

**Public Service Building
The Town of Moncks Corner**

**Request for Qualifications
For
Construction Management at-Risk
Services**

Answers to questions, all clarifications, any addenda, and all postings/notices will be available at: <https://www.monckscornersc.gov/news-room>

Qualifications Due: August 30, 2019 NLT 2:00 PM

Written Submittals of Qualifications to provide Construction Management at-Risk (CMR) Services for the construction of the Town of Moncks Corner Public Service Building.

1. Introduction

1.1. Purpose of Procurement

1.1.1. The Town of Moncks Corner, hereinafter referred to as “Town”, will undertake construction of the facility known as the Public Service Building located at Regional Recreation Complex in the Town of Moncks Corner, SC.

1.1.2. Cost Limitation: The stated cost range for the project construction is \$550,000 - \$650,000

1.1.3. “Construction Management at-Risk” (CMR) is the chosen project delivery method for this project (Please see the definition section below).

1.1.4. The Town of Moncks Corner has selected CPR Engineering Solutions, LLC to prepare the design, and engineering work for the project. The design team has completed the basic construction documents.

1.1.5. SPECIAL CONSIDERATION FOR CM AT-RISK - South Carolina Code Ann § 40-11-320 and Regs 19-445.2145(N): Firms seeking CMR work must be registered both as a construction manager and as a general contractor with the SC Contractor’s Licensing Board. The construction manager at-risk’s General Contractor’s license must have a license group designation that will allow the construction manager at-risk to provide 100% Performance and 100% Labor and Material Payment Bonds for the entire project. Moreover, prior to contracting for a Guaranteed Maximum Price (GMP), all construction management services provided by a construction manager at-risk must be paid as a fee based on either a fixed rate or fixed amount. In addition, construction may not commence for any portion of the construction until after

the governmental body and the construction manager at-risk contract for a fixed price or a GMP regarding that portion of the construction.

1.1.6. The selection of professional construction services will be by Qualifications-Based Selection (QBS) or “Technically Superior Proposal” method. The South Carolina law adopted QBS as appropriate under state law for competitive sealed proposals: See § 11-35-1530 in the Official Code of South Carolina. The Town chose the CMR delivery method specifically to allow concurrent design and construction activities, with the CMR providing constructability and other pre-construction services essential to the overall success of the project. The CMR will have a fiduciary role and responsibility to the Town. The CMR must act in the best interests of the Town, using its best efforts to perform the project in an expeditious and cost-effective manner consistent with the Town’s program requirements and budget.

1.2. Project Objectives

1.2.1. The CMR and the design professionals each will be responsible for comprehending the Town’s Project Requirements, accurately translating those requirements into a Basis of Design, and incorporating all into complete construction documents. With these, the CMR will deliver a finished facility in satisfaction of the Town’s Project Requirements.

1.2.2. The CMR will be responsible for pricing and value-engineering issues. At an appropriate point during the project, the Town will ask the CMR to commit to a Guaranteed Maximum Price (GMP) for the project.

1.2.3. The CMR shall competitively select all construction subcontracts and other work appropriate for competitive selection but is free to use qualification factors other than price of work to select construction subcontractors that will deliver the greatest value to the Town of Moncks Corner.

1.2.4. In selecting a firm, the Town will emphasize experience of the firm and of assigned personnel in providing like functions on projects of similar magnitude and complexity as the proposed project. Selection preference will be toward firms that have depths of knowledge and resources for general contracting, scheduling, contract coordination and compliance, and budget control, as well as familiarity with state laws, ordinances, and codes applicable to the Town of Moncks Corner.

1.2.5. It is the responsibility of each submitter to examine the entire RFQ and RFP, seek clarification in writing, and review its submittal for accuracy before submitting their qualifications and, if shortlisted, their proposal. Once submission deadlines have passed, all submissions will be final. The Town will not request clarification from any individual submitter relative to their submission but reserves the right to ask for additional information from all parties that have submitted qualifications.

