



REQUEST FOR QUALIFICATIONS #72-QCWP25047

Public-Private Partnership for University Hotel

Date of Issue: **03/28/2025**

Submittals Due: **3:00 PM ET on 05/07/2025**

Issued by:

Division of Business Affairs
University of North Carolina at Wilmington ("UNCW")

Please address all clarification questions and direct inquiries to:

Carol Page
Purchasing Services
University of North Carolina at Wilmington
Email: pagec@uncw.edu

In accordance with our qualifications-based system, Respondents are expected to have no contact with UNCW employees or members of the UNCW Board of Trustees regarding this RFQ during the selection process. Direct all questions to pagec@uncw.edu

REQUEST FOR QUALIFICATIONS (“RFQ”) Public-Private Partnership for University Hotel

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1.0 BACKGROUND AND OVERVIEW

1.1 Statement of Purpose

The University of North Carolina at Wilmington (“UNCW”, “University”, or “State”) is requesting submissions from qualified development teams (“Respondents”, “Developers”, or “Firms”) for the development and operation of a new hotel (the “Project” or “University Hotel”) located on University-owned property. The purpose of this solicitation is to identify a qualified Firm or Firms with whom the University will enter into a ground lease agreement and related documents for the design, construction, financing, operation and maintenance of a 125 to 175 key hotel via a Public-Private-Partnership (“P3”).

Note: the proposed building program is based on an independent market study, with final specifications to be determined in collaboration with the selected Developer.

A Request for Proposal (“RFP”) will be issued to shortlisted Firms after the RFQ process is completed. The RFP will further define the University’s transaction structure objectives, detailed proposal requirements, and outline the University’s process for selecting a Developer and executing required legal agreements with the University.

1.2 Overview of the Selection Process

Through this RFQ process, the University is seeking to identify Developers with the best qualifications, experience, financial capacity, and proven track records of executing similar projects. An Evaluation Committee (“Committee”) designated by the University will evaluate all materials submitted by Developers as part of this RFQ process. The evaluation will rank the Developer’s qualifications based on specific criteria stated herein. The University may select, at its sole discretion, a short list of the Developers it deems most qualified to partner with the University to undertake this Project. Those Firms will receive the designation of being “prequalified” and will be invited to participate in an RFP process following the evaluation of the Statement of Qualifications (“SOQs”). Participation in this RFQ is a prerequisite to participating in the RFP process and subsequent steps of the selection process, but in no way guarantees a Developer’s prequalification status.

Responses to the RFP from prequalified Developers will be evaluated according to criteria outlined in this RFQ and defined in more detail in the RFP. UNCW reserves the right to modify the RFP award criteria.

Two or more entities may collaborate in submitting a response to this RFQ, however, a single Developer must be designated to contract with the University and must be responsible for performance under any future pre-development or development agreement.

Developers are prohibited from contacting any undesignated University officials or advisors of the University with regard to this opportunity. All inquiries must be made through the channels

described within this RFQ. Developers are advised that unauthorized contact with University officials, related parties, or advisors of the University about this project may result in disqualification of the Developer from this RFQ process.

1.3 Evaluation Committee

The review and evaluation of the received SOQs will be conducted by an Evaluation Committee designated by the University. The Committee will be responsible for evaluating all SOQs and making final recommendations to the University regarding all issues relating to the Project. To assist in this RFQ process, UNCW Purchasing Services will coordinate all communications and is the sole contact for information about the Project.

2.0 UNCW OVERVIEW

The University was founded in 1947 and became part of the University of North Carolina System in 1969. Located in the vibrant coastal city of Wilmington, North Carolina, UNCW offers a wide range of high-quality programs at the baccalaureate, master's, and doctoral levels, including distance learning options and specialized programs for military personnel. With a focus on both academic and community engagement, UNCW is committed to providing educational opportunities that support the needs of students, professionals, and families across the region.

As of fall 2024, UNCW's enrollment surpassed 18,800 students, marking a nearly 5% increase from the previous year. Of this total, more than 15,250 are undergraduates, including the largest first-year class in the University's history with over 2,750 students. Graduate student enrollment has also grown, now exceeding 3,590.

UNCW's strategic vision, outlined in its comprehensive Strategic Plan "Soar Higher", focuses on becoming a national leader in student success, research, and community engagement. The University's commitment to enhancing its physical campus and supporting its long-term growth provides a strong foundation for this Project and reinforces UNCW's role as a reliable and forward-thinking partner.

