

**CITY OF VALLEY CITY, NORTH DAKOTA
REQUEST FOR QUALIFICATIONS (RFQ)**

**Construction Manager at Risk Services
Public Works Service Center**

March 18, 2024

INTRODUCTION

As a means to best deliver the most complete, comprehensive, and cost-effective project, the City of Valley City is seeking Construction Manager at Risk services pursuant to North Dakota Century Code chapter 48-01.2. Final project approval is subject to authorization by the Board of City Commissioners and availability of funding.

A new Public Works service center is a capital project priority of the City, as the existing facility has reached its end of life and is inadequate to meet current and future demands of the City. Valley City has retained EAPC to provide architectural and engineering services. The successful CMAR will work with them to provide the services included herein.

In 2021, the City purchased Lots 2, 3, 4, 5, 6, and 7 of East Riverside Park Addition to the City of Valley City, located on East Main Street, as the site of the Project. The facility will hold vehicles and equipment for the City Water/Sewer Department, Street Department, and Electric Department, along with 20-22 FTEs. The population of Valley City is 6,575.



All proposals should be based on a 30,000 sq. ft. facility with an anticipated project budget of \$8,000,000. Phase 2 (Construction Phase) fees will be renegotiated to match final project scope and budget as approved by the Board of City Commissioners.

Pertinent information such as surveys, soils reports, drawings or models of existing structures, environmental studies, photographs, or references to public records may be available. If available, copies may be requested for review.

PROCEDURE FOR SUBMISSION

Firms wishing to be considered shall submit six printed copies and one electronic copy of the qualification materials no later than **12:00 PM CST, Wednesday, April 10, 2024**, at the office of:

City Administrator
City of Valley City
254 2nd Ave NE
Valley City, ND 58072

Alternatively, electronic submittals may be made through QuestCDN. Search for Quest No. 9034220. To be considered a plan holder, you must register for a free membership on QuestCDN and download the RFQ documents in digital form under 'download bid documents' on the bid advertisement page. There is a non-refundable fee of \$22 to download the documents. Please contact Quest CDN Customer Support at (952) 233-1632 or info@questcdn.com for assistance in free membership registration, downloading and working with digital project information. Plan holders receive automatic notice of addenda, RFQ updates, answers to questions, and access to online bidding via QuestCDN. To access the online submission form, click the online bidding button at the top of advertisement. The on-line bid button will be available when the project is published and open for submittals. There is a fee of \$45 to submit your materials.

The following represents the tentative sequence of events contemplated for the selection procedure of a Construction Manager at Risk (all times CST).

Distribute RFQ	March 18, 2024
Deadline for inquiries	11:59 PM, Thu, April 4, 2024
Deadline to respond to inquiries	Fri, April 5, 2024
Qualifications due	12:00 PM, Wed, April 10, 2024
Firms notified for interviews	Fri, April 12, 2024
Interviews for CMAR Services	Week of April 22
Begin CMAR services	On or before May 7, 2024
Start Construction	Summer 2025
Project Completion	2026

Prepare and submit qualifications as described below:

1. Qualifications shall comply with all requirements and provide all information identified in this Request for Qualifications document. Qualifications found to be

incomplete or failing to comply with these requirements may be considered nonresponsive.

2. Qualifications, including attachments, shall not exceed 20 printed pages (each page side will be counted), excluding front and back covers, table of contents, section dividers, and an appendix which may contain resumes and references.
3. Submit qualifications in an 8 ½" x 11" format, using 1-inch standard margins with a font size not smaller than 12 point. Headers, footers and page numbering can occur outside of the 1-inch standard margins.
4. Provide six printed copies and one electronic copy (in Adobe PDF) or submit through QuestCDN as describe above.
5. Clearly indicate "Response to RFQ for Public Works Service Center" on the outside of any envelope or box containing submittal materials.

Scope of Services

The scope of services required by the selected firm shall be as follows:

- a. Estimating and budget analysis services throughout the design phase based on regular participation in design meeting with the owner, architect, consultants, and in the drawings of the architect and their consultants. This shall include development of an estimated Guaranteed Maximum Price (GMP) at the end of the Schematic Design and Design Development phases of the project.
- b. Provide a construction schedule throughout design and construction phases.
- c. Public solicitation and opening of subcontractor bids per N.D.C.C. 48-01.2-22(2), analysis of bids received and recommendations for award of work.
- d. Determination of the GMP during or upon of completion of the Construction Document phase by the Architect. The CMAR will be required to obtain bids and/or quantify costs for all work so that the GMP amendment may be executed within 30 days of completion of the Construction Document phase.
- e. Provide complete and comprehensive construction phase oversight and administration in coordination with the Architect's construction administration services. The contractor's services shall include on-going full-time on-site project supervision, project management and inspection of work, provide collaborative project management computer programs or software for use in coordinating and communicating with owner and design team, review of submittals and shop drawings, preparation of change orders, process pay requests, final inspections, and project close-out documentation.
- f. Schedule, conduct, and preside over meetings to discuss construction procedures, progress, and scheduling with Owner, each Contractor, and the Architect. Construction Manager shall prepare agendas, meeting minutes, and promptly distribute such to the Owner, Architect, and all meeting participants.

