General Services Department

Request for Qualifications (RFQ)

For

Construction Manager at Risk (CMAR)

New Community Center for Judson Robinson Sr. Park

Qualifications Submittal Date
Thursday, February 27, 2014

City of Houston
General Services Department
Design & Construction Division

I. PURPOSE

The City of Houston, General Services Department (GSD), on behalf of the Houston Parks and Recreation Department (HPARD) is seeking a highly qualified Construction Manager at Risk (CMAR) firm interested in providing pre-construction and construction services for the New Community Center for Judson Robinson Sr. Park that will be located at 1422 Ledwicke.

For this project the CMAR shall:

- Provide consultation during design by evaluating costs, schedule, site usage and improvements, alternative design and materials, constructibility and value engineering items.
- Attend regular meetings with members of the project team.
- Develop and update a "Constructability Review" report.
- Prepare and update a project budget during the design phase.
- Coordinate and develop bid packages for each category or trade.
- Advertise and solicit from trade subcontractors competitive bids or sealed proposals.
- Submit fee proposal for general conditions and self-performing work.
- Submit Guaranteed Maximum Price (GMP) proposal.
- Perform construction services, including all LEED reporting.

II. PRE-SUBMITTAL MEETING

A RFQ pre-submittal meeting will be held at City Hall Annex, 900 Bagby, 2nd Floor Conference Room at 2:00 p.m. on Tuesday, February 18, 2014 and a RFP pre-submittal meeting will be held at City Hall Annex, 900 Bagby, 2nd Floor Conference Room at 2:00 p.m. on Tuesday, March 18, 2014 to discuss this solicitation. Attendance at the RFQ pre-submittal meeting is strongly encouraged but not mandatory.

Before the RFQ or RFP pre-submittal meetings, the City will welcome any written questions submitted, faxed or emailed to:

Humberto Baustista, P.E.
City Engineer
General Services Department
900 Bagby, Second Floor
Houston, Texas 77002
Fax: 832-395-9542
humberto.bautista@houstontx.gov

- All Addenda and interpretations to this RFQ shall be in writing. Any Addendum or interpretation that is not in writing shall not legally bind the City of Houston. Only information supplied by the City of Houston in writing or outlined in this RFQ should be used in preparing the Statement of Qualifications (SOQ). The City does not assume responsibility for the receipt of any Addenda.
- Respondents, their authorized representatives and their agents are responsible for obtaining, and will be deemed to have, full knowledge of the Addenda, conditions, requirements, and specifications of the RFQ at the time a SOQ is submitted to the City.
- No Addendum will be issued later than noon on Monday, February 24th, 2014, except Addenda with minor clarifications, withdrawing RFQ, or postponing the Submittal Date.

III. SCOPE OF WORK

The CMAR shall provide pre-construction and construction services for construction of:

Project Name:	New Community Center for Judson Robinson Sr. Park
C.I.P. No.	F-000746
WBS No.	F-000746-0001-4
Existing Location:	1422 Ledwicke Street, Houston, Texas 77029
Schedule:	Design in FY 2014 and Construction in FY2015
Construction Budget:	$2,650,000.00

The project consists of a new community center (approximately 11,200 square feet). The project will occur within an existing park. The Project will include all necessary demolition, new construction including all mechanical, electrical and plumbing systems (MEP), furniture, appliances, parking, detention, landscaping, irrigation, and plan for connectivity to the various park amenities.

IV. SELECTION PROCESS

A. An Evaluation Committee made up of representatives of GSD and HPARD will select the CMAR in a two-step process:

- **Step 1, Part A (Statement of Qualifications)** - The Respondent's Statement of Qualifications (SOQs) will be ranked based on the selection criteria and set out in Paragraph V-A of this RFQ/RFP. The top five (maximum) ranked Respondents will be short-listed to give a presentation and answer questions.

- **Step 1, Part B (Presentation/Interview)** – The presentations will be ranked based on the selection criteria and relative weights set out in Paragraph V-B of this RFQ/RFP. Respondents can receive up to 50 additional points for the presentation. The presentation points will be added to the SOQ scores. The top three (maximum) ranked Respondents will be short-listed to submit proposals.

The SOQ and Presentation scores are for the sole purpose of short-listing the Respondents. The SOQ and presentation scores will not be considered in step 3.

- **Step 2 (Proposals)** – Respondents short-listed after step 1 will be invited to respond to a subsequent Request for Proposals (RFP), which will include proposed rates for pre-construction phase services, construction phase services and general conditions services. GSD has set Thursday, April 3, 2014 as a tentative target date for finalists to submit their responses to the RFP.

V. SUBMITTALS

A. Statement of Qualifications (SOQs) (105 points maximum)

The SOQs will be ranked based on the selection criteria & weights set out below. Respondents can receive up to 105 points. Respondents may have points deducted within each section below for failure to follow instructions.

One original and five copies of sealed SOQs are required. **SOQs shall be delivered to City Secretary** of the City of Houston, in the Margaret Westerman Building (a.k.a. City Hall Annex), **Public Level, 900 Bagby Street, Houston, TX 77002**, at or before **10:30 a.m.**, **local time**, **Thursday, February 27, 2014**. Late submittals will not be accepted for any reason.