3.0 ROLE OF UNIVERSITY ADVISORS

UNCW is working with both Rieth Jones Advisors ("RJA") and First Tryon Advisors ("FTA") throughout the P3 process for the Project. The University is in the process of determining other legal and/or technical advisors to support the University. Respondents may not include RJA, FTA or any future University team members on their development teams or contact them directly about this Project outside of this open procurement process.

4.0 PROJECT GOALS AND OPPORTUNITY OVERVIEW

4.1 UNIVERSITY GOALS

UNCW seeks to lease University-owned property for the development and operation of a full-service hotel, inclusive of conference space and food and beverage location(s). This Project will deepen UNCW's connections with its alumni, students, and families, while offering a new amenity that strengthens ties between the University, the broader Wilmington community, and visitors to our area.

Specifically, success for the Project is defined by the following outcomes:

- Assist in advancing UNCW's goal of increasing enrollment by improving the recruiting experience for prospective students and candidates for employment
- Serve alumni, visitors, and the community by driving overnight stays and conference events as part of the partnership
- Address a need in the hospitality market for the region by providing a full-service hotel
- Maintain UNCW brand standards for operations and internal/external conditions throughout the term of the partnership
- The University will retain ownership of the underlying land

These strategic objectives guided the University in its decision to pursue this exciting initiative and will continue to shape decisions throughout the partner selection, negotiation, and development process.

4.2 OPPORTUNITY OVERVIEW

The University has recently completed its "Soar Higher" [Strategic Plan](#) and an accompanying 2024 [Campus Master Plan](#) update, both of which guide the vision for UNCW's continued growth and development. A key element of the Campus Master Plan is the development of a University Hotel to anchor the south entry to campus. The University Hotel will serve as a hub for both visitors and the campus community, supporting large events, enhancing recruiting and campus experience, and fostering engagement with athletics during game days. The University Hotel will directly contribute to UNCW's mission by enhancing the campus environment, supporting academic and cultural events, and furthering community engagement. Its strategic location, coupled with proximity to the University's core academic and athletic facilities, positions the project as a transformative asset to both the campus and the Wilmington community.

The University, in collaboration with its advisors, analyzed the Wilmington lodging market and believes it is well-positioned for growth, with a strong economy driven by UNCW, robust tourism, our proximity to Wrightsville Beach, and major employers in industries such as healthcare, financial services, and film production. The local hotel market, which includes a range of hotel types, continues to show growth potential, especially in areas directly connected to UNCW. The

University has conducted a Market Demand Study and will provide additional information on market trends and projections to shortlisted Firms during the RFP phase.

Based on the research and analysis performed to date, coupled with data from University interviews and site capacity, the University is contemplating a 125 to 175 key full-service hotel that is positioned as Premium-Upscale or Upper-Upscale. The preference is for the hotel to be branded (or soft-branded) with a national hotel brand (e.g., Marriott – Autograph, Marriott – AC or Tribute, Hilton – Curio or Canopy, IHG – Kimpton, Hyatt – Hyatt Centric). The University is not specifying these flags but rather providing them to potential Respondents as a representative sample.

The proposed hotel site is located south of the Trask Coliseum, on the southeast quadrant of Wagoner Drive and Crews Drive. The proposed hotel offers several advantageous site attributes:

- **Prime Access:** conveniently located off of College Road (US Route 117), a major north-south thoroughfare in Wilmington, with easy access to Wrightsville Beach and downtown
- **High Visibility:** positioned on the western edge of campus, ensuring excellent visibility without being embedded within the campus core
- **Strategic Location:** situated south of the intersection of US 117, US 17, and US 74, an area where most hotel development has traditionally been concentrated. While this location is not directly within the City's existing primary hotel corridor, its position on the UNCW campus and proximity to the beach offers unique advantages, making it particularly attractive to university affiliates

Additional details regarding existing site infrastructure and design, construction, and architectural guidelines will be provided as part of the RFP phase.