1.2.6. There are schedule requirements attached to the project funding. Due to these requirements the Town must make, as an important selection criterion, the ability of firms to place quality personnel on this job ready to work within an effective timeframe.

1.2.7. The Town intends to start work prior to January 2020.

1.3. Project Assumptions

1.3.1. The Town of Moncks Corner is receptive to working with multiple firms that desire to form a partnership to deliver the CMR services anticipated under this project. In the event that two or more firms desire to establish a joint venture, it is expected that one firm from the group shall sign the contract as construction manager at-risk, and that all partner firms will be consultants to the firm that signs the contract.

1.3.2. The Town expects all parties to this project to work closely together and deal appropriately with project conditions to finish the job successfully. A spirit of cooperation and collaboration among professional construction services providers is of utmost importance to the Town.

1.3.3. The CMR, as part of its pre-construction services, will assist with developing a strategy for the best approach for the successful completion of the project. For example without limitation, the CMR will provide guidance and assistance in the preparation of a schedule and a reliable cost estimate.

1.3.4. It is the sincere intention of the Town to make every effort to be fair and equitable in its dealings with all candidates for selection.

2. General Requirements

2.1. Building Program

2.1.1. Quality

The project will be designed and constructed to a level of quality and timeliness that reflects the long-term usage of a Town of Moncks Corner facility.

2.1.2. Town/CMR Contract

AIA Document A133 CM-R-2009, Standard Form of Agreement between Town and Construction Manager as Constructor, SCOSE Edition.

2.2. Selection Process

2.2.1. Request for Qualifications

The Town will receive and review statements of qualifications and performance data in response to the RFQ. The Town will evaluate all firms against a set of criteria, provided in Section 3 below, to determine which firm is most qualified and suited for this particular project.

2.2.2. Interview & Final Evaluation (this section provided for information only)

As part of the evaluation, short-listed firms may be invited to a formal interview to explain their submittal and to answer questions from the Town. From the evaluations of the written submittal and the interview, the Town will rank the firms in order of suitability and appropriateness for this job.

2.2.3 Fee Proposals

The top ranked firm shall prepare and deliver a separate sealed fee proposal to the Town. The highest-ranked offeror's fee proposal will be part of the basis for initial negotiations subsequently conducted. If negotiations with the highest-ranked Offeror are not successful, the Town will then invite the second-ranked firm to negotiate, and so on.

2.3. Scope of Work Overview

The CMR's services shall conform to recognized standards of professional practice. The contract will outline the scope of work.

2.3.1. The CMR will work in concert with the Design Professionals towards the successful completion of the project within the schedule and the stated cost limitation, in compliance with the contract documents, and adhering to the requirements of the authorities having jurisdiction.

2.3.2. The CMR, through in-house staff or outside consultants/contractors, shall serve as the Construction Manager and Constructor, and shall provide all pre-construction and construction management services and activities necessary for the construction and completion of this project. The services described in this Request are representative of the services required, and are not exhaustive.

2.3.3. Pre-Construction Services shall include, but are not limited to:

2.3.3.1. Evaluate the design providing analysis of alternative construction methods and materials for potential quality, cost, and schedule enhancements.

2.3.3.2. Evaluate construction documents for constructability, maintainability, potential problems, errors, and compliance with the construction budget.

2.3.3.3. Develop a comprehensive design and construction schedule, coordinating activities to accomplish the completion of the project by the earliest date possible within the stated cost limitation.

