

2.1 ~~(9) the vendor's or contractor's ability to assess and minimize risks.~~

2.2 ~~"Performance on previous projects" does not include the exercise or assertion of a person's~~
2.3 ~~legal rights. This definition does not apply to sections 16C.32, 16C.33, 16C.34, and 16C.35.~~

2.4 (1) price, which must be at least ... percent but no more than ... percent;

2.5 (2) schedule, which must be at least ... percent but no more than ... percent;

2.6 (3) risk mitigation plans;

2.7 (4) value added;

2.8 (5) cost savings;

2.9 (6) construction means and methods;

2.10 (7) technical qualifications;

2.11 (8) management personnel;

2.12 (9) staffing capabilities;

2.13 (10) subcontracting plans;

2.14 (11) quality control;

2.15 (12) safety programs;

2.16 (13) financial capability;

2.17 (14) past performance;

2.18 (15) delays on prior projects;

2.19 (16) quality of prior projects; and

2.20 (17) other criteria the commissioner determines by rule. This criteria may not include
2.21 union or nonunion status, change order history, assertion of legal or contract rights, customer
2.22 satisfaction, geographic benefit, public relations, contractor's inventory of construction
2.23 equipment, or experience in similar construction projects.