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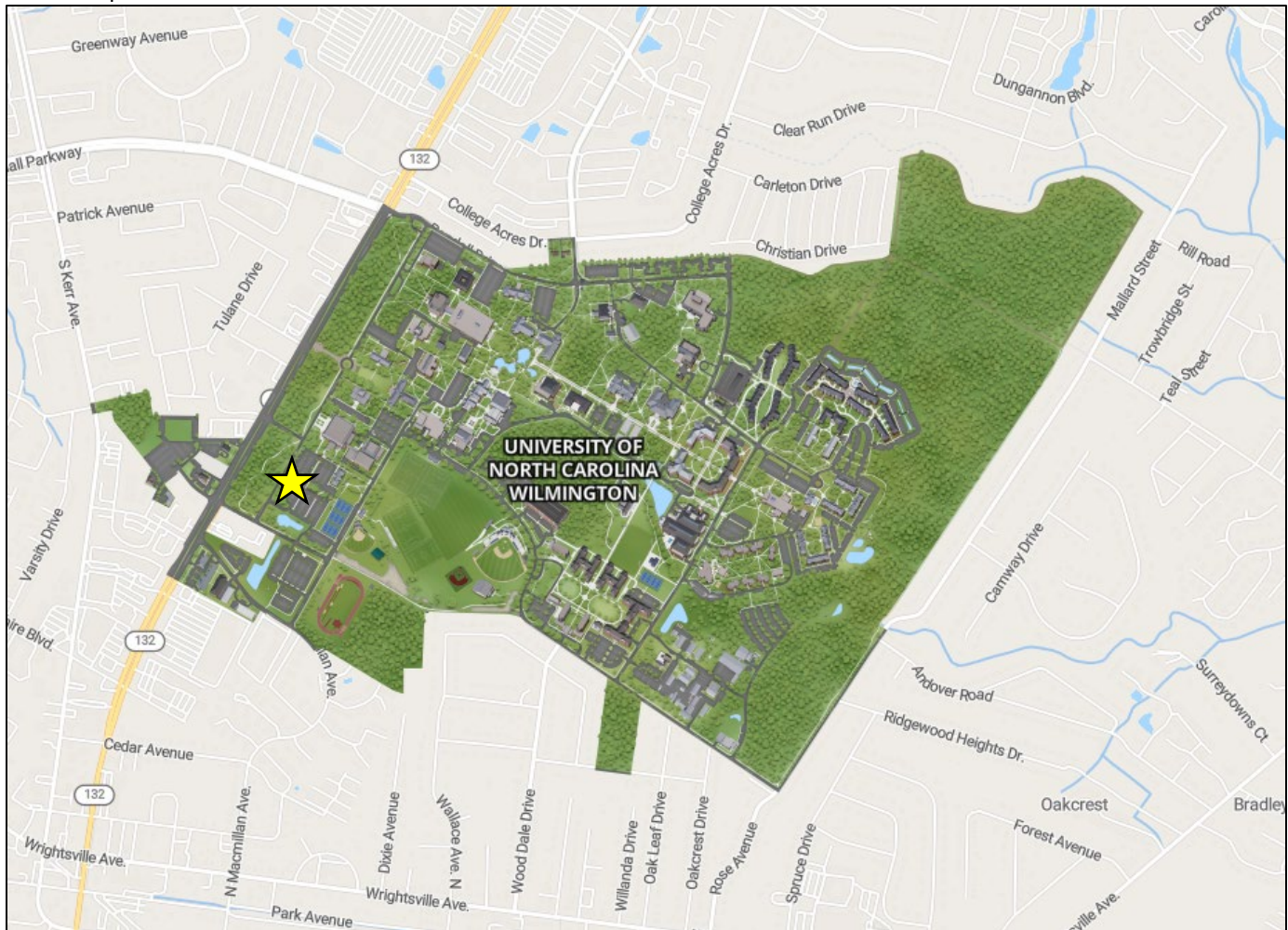


Figure 1: UNCW Campus Map: Proposed UNCW Hotel Site

5.0 RFQ QUESTIONS

Written questions shall be emailed to the Purchasing Services official listed on the face page of this RFQ, Carol Page at pagec@uncw.edu, by the date and time specified below in [Section 8.0 Procurement Schedule](#). Developers should enter “RFQ # 72-QCWP25047 Questions” as the subject for the email. Questions submissions should include a reference to the applicable RFQ section.

The questions received, the University’s response, and any additional terms deemed necessary by the University will be posted in the form of an addendum to the North Carolina electronic Vendor Portal (“eVP”) and shall become an Addendum to this RFQ. No information, instruction or advice provided orally or informally by any University personnel, whether made in response to a question or otherwise in connection with this RFQ, shall be considered authoritative or binding. Developers shall rely *only* on written material contained in an Addendum to this RFQ.

6.0 SUBMISSION REQUIREMENTS

Please respond to each of the following items below. Failure of the Respondent to provide any of the information requested in this RFQ could result in disqualification.