2.3.3.4. Provide cost estimating, cost management, value analysis, and value engineering.

2.3.3.5. Provide cost estimating of alternative means, methods, materials, and configurations of the design.

2.3.3.6. Provide cost estimating of the individual construction packages.

2.3.3.7. Assist the Town in development of the construction budget to be maintained throughout design and construction.

2.3.4. Construction Phase Services shall include, but are not limited to the following:

2.3.4.1. Develop requirements for safety, quality assurance, and schedule adherence.

2.3.4.2. Maintain on-site staff for construction management

2.3.4.3. Maintain a system for tracking the timely submittal, review, and approval of submittals

2.3.4.4. Coordinate, conduct, and document regular construction meetings.

2.3.4.5. Prepare and submit change order documentation for review and approval by the Town.

2.3.4.6. Maintain on-site records and submit monthly progress reports to the Town.

2.3.4.7. Maintain quality control and ensure conformity to contract documents.

2.3.4.8. Reconcile construction contract requirements with the construction budget.

2.3.4.9. Assist the Town with permits and inspections required by authorities having jurisdiction.

2.3.4.10. Develop and maintain a detailed design and construction schedule (CPM) indicating sequencing of construction activities and milestones necessary for completion of the project by the targeted date.

2.3.4.11. Document activities associated with the administration, management, and construction of the project.

2.3.4.12. Certify monthly all work in place and approve all sub-contractor and vendor payment requests.

2.3.4.13. Develop As-Built drawings for presentation to the Town upon project completion.

2.3.4.14. Resolve punch list items in a timely and professional manner.

2.3.4.15. Coordinate post completion activities, including start-up testing and break-in, as well as the assembly of guarantees, manuals, closeout documents, training, and The Town of Moncks Corner's final acceptance.

2.3.4.16. Monitor, coordinate, and resolve all warranty complaints to the satisfaction of The Town of Moncks Corner during the one-year general warranty period.

2.3.5. Guaranteed Maximum Price: At an appropriate point in the project and subject to contractual negotiations, the CMR shall issue to the Town a guaranteed maximum price (GMP) backed by a surety bond. The project shall be constructed within this GMP. To the extent professionally responsible, the CMR will overlap the Design Development and Construction Phases when components are conducive to early construction starts, reflecting such in a master project schedule.

2.4. Schedule of Events

The following Schedule of Events represents the Town's best estimate of the schedule that will be followed. The Town reserves the right, at its sole discretion, to adjust this schedule as it deems necessary. Adjustment to the Schedule of Events will be provided as necessary via email.

- Issue RFQ – August 16, 2019
- Receive Submittals – August 30, 2019
- Review Submittals, rank firms and receive proposal from highest ranked firm – Sept 2-13, 2019
- Present highest ranked firms proposal to Council for approval – September 15, 2019

3. Qualifications Submission Format and Requirements (Response to Request for Qualifications or “RFQ”)

Ethics Act (January 2004)

By submitting an Offer, you certify that you are in compliance with South Carolina's Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention:

- (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee – Section 8-13-790,
- (b) Recovery of kickbacks – Section 8-13-790,
- (c) Offering, soliciting, or receiving money for advice or assistance of public official – Section 8-13-720,
- (d) Use or disclosure of confidential information – Section 8-13-725, and
- (e) Persons hired to assist in the preparation of specifications or evaluations of bids – Section 8-13-1150

3.1 Physical Submittal

Three (3) copies of the information shall be submitted. Each submittal shall be identical and include a transmittal letter. The transmittal letter (or “Letter of

Interest”) will not count toward the page limit (specified below). The table of contents sheet and the tab sheets also do not count toward the page limit. The first page should identify your submittal; it does not count against your page limit and should not be used to convey your response to the RFQ by means of printing on it. Submitters should follow the sequence of the Initial Written Submittal outlined below. Responses should be concise, clear, and relevant. Submitter’s cost incurred in responding to this RFQ is a submitter’s alone and the Town does not accept liability for any such costs.

3.1.1 Responses are limited to fifteen (15) standard (8 ½” x 11”) pages (may be fewer) using a minimum of a 12-point Arial font and one-inch margins. A **page** means a display of information on a side of a sheet of paper: printing on a single side of paper is one page; printing on both sides (double-sided printing) of the same sheet of paper is two pages. The pages of the qualifications submittals must be numbered. A table of contents, with corresponding tabs in the body of the submittal, may be included as well to identify each section. Placing multiple tabs on a single page is perfectly acceptable. If more than one item in the table of contents can be started on the same page, you may do so and place all corresponding tabs on that one page. Any affidavits, certifications, or signed statements called for in this Request may be included in an appendix and will not count toward the page limit. Please do not place or ask to place in the appendix any additional information not explicitly required to be placed there by this Request.

