If yes, please list all the name(s) and license number(s).
  4. Is your organization connected with other organizations as a subsidiary, parent, holding or affiliate? If so, please explain.
  5. How many new and / or renovated K-12 education or public construction projects of at least \$2,000,000 dollars in hard construction cost has your organization completed in the past five (5) years? Please list all.
  6. Has your organization ever failed to enter into a contract after being selected for a new school construction or modernization project? If so, please explain.
  7. Has your organization ever failed to complete a new school construction or modernization contract in the past ten (10) years? If so, please explain.
  8. Has your organization ever failed to complete a contract in the past ten (10) years within the authorized contract time? If so, please explain.
  9. Has your firm been assessed liquidated damages in the past ten (10) years? If so, please explain.
  10. Has your organization ever been disqualified from submitting a proposal or a bid on a State of Oregon project, K-12 education project, or other public work? If so, please explain.
  11. What is your current total bonding capacity? A letter from your bonding company may be required to verify bonding capacity.
  12. What is your current available bonding capacity?
  13. Has your organization been unable to obtain a bond or been denied a bond for a contract in the past ten (10) years? If so, please explain.
  14. Has your organization ever defaulted on a contract forcing a surety to suffer a loss? If so, please explain.



15. Has your organization declared bankruptcy or been placed in receivership in the past ten years? If so, please explain.
16. Has your organization received a Notice of Default, or Notice of Intent to Terminate, on a public works project in the last ten (10) years? If so, please explain.
17. Has your organization's contract on a public works project been terminated or canceled by the public entity owner in the last ten (10) years? If so, please explain.
18. Is your organization currently involved in Dispute Resolution defined as Mediation, Arbitration or Litigation related to a construction project? If so, please explain.
19. Has your organization been involved in Dispute Resolution defined as Mediation, Arbitration or Litigation in the past ten (10) years related to a construction project? If so, please explain.
20. Are there currently any liens, claims or stop notices for labor and/or materials filed against your organization? If so, please explain.
21. How many lien, bond claim, or enforcement lawsuits against your organization have been lost or settled by the organization in the past ten (10) years? Please explain.
22. How many construction-related claims, complaints, and/or cross-complaints has your organization filed in court in the last ten (10) years? Please explain.
23. How many construction-related claims has your organization mediated or arbitrated in the last ten (10) years? Please explain.
24. In the past three (3) years, how many unresolved change orders resulted in a claim filed by your organization? Please explain.
25. Has any employee, individual, or entity filed a complaint in the past ten (10) years against your organization with the Oregon Construction Contractors Board (CCB)? If so, how many were filed and how were the complaints resolved?
26. Has there been any occasion during the last ten (10) years on which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the federal or state prevailing wage laws? If so, please explain.



27. In the past three (3) years, has any action or administrative proceeding for back wages, penalties or other sanctions been filed against your organization for failure to pay state or federal prevailing wages or for failure to comply in any way with the state or federal prevailing wage laws? If so, please explain.
  28. In the last five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? If so, please explain.
  29. Has your firm or any of its owners, officers, or partners ever been found liable in a civil suit, or found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity? If so, please explain.
  30. Has your firm or any of its owners, officers, or partners ever been convicted of a crime involving any federal, state, or local law related to construction? If so, please explain.
  31. Has your firm or any of its owners, officers, or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty? If so, please explain.
  32. During the last ten years, has your firm ever been denied bond credit by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required? If so, please explain.
- b. In addition, please provide a description of your company's general construction experience.
- 3. Similar Project History:**
- a. Provide a description of your company's recent experience in the construction of at least five (5) K-12 education projects of like size and type within the past seven (7) years.
  - b. Provide a reference contact name, current email and phone number for five (5) completed K-12 education projects in Oregon for each of the following: Owner, Architect and Sub-Contractor.
    1. Avoid listing the same contact more than once as a reference when possible.
- 4. Safety:**
- a. Provide a general description of your company's safety programs, as well as your most recent Workers Compensation Insurance



experience modifier answering the following questions:

1. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?
2. List your firm's Experience Modification Rate (EMR) (Oregon workers' compensation insurance) for each of the past three premium years:

Current year: \_\_\_\_\_

Previous year: \_\_\_\_\_

Year prior to previous year: \_\_\_\_\_

**5. Firm Experience:**

- a. Provide a listing, in chronological order, of your company's most recent completed projects within the last seven (7) years (of like size and type) of \$2,000,000 or more. Provide a list of at least five (5) projects. Information on these projects should include the following:
  1. Name of the owner, contact person, current email address and phone number
  2. The Architect, contact person, current email and phone number
  3. Location of the project and completion date
  4. A brief description of the job including whether it was a public or private project
  5. Amount of contract award or negotiated GMP (if applicable)
  6. Final contract amount and total amount of change orders
  7. Total project claims going to mediation / arbitration / litigation and their disposition
- b. Provide a listing, in chronological order, of your company's public construction contracts, regardless of amount.

**6. Staffing & Staff Qualifications:**

- a. Provide a project organization chart showing your proposed staff for this project, including project management, corporate oversight and administration, estimating and onsite construction supervision. Detail whether each person is an employee or sub-contractor.
- b. Include résumés for all individuals listed in the chart. Indicate the



proposed percentage that each person will work on this project during the Construction Phase. The résumés must include each individual's education, work history, length of tenure with the company, prior work experience with similar projects and any experience working with public sector projects.

- c. For those individuals who are not full-time, describe how and when they will work on the project. Additionally, describe the prior experience, if any, of the team members working with each other on projects (please be specific) and what roles they will fill on the proposed team for this project.