- g. Coordinate and discuss all contractor change requests for changes in scope and provide recommendations to the Owner concerning the acceptance of change requests to be processed in a change order. Negotiate pricing with contractors, prepare documentation required, and revise project budget and/or schedule to reflect approved change orders.
- h. Construction Manager shall oversee all safety related activities including but not limited to; conducting safety meetings, performing work site safety assessment inspections, recordkeeping, and pre-construction safety audits.
- i. Recommendations regarding materials and construction feasibility throughout the design phase.

Terms and Conditions

- 1) The City of Valley City reserves the right to reject any and all responses, and to waive minor irregularities in any response.
- 2) The City of Valley City reserves the right to request clarification of information submitted and to request additional information for any response.
- 3) Contract terms will be based on AIA Document A133 - 2019, Agreement between Owner and Construction Manager.
- 4) The City of Valley City shall not be responsible for any costs incurred by the respondent related to preparing, submitting or presenting its response to the RFQ.
- 5) The selected firm will be providing all necessary bonding and insurance coverage for the complete project. The bond amount will be at least equal to the amount of the guaranteed maximum price of the project. The insurance will meet the necessary insurance requirements of the State of North Dakota.
- 6) Initial services are for design phase only. After design phase services have progressed sufficiently to provide the construction manager at-risk with the necessary project details, the City will enter negotiations for a guaranteed maximum price and contract terms. If the City is unable to negotiate a satisfactory contract with the highest qualified person on the list of finalists, the City will terminate negotiations. The City will commence negotiations with the next most qualified person on the list in sequence until an agreement is reached or a determination is made to reject all persons on the list.

Firm Requirements

Construction Management firms shall comply with the following requirements to be considered for selection. Qualifications submitted by firms failing to meet these requirements shall be considered nonresponsive.

- a. The firm shall be a licensed contractor in the State of North Dakota.

- b. The firm shall have experience constructing public buildings with preference for design of municipal facilities.
- c. The firm shall be capable of meeting the project schedule and have the resources available to begin and complete each phase of work.
- d. The firm shall agree to Open Book accounting for all costs under the control of the CMAR.
- e. The firm shall agree to self-perform only work:
 - that they have competitively bid and received no responsible bids; or
 - upon approval of the owner, that they agree to perform for the lowest bid received in lieu of accepting the bid of the subcontractor.

Response Format

Provide your qualification information in the sequence and format as follows:

Section 1: Cover Letter

- a. A statement must be included indicating if the CMAR has a common ownership or conflict of interest with EAPC Architects and Engineers. No firms with common ownership or a conflict of interest will be considered for the project.
- b. Business name and address
- c. Contact name, address, telephone number and e-mail address
- d. Authorized signer's name, address, telephone number and e-mail address (if different from contact listed above)
- e. Brief statement outlining the key reasons why the applicant should be considered

Section 2: Similar Experience

- a. Provide recent relevant work examples of at least three past buildings that have been completed by the firm and have comparable total project cost, function and similar construction methods. Please include:
 - Name of project
 - Date completed
 - Total construction cost, total cost of change orders, square footage and other relevant information
 - Examples of project budgets, construction estimates, and schedules or timelines associated with the project
 - Owner's name and address
 - Owner's representative and telephone number
 - Project Team with each member's role and responsibility
 - Method of delivery (CMAR, design-bid-build, etc.)

- b. Describe your experience in Preconstruction phase services, especially in terms of design team collaboration, preliminary budgeting/estimating and constructability reviews
- c. Describe special services, product characteristics, or other benefits provided by your firm including examples of Quality Assurance programs, In-house mechanical and electrical resources, Risk management systems, Collaborative project management systems, "Building Information Modeling" (BIM) capabilities, etc.

Section 3: Workload & Availability

- a. Firm history and information
- b. Number and type of employees by office location
- c. Current workload with estimate of available time from project participants

Section 4: Key Personnel

- a. Provide qualifications for the Principal in Charge
- b. Provide qualifications for the Project Manager
- c. Provide qualifications for the Site Superintendent
- d. Provide qualifications for any other key firm employees who will work on the project and identify their role on the project
- e. Provide any special qualifications of key personnel that may differentiate your firm from other respondents

Section 5: Safety Record

- a. Provide metrics that summarize the safety record of the firm on past projects during the most recent five years
- b. Provide confirmation that your firm has a published Safety Manual and describe your processes for safety compliance with applicable agencies to mitigate risk to employees, subcontractors, visitors and others during construction

Section 6: Familiarity with location and local construction

- a. Provide a summary of construction experiences in the immediate region
- b. Provide information that demonstrates a positive working relationship with local subcontractors, including references from key mechanical and electrical contractors attesting to the ability of the CMAR to complete the project and coordinate the various aspects of the work.
- c. Summarize how you will forecast local bidding and construction conditions to ensure a sufficient work force and to manage project costs.