Please structure your submission in the following order and limit the length to no more than a total of thirty (30) pages (the front and rear of a page are considered two pages; covers and tabs are not included in the page limit). All responses should be submitted on paper (two copies) with a PDF copy saved to an enclosed flash drive and shipped per the instructions in [Section 9 SOQ Submittal](#). Adobe PDF format should not exceed 25.0 MB in size.

1. **Developer Execution Form:** the Developer should complete and include [Form 1](#) included below at the beginning of the SOQ.
2. **Statement of Interest:** a cover letter describing the Respondent's interest in the Project and key reasons why the Respondent is best qualified to serve as UNCW's long-term partner for the University Hotel. The letter should be executed by a legal signatory and include the complete legal name, address of the office leading the submission, FEIN #, contact information for the primary point of contact, and corporate website.
3. **Firm History and Team Members:** Respondents are strongly encouraged to provide a full team of proposed design, construction, development, operating, and equity/debt partners. However, at a minimum, Respondents are required to provide details of their development, operating, and equity partners. If a full team is not submitted, Respondents must provide a rationale for why these additional partners are not included at this stage of the process. For each team member, please include resumes, relevant experience roles and responsibilities, current/projected capacity, and location of key personnel who will be leading and working on this project.
4. **Relevant Experience:** present three relevant hospitality projects (e.g., comparable size, scope, and/or transaction structure) that clearly demonstrate your Firm's ability to complete the transaction and meet UNCW's baseline goals and priorities for the University Hotel. Each project example should include the following key information:
 - a. Project location, name, team member, and public partner(s) (if applicable);
 - b. Project size (keys, gross square feet, construction cost, and total project cost);
 - c. Amenity spaces and related hospitality and conference components (with sizes by space type);
 - d. Transaction/ownership structure, milestone dates from selection through project opening, agreement length (term), services performed by the partner (if any), key institutional support provisions, and final plan of finance (all elements as applicable based on project examples submitted to demonstrate experience relevant to the University Hotel transaction); and
 - e. Photographs of the completed project or if the project has not been constructed, architectural renderings of the project.

- 5. Process and Approach:** describe your process and approach to development, management, and operations for similar types of hospitality projects. Explain how your Firm will work closely with the University and Wilmington community to successfully deliver this Project. Please include the following items and any others that are relevant:
- a. Engaging with institutional stakeholders
 - b. Schedule management (pre-development and construction)
 - c. Design and pre-construction efforts
 - d. Transaction structuring and economic modeling
 - e. Property management and operations
 - f. Capital replacement and repair planning
- 6. Financial capacity:** provide the following information for the primary proposed entities that may provide capital as part of the transaction:
- a. Assets under management
 - b. Capital available for investment (differentiate internal capital vs. third-party capital)
 - c. Letter of good standing from capital partners indicating the Respondent's ability to obtain construction financing, and permanent financing
 - d. Reference information for the primary capital partner(s), including name, title, phone number, and email addresses
- 7. Additional Information:** to be provided at the discretion of the Respondent. Note that UNCW will not be required to review this information or consider it during the evaluation process, but the Respondent can elect to provide additional relevant and pertinent information if within the 30-page limit.

7.0 EVALUATION CRITERIA

All submissions in response to this RFQ will be reviewed for responsiveness by Purchasing Services and University Advisors prior to referral to the Evaluation Committee. The Committee will then review, evaluate, score, and rank all responsive submissions. All responsive submissions will be analyzed in accordance with the general criteria defined herein.

The Committee may request presentations if necessary; however, it may also decide that presentations are not required until the RFP. Therefore, Respondents should ensure that all information included in their submissions is clear and complete.

The Committee will evaluate submissions based on the criteria outlined in [Section 6.0 Submission Requirements](#), which are designed to ensure the selection of a development team that can deliver a world-class, sustainable hotel project that aligns with the University's strategic goals. Evaluation criteria shall include the following:

1. **Alignment with University Goals:** the submission aligns with the University's project goals as described in [Section 4.1 University Goals](#).
2. **Qualifications of Key Personnel:** demonstrated experience of key team members in executing projects of similar size and scope
3. **Team Experience:** clarity of the responsibilities among team members, the number of projects the team has completed that are similar in scope and size, past performance based upon references
4. **Project Approach:** planning and execution process proposed for this project
5. **Financial Structure and Capabilities:** demonstrated financial strength and experience of their investors, with the ability to secure construction and permanent financing for a project of this scale

The University reserves the right to waive any minor informality or technicality in submittals received. Developers are cautioned that the University reserves the unqualified right to reject any and all submittals at any time if such rejection is deemed to be in the best interest of the University.