3.1.2 Submittals of qualifications will be accepted until the time and date shown in the Schedule of Events (Section 2.4). This is a firm deadline. The Town is not responsible for the proper or timely delivery of submittals. Failure to meet the deadline for receipt of submittals will result in rejection of the submittal. Submittals received after the deadline will not be considered whether delayed in transit or for any other cause whatsoever. Each firm is solely responsible for the accuracy and completeness of its submittal. Errors and omissions may constitute grounds for rejection.

3.1.3 The Town intends to limit the cost that submitters incur to respond to this solicitation. Therefore, submitters are encouraged to be brief and succinct. Thick volumes of background and general marketing material are not desired. A firm should highlight instead its responsiveness to the evaluation criteria. If there are multiple firms proposed as one team, each component firm should describe its own relevant qualifications.

3.1.4 Firms should deliver their submittals in a sealed package. The name and address of the firm should appear on the outside of the package, and the package should reference the project title:

RFQ for CM at-Risk Services
The Town of Moncks Corner
Public Service Building

3.1.5 Submit qualifications document to the following address:

The Town of Moncks Corner
118 Carolina Avenue
Moncks Corner, SC 29461

3.1.6 Questions may be submitted in writing via email to:

Jeff Lord, Town Administrator
EMAIL: jeff.lord@monckscornersc.gov

3.1.8 All follow-up questions from any questions that have been submitted in writing before the deadline will be compiled and answered in writing. The deadlines for submissions of questions relating to the RFQ are the times and dates shown in the Schedule of Events (Section 2.4). Answers, responses, and clarifications will be provided via email.

3.2 Initial Written Submittal Prerequisite (Pass/Fail) Criteria

Firms must meet the criteria in the bullet points immediately below. Firms that do not meet these criteria are automatically disqualified for further evaluation.

3.2.1 Builders MUST have a safety Experience Modification Rate average of not greater than 1.0 over the last three (3) years.

3.2.2 Firms MUST have bonding capacity to provide a payment and performance bond for the total cost of the work. A letter from a surety stating that the firm has sufficient bonding capacity must be submitted and should be placed in an appendix (does not count toward page limit).

3.2.3 Firm MUST be able to obtain a Builder's Risk Insurance Policy for the total cost of the work.

3.2.4 Firms MUST have a current Contractor's Public Liability Insurance Policy, and must be insurable in the following amounts: Bodily injury, including death – limits of \$1 million for each incident; Property damage – limits of \$1 million for each incident and \$2 million for the aggregate of operations. (The Town reserves the right to require additional limits and coverage in the final contract.)

3.2.5 Firms MUST hold a valid South Carolina General Construction Manager License and General Contractor (BD5) license. A copy of each license must be submitted and should be placed in an appendix (does not count toward page limit).

3.2.6 Firms MUST have experience with projects meeting and/or exceeding a \$550,000.

In order to be deemed eligible for evaluation, the submitting firm must create, officially sign, and place in its submittal a signed statement that certifies that they meet the above criteria.

Such signed statement may be placed in an appendix and will not count toward your page limit.

3.3 Initial Written Submittal Evaluation

3.3.1 Evaluation Criteria – The Town will evaluate the submittals uniformly based upon the criteria listed in the table below. Each major category of the criteria is listed in order of importance. The services being sought under this RFQ are considered professional in nature. Consequently, the evaluation of submittals will be based upon consideration of the demonstrated qualifications and capabilities of the Offeror. Absent modification by addendum, factors to be considered in the valuation will be limited to the following:

3.4 Contents

The qualification submittal should contain the following information in the following order:

3.4.1 Letter of Interest. Briefly, tell why your firm is interested in this project.

3.4.2 Firm Description

3.4.3 Basic Company information

3.4.3.1 Company name

3.4.3.2 Address & zip code

3.4.3.3 Email address & name of primary contact related to this RFQ/RFP

3.4.3.4 Telephone number

3.4.3.5 Number of years in business

3.4.4 Form of ownership, including state of residency or incorporation: Is the Offeror a sole proprietorship, partnership, corporation, Limited Liability Company (LLC), joint venture, or other structure? For joint venture entities that have not completed at least two (2) relevant projects together, each firm should describe its qualifications separately but hold the unified submittal to the set page limit.