Section 7: Fees and expenses

- a. Include a proposed fixed fee for the planning, design & cost estimating phase of the project.

- b. Separately, include detailed information regarding how the firm budgets project expenses for the construction phase including general conditions, field personnel, bonding, insurance, and other fees, as outlined in Exhibit A, attached.

Section 8: Compliance with State/Federal Laws

- a. Summarize your understanding of the CMAR requirements of the North Dakota Century Code, including the requirements for selection of subcontractors
- b. Summarize your understanding and compliance with state and federal wage & hour regulations, minimum wage requirements, OSHA, Drug-Free Workplace, and other laws, regulations and requirements that will impact the construction of the project
- c. Disclose any information or findings relevant to this project regarding your current or historical compliance with state and federal laws
- d. Provide a copy of your North Dakota Contractor's License or renewal
- e. Attach a Certificate of Insurance for General Liability and Worker's Compensation

Section 9: Estimating, Scheduling and Other

- a. Summarize the methodology that will be employed to provide timely and accurate estimates of construction cost during the design phases of the project
- b. Summarize your understanding of the overall schedule for this project, your process to engage subcontracts in development of a construction schedule and construction milestones, and how you monitor and drive the schedule to ensure completion on a timely basis
- c. Describe your methodology for working with the Owner and Architect to deliver a GMP and to maintain the GMP throughout the design and construction process.
- d. Other information within the proposal that the selection committee may utilize.

Selection Methodology

The Selection Committee shall consist of:

Administrative Individual – Gwen Crawford, City Administrator
Registered Architect – Alan Dostert, EAPC Architects Engineers
Registered Engineer – Chad Petersen, KLJ Engineering LLC
Licensed Contractor – Tim Durham, Tim's Custom Cabinets & Construction

No selection committee member is eligible to submit a proposal for the CMAR contract under consideration. Only the City Administrator may speak on behalf of the City.

The selection committee shall review each proposal submitted and create a list of finalists. The City will hold interviews with the top three finalists. If fewer than three proposals are submitted, the City may resolicit for qualifications, interview any firm that applied, or consider using another allowed delivery method. The selection committee shall recommend to the governing body the construction manager at-risk receiving the highest score on the evaluation criteria.

If a construction manager at-risk selected declines the appointment or is unable to reach agreement with the City of Valley City concerning fees or terms of the contract, the City shall terminate negotiations with the construction manager at-risk and begin negotiations with the construction manager at-risk with the next highest score and continue that process until agreement is reached or the list of finalists is exhausted.

If the list of finalists is exhausted, the City shall request the selection committee to revise the request for qualifications and solicit new submissions. If the selection committee is unable to provide any constructive revision to the request for qualifications, the City shall select another allowed public improvement delivery method.

The City, upon reaching an agreement with a construction manager at-risk on compensation and contract terms for construction manager planning and design services, shall enter a written contract with the construction manager at-risk for services.

The Construction Manager at Risk will be awarded this project based on the following qualifications criteria:

- Section 2. Similar Project Experience (20 points)
- Section 3. Workload & Availability (20 points)
- Section 4. Key Personnel (20 points)
- Section 5. Safety Record (5 points)
- Section 6. Familiarity with Location (15 points)
- Section 7. Fees and Expenses (5 points)
- Section 8. Compliance with State/Federal Laws (10 points)
- Section 9. Other reasonable information the selection committee deems necessary (5 points)

EXHIBIT A

Valley City Public Works Service Center
CMAR Fee/Services Proposal

Based on \$ _____ Budget

Pre Construction Services \$ -

Total CM Fee(____%) \$ -

Builders Risk \$ -

General Liability, Worker's Compensation,
Auto Insurance \$ -

General Conditions

Permits \$ -

Field Supervision (CM) \$ -

Project Manager \$ -

Job Site Set up \$ -

Office Rental \$ -

Office Equipment \$ -

Safety \$ -

Project Management Software \$ - Optional

Project Signage \$ - Optional

Fire Protection \$ -

Temp Sanitation Facilities \$ -

Temp Water \$ -

Temp Electric \$ -

Temp Enclosures \$ -

Temp Heating \$ -

Temp Fencing \$ -

Temp SWPPP In Bid Package

Waste Management \$ -

Snow Removal \$ -

Cleaning \$ -

Equipment Rental \$ -

Contingency (3%) \$ -

General Conditions Subtotal \$ -

Total Project Soft Costs \$ -