Upon completion of the evaluation process and based on the evaluation, the University will issue a short list of Developers that are invited to participate in a subsequent RFP process for the Project. The University will post the list to NC eVP, under the RFQ number for this solicitation. The inclusion of a Developer on the RFP short list does not mean that the other Developers' SOQs lacked merit, but that, all factors considered, the selected Developers were deemed most qualified and represented the best value to the University.

7.1 CONFIDENTIALITY AND PROHIBITED COMMUNICATIONS DURING EVALUATION

During the evaluation period from the date submittals are opened through the date the prequalified Developers are notified, each Developer submitting an SOQ (including its representatives, sub-contractors and/or suppliers) is prohibited from having any communications with any person inside or outside the University, other government agency office, or body (including the Purchasing Services official named above, department secretary, agency head, members of the general assembly and/or governor's office), or private entity, if the communication refers to the content of Developer's qualifications, another Developer's qualifications or ability to perform the contract, and/or the transmittal of any other communication of information that could be reasonably considered to have the effect of directly or indirectly influencing the evaluation of SOQs and/or the designation of Developers as "prequalified." A Developer not in compliance with this provision shall be disqualified from prequalification, unless it is determined in the University's discretion that the communication was harmless, that it was made without intent to influence and that the best interest of the University would not be served by the disqualification. A Developer's submittal may be disqualified if its sub-contractor and supplier engage in any of the foregoing communications during the time that the evaluation period is active (i.e., the issuance date of the procurement to the date the prequalified

Developers are notified). Only those discussions, communications or transmittals of information authorized or initiated by UNCW for this RFQ, or general inquiries directed to the Purchasing Services official regarding requirements of the RFQ (prior to SOQ submission) or the status of the prequalification notifications (after submission) are excepted from this provision.

8.0 PROCUREMENT SCHEDULE

All responses must be submitted as sealed, paper SOQs with a PDF copy on an enclosed flash drive (see [Section 9.0 SOQ Submittal](#) for shipping addresses). No responses will be accepted via other channels.

No responses will be accepted after the Submission Deadline. Shortlisted Firms will be invited to participate in the RFP process that is anticipated to begin in May 2025.

Below is the anticipated procurement schedule. The University reserves the right, at its sole discretion, to adjust the dates listed below as it deems necessary.

RFQ Timeline

SCHEDULE OF ACTIVITIES	TIMELINE
RFQ Published	Week of March 24, 2025
Written Inquiry Deadline	April 11, 2025 by 12:00 pm ET
Responses to Written Inquiries	April 18, 2025
Submission Deadline	May 7, 2025 by 3:00 pm ET
Presentations <i>(if needed)</i>	Week of May 12, 2025
Notification of Shortlisted Firms	Week of May 19, 2025

Tentative RFP Timeline

SCHEDULE OF ACTIVITIES <i>(subject to change at UNCW's sole discretion)</i>	TIMELINE <i>(all times are Eastern Standard Time)</i>
RFP Issued to Shortlisted Firms	Week of May 26, 2025
Campus Visit & Site Tour <i>(required)</i>	Week of June 9, 2025
Written Inquiry Deadline	June 20, 2025 by 3:00 pm ET
Responses to Written Inquiries	June 27, 2025
Submission Deadline	July 16, 2025 by 3:00 pm ET
On-Campus Presentations	Week of July 28, 2025
Identification of Preferred Partner	By August 27, 2025
Desired Closing Date	January 2026

9.0 SOQ SUBMITTAL

Sealed paper SOQs, subject to the conditions made a part hereof and the receipt requirements described below, shall be received at the address indicated in the table below, for furnishing and delivering those items or services as described herein.

Mailing address for delivery of SOQ via USPS:	Office Address for delivery of SOQ by any other method (overnight, courier, or other carrier):
University of North Carolina at Wilmington Purchasing Services Attn: Carol Page 601 South College Road Wilmington, NC 28403-5615 RFQ: 72-QCWP25047	University of North Carolina at Wilmington Purchasing Services Attn: Carol Page 5129 Lionfish Drive Wilmington, NC 28403 RFQ: 72-QCWP25047

IMPORTANT NOTE: All submittals shall be physically delivered to the office address listed above on or before the submittal deadline in order to be considered timely, regardless of the method of delivery. This is an absolute requirement. All risk of late arrival due to unanticipated delay—whether delivered by hand, U.S. Postal Service, courier or other delivery service is entirely on the Respondent. It is the sole responsibility of the Respondent to have the submittal physically in this Office by the specified deadline. The time of delivery will be marked on each submittal when received, and any submittal received after the submission deadline will be rejected. Sealed submittals, subject to the conditions made a part hereof, will be received at the address indicated in the table in this Section, for furnishing and delivering the commodity as described herein.