3.4.5 Succinctly describe the history and growth of your firm(s).

3.4.6 Regarding litigation with Towns, subcontractors, and design professionals, list any active or pending litigation and explain.

3.4.7 Other than that just listed, has the firm been involved in any relevant litigation in the past five years? Explain.

3.4.8 List and briefly describe projects that your firm has completed in the past five (5) that were valued at or above \$550,000.

3.4.9 Has the firm ever failed to complete any work awarded to it or has it been removed from any project awarded to the firm? Explain.

3.4.10 Give three (3) references to which your company has provided services of a nature and quality similar to those described herein. This reference information should include a short paragraph describing the service(s) provided, together with the following:

3.4.10.1 The name of the organization to which the services were provided

3.4.10.2 Project location

3.4.10.3 Dates during which services were performed

3.4.10.4 Brief description of the project

3.4.10.5 A current contact name, together with organizational title, at the firm

3.4.10.6 The contact's current address and telephone number

3.4.11 List five (5) major trade contractor references (company, contact, and telephone number)

3.4.12 Provide a statement of disclosure, which will allow the Town to evaluate possible conflicts of interest. (This disclosure requirement is not about giving the Town permission regarding our contacting your references. It is about revealing relationships that your company might have with persons not of your company who are directly involved in the decision-making regarding this project.) If your company has no conflicts of interest, your statement should affirm that as fact, and you may do so succinctly.

3.4.13 Office Submitting Qualifications

If the firm has multiple offices, the qualification statement should include information about the parent company and branch office separately. Identify the office from which the project will be managed and that office's proximity to the project site. Parent company (or general office) financial information as totals will be acceptable IF "parent" (or "general office") means that it is financially responsible for the liabilities of the branch office. If the parent company is not so responsible, meaning that its financial resources are not available to the office that will perform the contract, it will be misleading to the Town to offer the financials of any office other than the one with the prospect of a contract with the Town.

3.4.14 Financial Responsibility

3.4.14.1 List your total annual billings for each of the past three (3) calendar years. If forming a partnership, list separately by firm.

3.4.14.2 List the contact persons, addresses, and telephone numbers for your insurance carrier and agent.

3.4.14.3 List the contact persons, addresses, and telephone numbers for the firm's bonding company and agent.

3.4.14.4 Supply a letter from a surety stating that the firm has sufficient bonding capacity for this project. Such letter may be placed in an appendix and will not count toward your page limit.

3.4.15 Personnel Capability

Provide general information about the firm's personnel resources, including classifications and numbers of employees and the locations and staffing of relevant offices. Provide list of qualified and available personnel resources, identifying experience and ability for key personnel. The key personnel, at a minimum, are the proposed pre-construction manager (and any key pre-construction specialists, including estimator), project superintendent, CMR's project manager, project director, and the executive in charge. At this stage, firms may list more than one person qualified and available for the proposed project.

3.4.16 Relevant Project Experience

Relevant project experience includes performing as a general contractor on similar types and sizes of projects. Describe five (5) projects in order of most relevant to least relevant that demonstrate the firm's capabilities to perform the project at hand. For each project, the following information should be provided:

3.4.16.1 Project name

3.4.16.2 Project location

3.4.16.3 Dates during which services were performed

3.4.16.4 Physical description (e.g., square footage, number of stories, site area)

3.4.16.5 Brief description of project

3.4.16.6 Services performed, including Preconstruction services thru Occupancy.

3.4.16.7 Statement of performance versus Town expectations in the areas of cost, quality, and schedule

3.4.16.8 Owner reference

3.4.17 Safety Information

Provide a letter on the letterhead of the building firm's insurance company stating the Workers Compensation Experience Modification Rate (EMR) for the past three (3) years. This letter may be placed in the appendix and not count toward the page limit.