**E. EVALUATION CRITERIA**

Potential Contractors not submitting all required information or documents in their Statements of Qualifications may be considered non-responsive, and the Owner at its option may decide not to consider their Statements of Qualifications. Each Statement of Qualifications shall contain the desired information in the format specified. Responsive Statements of Qualifications will be evaluated in accordance with the following:

Reference numbers below are from Section IV - Requirements for Statements of Qualifications, Subsection D - Detailed Qualification Requirements, which indicates the scope of each criterion. Points listed below are the total possible points that can be awarded for each criterion.

<b>CRITERIA</b>	<b>POINTS</b>	<b>REFERENCE</b>
1. Cover Letter .....	P/F .....	1
2. Company Overview .....	20 .....	2a & b
3. Similar Project History .....	20 .....	3a & b
4. Safety .....	10.....	4a
5. Firm Experience .....	25.....	5a & b
6. Staffing and Staff Qualifications .....	25.....	6a, b & c

TOTAL POSSIBLE SCORE 100

**F. SELECTION**

Based on the scoring of the Statements of Qualifications, the Owner will identify the top 4-5 Contractors that are most qualified for the Project. The Owner will distribute the ITB only to those potential Contractors deemed most qualified through the RFQ process, and only the potential Contractors designated as most qualified will be permitted to submit a bid in response to the ITB.



## V. PROTESTS AND REQUESTS FOR CHANGE

- A. All responses will become part of the public record for this Project, without liability to the Owner. The Owner reserves the right to reject any or all responses received as a result of this RFQ and, if doing so would be in the public interest, cancel this solicitation. The Owner reserves the right to consider a response or responses in whole or in part, and to determine the responsiveness of a Statement of Qualifications by reference to the response taken as a whole. Contractors will be held to the terms submitted in their responses.
1. A potential Contractor may file a written protest or make a written request that the Owner change an RFQ specification or term. **ANY PROTEST OR REQUEST FOR CHANGE MUST BE DELIVERED IN WRITING TO Bob Archer, Director of Facilities, Dallas School District, at 111 SW Ash Street, Dallas, OR 97338, ON OR BEFORE SEVEN (7) CALENDAR DAYS PRIOR TO THE DUE DATE FOR STATEMENTS OF QUALIFICATIONS.** The purpose of this protest/request for change procedure is to permit the Owner to correct, prior to the submission of Statement of Qualifications, any specifications or terms that may be improvident, unlawful or which may unnecessarily restrict competition. This requirement is intended to eliminate, by permitting corrections prior to the submission of Statements of Qualifications, the waste of resources and delay that may result from the untimely detection of errors in the RFQ, possible protests, and possible rejection of Statements of Qualifications. The Owner will consider each protest or request, amend the RFQ if warranted, and will notify in writing each potential Contractor of any change. No amendment of this RFQ shall be effective unless made in writing.
- B. All potential Contractors that submit Qualifications in response to this RFQ will be notified in writing of the potential Contractors who are deemed most qualified as provided in Section IV.F above. Any potential Contractor that submitted a Statement of Qualifications and is not deemed most qualified may submit to the Owner a written protest of the Owner's decision to exclude the potential Contractor from the list of most qualified potential Contractors. **Any protest of the selection process shall be directed to Bob Archer, Director of Facilities, Dallas School District, at 111 SW Ash Street, Dallas, OR 97338.** Protests by adversely affected or aggrieved potential Contractors must be in writing and must specify the grounds upon which the protest is based and must be delivered to the Owner within seven (7) calendar days after the date of issuance of the notice of selection of most qualified potential Contractors. No protest of or challenge to the selection of most qualified potential Contractors will be considered after that time period.
- C. In order to be considered, a protest shall be in writing and shall include:
1. The name and address of the aggrieved party;
  2. The contract title under which the protest is submitted;
  3. A detailed description of the specific grounds for protest and any supporting documentation; and



4. The specific ruling or relief requested. In addition, in the event the protesting party asserts that another party that submitted a Statement of Qualifications lacks responsibility as a ground for protest, it must address in detail each of the matters in its written protest.
  5. The written protest shall be mailed or delivered to Bob Archer, Director of Facilities, Dallas School District, at 111 SW Ash Street, Dallas, OR 97338.
  6. The written protest shall be labeled: "Protest".
- D. Upon receipt of a written protest, the Owner shall promptly consider the protest. The Owner may give notice of the protest and its basis to other persons, including Consultants involved in or affected by the protest; such other persons may be given an opportunity to submit their views and relevant information. If the protest is not resolved by mutual agreement of the aggrieved party and the Owner, the Owner will promptly issue a decision in writing stating the reasons for the action taken. A copy of the decision shall be mailed by certified mail, return receipt requested, or otherwise promptly furnished to the aggrieved party and any other interested parties. The Owner's decision may be appealed to the Superintendent by written notice together with all supportive evidence, received at the address set forth in Section V.C.5 not more than two (2) working days after receipt of the decision. The Superintendent's decision shall be final and conclusive.
- E. Strict compliance with the protest procedures set forth herein is essential in furtherance of the public interest. Any aggrieved party that fails to comply strictly with these protest procedures is deemed, by such failure, to have waived and relinquished forever any right or claim with respect to alleged irregularities in connection with the solicitation or award. No person or party may pursue any action in court challenging the solicitation or award of this contract without first exhausting the administrative procedures specified herein and receiving the Owner's final decision.

**End of Request for Qualifications**