Note: the U.S. Postal Service generally does not deliver mail to specified street address but to Wilmington's Mail Service Center. Developers are cautioned that proposals sent via U.S. Mail, including Express Mail, may not be delivered by the Mail Service Center to the UNCW's purchasing office on the due date in time to meet the proposal deadline. All Developers are urged to take the possibility of delay into account when submitting a proposal. Attempts to submit a proposal via facsimile (FAX) machine, telephone or electronic means, including but not limited to email, in response to this RFQ shall NOT be accepted.

- a) Submit two (2) paper signed, original SOQs, and 1 un-redacted PDF electronic copy on a flash drive and, if required, 1 redacted electronic (Proprietary and Confidential Information Excluded) copy a flash drive simultaneously to the address identified in the table above.
- b) Submit the SOQ in a sealed package. Clearly mark each package with: (1) Developer name; (2) the RFQ number; and (3) the due date. Address the package(s) for delivery as shown on the table above. For delivery purposes, separate sealed envelopes from a single Developer may be included in the same outer package.

10.0 GENERAL INFORMATION

10.1 REQUEST FOR QUALIFICATIONS DOCUMENT

The RFQ is comprised of the base RFQ document, any attachments, and any addenda released before the deadline for submittals. All attachments and addenda released for this RFQ in advance of the submittal deadline are incorporated herein by reference.

10.2 QUALIFICATION REQUIREMENTS

This RFQ is open to all prospective parties who seek qualification to pursue the development of the Project at the UNCW campus. Qualification will be based on a determination by the University at its sole and complete discretion. The Developer must meet the requirements highlighted in [Section 6.0 Submission Requirements](#).

Upon receipt, all RFQ submissions will be reviewed for completeness in accordance with the submission requirements and assessed in the areas of technical and financial capability, relevant project experience, and references, with respect to the standards set forth in this RFQ.

After reviewing all submissions, the University intends to prequalify the Developers it deems most qualified to be invited to the RFP process.

The University will not consider any response to the RFQ that does not completely fulfill these requirements. The University reserves the right to accept or reject any or all submissions.

10.3 NOTICE TO DEVELOPERS REGARDING RFQ TERMS AND CONDITIONS

It shall be the Developer's responsibility to read the Instructions, all relevant exhibits and attachments, and any other components made a part of this RFQ, and comply with all requirements and specifications herein. Developers also are responsible for obtaining and complying with all Addenda and other changes that may be issued in connection with this RFQ.

If Developers have questions, issues, or exceptions regarding any term, condition, or other component within this RFQ, those must be submitted as questions in accordance with the instructions in [Section 5.0 RFQ Questions](#). If the University determines that any changes will be made as a result of the questions asked, then such decisions will be communicated in the form of an RFQ addendum. Other than through this process, the University rejects and will not be required to evaluate or consider any additional or modified terms and conditions submitted by the Developer. This applies to any language appearing in or attached to the document as part of the Developer's submittal that purports to vary any terms and conditions or Developers'

instructions herein. By execution and delivery of an SOQ in response to this RFQ, the Developer agrees that any additional or modified terms and conditions, whether submitted purposely or inadvertently, shall have no force or effect, and will be disregarded. Noncompliance with, or any attempt to alter or delete this paragraph shall constitute sufficient grounds to reject Developer's SOQ as nonresponsive.

If a Developer desires modification of the terms and conditions of this solicitation, it is urged and cautioned to inquire during the question period, in accordance with the instructions in this RFQ, about whether specific language proposed as a modification is acceptable or will be considered by the University.

Developers must not contact anyone working for or with the University regarding this RFQ or the subsequent RFP other than the University Purchasing Services official named on the face page of this RFQ, in the manner specified by this RFQ.

11.0 DISCLAIMER

Any representations or statements made within this RFQ shall not be considered a contractual obligation by the University and the Developers shall not be entitled to rely upon them. The University reserves the right to reject any and all submittals and to identify and select the Developer which the University, in its sole and absolute discretion, deems most qualified.

The Developer shall be solely and totally responsible for all costs, fees, and expenses associated with responding to this RFQ, and the University accepts no responsibility with regard thereto. Submissions will become the property of the University.