3.4.18 South Carolina General Construction Manager License and General Contractor (BD5) license

Submit a copy of each license by placing them in the appendix (does not count toward page limit).

3.4.19 Statement of Why the Proposing Firm Should Be Selected

This section provides each firm the opportunity to provide specific information that differentiates them from others in the competition. This statement is limited to two (2) pages of the allowed total.

4. Additional Information

4.1. SUBMITTING CONFIDENTIAL INFORMATION

4.1.1. For every document Offeror submits in response to or with regard to this solicitation or request, Offeror must separately mark with the word "CONFIDENTIAL" every page, or portion thereof, that Offeror contends contains information that is exempt from public disclosure because it is either

4.1.1.1. A trade secret as defined in Section 30-4-40(a)(1), or

4.1.1.2. Privileged & confidential, as that phrase is used in Section 11-35-410.

4.1.2. For every document Offeror submits in response to or with regard to this solicitation or request, Offeror must separately mark with the words "TRADE SECRET" every page, or portion thereof, that Offeror contends a trade secret as that term is defined by Section 39-8-20 of the Trade Secrets Act.

4.1.3. For every document Offeror submits in response to or with regard to this solicitation or request, Offeror must separately mark with the word "PROTECTED" every page, or portion thereof, that Offeror contends is protected by Section 11-35-1810.

4.1.4. All markings must be conspicuous; use color, bold, underlining, or some other method in order to conspicuously distinguish the mark from the other text. Do not mark your entire bid as confidential, trade secret, or protected! If your bid or any part thereof, is improperly marked as confidential or trade secret or protected, the State may, in its sole discretion, determine it nonresponsive. If only portions of a page are subject to some protection, do not mark the entire page.

4.1.5. By submitting a response to this solicitation, Offeror:

4.1.5.1. Agrees to the public disclosure of every page of every document regarding this solicitation or request that was submitted at any time prior to entering into a contract (including, but not limited to, documents contained in a response, documents submitted to clarify a response, & documents submitted during negotiations), unless the page is conspicuously marked “TRADE SECRET” or “CONFIDENTIAL” or “PROTECTED”,

4.1.5.2. Agrees that any information not marked, as required by these bidding instructions, as a “Trade Secret” is not a trade secret as defined by the Trade Secrets Act, and

4.1.5.3. Agrees that, notwithstanding any claims or markings otherwise, any prices, commissions, discounts, or other financial figures used to determine the award, as well as the final contract amount, are subject to public disclosure.

4.1.6. In determining whether to release documents, the State will detrimentally rely on Offeror’s marking of documents, as required by these bidding instructions, as being “Confidential” or “Trade Secret” or “PROTECTED”.

4.1.7. By submitting a response, Offeror agrees to defend, indemnify & hold harmless the State of South Carolina, its officers & employees from every claim, demand, loss, expense, cost, damage or injury, including attorney’s fees, arising out of resulting from the State withholding information that Offeror marked as “confidential” or “trade secret” or “PROTECTED”.

4.2. SOLICITATION INFORMATION FROM SOURCES OTHER THAN OFFICIAL SOURCE:

South Carolina Business Opportunities (SCBO) is the official state government publication for State of South Carolina solicitations authorized by the Office of Procurement Services. Any information on State agency solicitations that is obtained from any other source is unofficial & any reliance placed on such information is at the bidder’s sole risk & is without recourse under the South Carolina Consolidated Procurement Code.

4.3. In accordance with SC Law Section 11-35-3245, no member of the design team selected for this project will be allowed to perform work as a contractor or subcontractor on this project.

[END OF RFQ - REQUEST FOR QUALIFICATIONS]