The University reserves all rights available to it by law in administering this RFQ, including without limitation, the right, in its sole discretion, to:

- a. Reject any or all submittals at any time;
- b. Terminate evaluation of any or all submittals at any time;
- c. Suspend, discontinue and/or terminate negotiations with any Developers at any time prior to the actual authorized execution of Developer Agreement;
- d. Negotiate with a Developer without being bound by any provision in its submittal;
- e. Accept and review a nonconforming submittal;
- f. Request or obtain clarifications, revisions or additional information from any source;
- g. Issue addenda to and/or cancel this RFQ;
- h. Issue a new request for qualifications;
- i. Decline to financially participate in a proposed project;
- j. Extend any deadline or time and waive or permit the correction of minor deficiencies

- or irregularities in a submittal and minor or technical violations of this RFQ;
- k. Change the scope and the range of services from what is defined in this RFQ at any time;
and
- l. Select any submitted P3 structure.

This RFQ does not commit any of the University to enter into a contract. In no event shall any of the University be bound by, or liable for, any obligations with respect to a project until such time (if at all) as a Developer Agreement, in form and substance satisfactory to the University, has been executed and properly authorized, and then only to the extent set forth therein. Under no circumstances shall any of the University be liable for, or reimburse, the costs, fees, or expenses incurred by Respondents, whether or not selected for negotiations, in developing submittals or in negotiating agreements.

Each responding Developer, by submitting qualifications, thereby accepts all risk of adverse public notice, damages, financial loss, criticism or embarrassment that may result from any disclosure or publication of any material or information required or requested by any of the University in connection with the submission of qualifications. In submitting qualifications, the Respondent expressly waives, on behalf of itself, its partners, joint venture members, officers, directors, employees and agents, any claim against any of the University, and their respective officers and employees, for any damages that may arise therefrom.

Any and all information any of the University makes available to Developers shall be as a convenience to the Developer and without representation or warranty of any kind.

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FORM 1: DEVELOPER EXECUTION

By signing this document, you are acknowledging that all the information submitted or referenced within the Statement of Qualifications is true, and that to the best of Developer's knowledge and belief, that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal or State department or agency.

Developer Name: _____

DBA (if applicable): _____

Street Address: _____

City State, Zip: _____

Mailing Address: _____ ZIP: _____

Main Telephone: _____ FAX: _____

Developer's Authorized Signature:

Date:

Printed Name: _____

Title: _____

Telephone: _____

Email: _____

Failure to submit this completed and signed form prior to the submittal due date shall render SOQ invalid and it WILL BE REJECTED.

Late submittals will not be accepted.

ATTACHMENT A: INSTRUCTIONS TO DEVELOPERS

1. **READ, REVIEW AND COMPLY:** It shall be the Developer's responsibility to read this entire document, review all enclosures and attachments, and any addenda thereto, and comply with all requirements specified herein, regardless of whether appearing in these Instructions to Developers or elsewhere in this RFQ document.
2. **LATE SUBMITTALS:** Late submittals, regardless of cause, will not be opened or considered, and will automatically be disqualified from further consideration. It shall be the Developer's sole responsibility to ensure delivery at the designated office by the designated time.
3. **ACCEPTANCE AND REJECTION:** The University reserves the right to reject any and all proposals, to waive any informality in proposals and, unless otherwise specified by the Developer, to accept any item in the proposal. If either a unit price or an extended price is obviously in error and the other is obviously correct, the incorrect price will be disregarded.
4. **BASIS FOR REJECTION:** Pursuant to 01 NCAC 05B .0501, the University reserves the right to reject any and all offers, in whole or in part, by deeming the offer unsatisfactory as to quality or quantity, delivery, price or service offered, non-compliance with the requirements or intent of this solicitation, lack of competitiveness, error(s) in specifications or indications that revision would be advantageous to the University, cancellation or other changes in the intended Project or any other determination that the proposed requirement is no longer needed, limitation or lack of available funds, circumstances that prevent determination of the best offer, or any other determination that rejection would be in the best interest of the University.
5. **EXECUTION:** Failure to sign EXECUTION PAGE in the indicated space will render proposal non-responsive, and it shall be rejected.
6. **ORDER OF PRECEDENCE:** In cases of conflict between specific provisions in this solicitation or those in any resulting contract, the order of precedence shall be (high to low) (1) any special terms and conditions specific to this RFQ, including any negotiated terms; (2) requirements and specifications this RFQ; (3) Instructions in ATTACHMENT A: INSTRUCTIONS TO DEVELOPERS; and (4) Developer's Proposal.
7. **INFORMATION AND DESCRIPTIVE LITERATURE:** Developer shall furnish all information requested and in the spaces provided in this document. Further, if required elsewhere in this proposal, each Developer must submit with their proposal sketches, descriptive literature and/or complete specifications covering the products offered. Reference to literature submitted with a previous proposal or available elsewhere will not satisfy this provision. Proposals that do not comply with these requirements shall be subject to rejection without further consideration.

8. **HISTORICALLY UNDERUTILIZED BUSINESSES:** Pursuant to General Statute 143-48 and Executive Order #150 (1999), the State invites and encourages participation in this procurement process by businesses owned by minorities, women, disabled, disabled business enterprises and non-profit work centers for the blind and severely disabled.
9. **CONFIDENTIAL INFORMATION:** To the extent permitted by applicable laws and rules, the University will maintain confidential trade secrets that the Developer does not wish disclosed. As a condition to confidential treatment, each page containing trade secret information shall be identified in boldface at the top and bottom as “CONFIDENTIAL” by the Developer, with specific trade secret information enclosed in boxes or similar indication. Cost information shall not be deemed confidential under any circumstances. Regardless of what a Developer may label as a trade secret, the determination whether it is or is not entitled to protection will be determined in accordance with N.C.G.S. Section 132-1.2. Any material labeled as confidential constitutes a representation by the Developer that it has made a reasonable effort in good faith to determine that such material is, in fact, a trade secret under N.C.G.S. Section 132-1.2. Developers are urged and cautioned to limit the marking of information as a trade secret or as confidential so far as is possible.
10. **PROTEST PROCEDURES:** A Firm may appeal the denial of an invitation to participate in a subsequent RFP process for the Project by filing a written appeal via email to John Robinson, Director, UNCW Purchasing Services, at robinsonj@uncw.edu within five (5) business days of emailed notice that the Firm was denied an invitation to participate in the RFP process.
11. **MISCELLANEOUS:** Masculine pronouns shall be read to include feminine pronouns, and the singular of any word or phrase shall be read to include the plural and vice versa.
12. **COMMUNICATIONS BY DEVELOPERS:** In submitting its SOQ, the Developer agrees not to discuss or otherwise reveal the contents of its submittal to any source, government or private, outside of the using or issuing agency until after the notification of prequalified Developers or cancellation of this RFQ. All Developers are forbidden from having any communications with the using or issuing agency, or any other representative of the University concerning the solicitation, during the evaluation of the proposals (i.e., after the public opening of the proposals and before the award of the Contract), unless the University directly contacts the Developer(s) for purposes of seeking clarification or another reason permitted by the solicitation. A Developer shall not: (a) transmit to the issuing and/or using agency any information commenting on the ability or qualifications of any other Developer to provide the advertised good, equipment, commodity; (b) identify defects, errors and/or omissions in any other Developer’s proposal and/or prices at any time during the procurement process; and/or (c) engage in or attempt any other communication or conduct that could influence the evaluation and/or award of the Contract that is the subject of this RFQ. Developers not in compliance with this provision may be disqualified, at the option of the University, from the Contract award. Only those communications with the using agency or issuing agency authorized by this RFQ are permitted.

13. **DEVELOPER REGISTRATION AND SOLICITATION NOTIFICATION SYSTEM:** The North Carolina electronic Vendor Portal allows Developers to electronically register free with the State to receive electronic notification of current procurement opportunities for goods and services of potential interests to them available on the Interactive Purchasing System, as well as notifications of status changes to those solicitations. Online registration and other purchasing information is available at the following website <https://evp.nc.gov/>
14. **INFORMAL COMMENTS:** The University shall not be bound by informal explanations, instructions or information given at any time by anyone on behalf of the University during the competitive process or after award. The University is bound only by information provided in this RFQ and in formal Addenda issued through IPS.
15. **DEVELOPER'S REPRESENTATIVE:** Each Developer shall submit with its proposal the name, address, and telephone number of the person(s) with authority to bind the Firm and answer questions or provide clarification concerning the Firm's proposal.
16. **SUBCONTRACTING:** Unless expressly prohibited, a Developer may propose to subcontract portions of the work to identified subcontractor(s), provided that its proposal clearly describes what work it plans to subcontract and that Developer includes in its proposal all information regarding employees, business experience, and other information for each proposed subcontractor that is required to be provided for Developer itself.

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