All submittals must be provided in a sealed box clearly labeled on the outside with the Respondent's name, name of the Project, and "General Services Department." Submittals will be opened and Respondents publicly identified by the City Secretary in City Council Chambers on the public level in City Hall Annex at 11:00 a.m. on Thursday, **February 27, 2014**. The location and date of SOQ submittal opening may be changed in accordance with Sections 15-3(b)(5) and 15-3(b)(6) of the City Code of Ordinances.

To enable the City to efficiently evaluate the SOQs, Respondents are urged to strictly follow the required format set forth in this RFQ.

Each SOQ shall be bound using GBC or other semi-permanent binding method to ensure that pages are not lost. Each SOQ shall be no more than one inch thick. Pages shall be no larger than letter-size (8 ½" x 11") or, if folded to that dimension, twice letter size (11" x 17"). Each section (defined below) shall be separated by a tabbed divider. Elaborate covers, binding, dividers, and the like are not required.

Each SOQ shall be organized in the following order:

1. **Outside Cover of Binder**: This shall clearly identify the Project, Qualifications Submittal Date, and Respondent's name.

2. **Tabbed Section 1: Pre-construction Experience (up to 30 points)**

- Provide examples of three public or private commercial building Construction Manager at Risk or Design/Build projects of similar size and complexity that demonstrate your ability to perform pre-construction services. Include the dollar amount of projects and brief descriptions of those projects.
- Provide a narrative describing your process and approach to review of drawings and specification for cost savings, constructability, and coordination.
- Provide a narrative describing your cost estimating and pre-construction approach.
- Ability to work as team with architects and owners.

3. **Tabbed Section 2: Commercial Construction Experience (up to 36 points)**

- Provide examples of three public or private commercial building construction projects of similar size and complexity that demonstrates your ability to perform construction. Include the dollar amount of projects and brief descriptions of those projects. If you did not use the same three examples as Tabbed Section 1, please explain why.
- Provide initial contract time, notice to proceed date, substantial completion date, and final completion date for the three project examples above. Provide explanations for any delays associated with those.
- Provide a narrative describing your LEED experience.
- Provide years in business. Provide evidence from Secretary of State or State Comptroller.
- Provide safety plan, a list and explanation of all OSHA citations issued over the last five years, and workers' compensation modifier.
- Previous work with City of Houston or governmental entity.
- Experience with bidding process.

4. **Tabbed Section 3: Key Personnel Experience and Reputation (up to 27 points)**

- Provide Resumes of the three Key Personnel to be used for this Project.
- Key Personnel must be on project for the duration of the contract.
- Describe experience of key personnel to perform pre-construction and construction services and reputation.
- Quality of relationships with owner.

5. **Tabbed Section 4: References (up to 3 points)**

- Provide the current telephone numbers and email address of three references (owners) familiar with the type of work that is similar in scope and that demonstrate the key personnel members' ability and experience to perform pre-construction and construction services phases. Some or all of these individuals may be contacted. Make sure the individuals are willing and available to answer questions.

6. **Tabbed Section 5: Claims History** **(up to 4 points)**

- Provide a list of all lawsuits or arbitrations with an owner over the past five years, in which Respondent was named as a plaintiff or defendant. Describe controversy and outcome even if not final.
- Provide a copy of all City Engineer's decisions rendered over the past five years or if none, a representation that no City Engineer's decisions have been rendered
- List any construction projects over the past five years your firm failed to complete because of financial reasons, labor disputes, failure of your employees to perform, or any other reason.
- List any projects with the City of Houston where Respondent received an unsatisfactory rating on MWBE or Contract Compliance by the Office of Business Opportunity (OBO).
- List bond rating.

7. **Tabbed Section 6: Hire Houston First** **(3 or 5 Points)**

- Based on Respondent's business presence in the local area. If Respondent is either a "City Business" or a "Local Business" as those terms are defined in City of Houston Ordinance No. 2011-766 (Aug. 31, 2011), Respondent shall receive preferred consideration. This will come in the form of an additional 5 points for a City Business or 3 points for a Local Business.

B. Presentation and Interview **(50 points maximum)**

Based on scoring and ranking of SOQs, the top five Respondents will be short-listed and notified in writing. Short-listed Respondents (up to five) will be given additional information and invited to make a presentation and participate in an interview. The presentation will be ranked based on the selection criteria and relative weights set out below:

The Respondents will be given 15 minutes to make a presentation based on this project, and upon the conclusion of the presentation will be asked questions by the Evaluation Committee. The key personnel will be required to participate in the presentation and interview.

- Document Review Approach as Related to Constructability **(up to 10 points)**
- Cost estimating Approach **(up to 10 points)**
- Demonstrate ability to perform as a team with Architect and Owner **(up to 10 points)**
- Construction team's management approach **(up to 10 points)**
- Quality of presentation/interview **(up to 10 points)**

VII. ADDITIONAL INSTRUCTIONS, NOTIFICATIONS AND INFORMATION

A. Respon dents shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the City for the purposes of influencing this selection. Any attempt by the Respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, shall be grounds for exclusion from the selection process.

B. NO CONTAC T PERIOD
Neither Respondent(s) nor any person acting on Respondent(s)'s behalf shall attempt to influence the outcome of the award by the offer, presentation or promise of gratuities, favors, or anything of value to any appointed or elected official or employee of the City of Houston, their families or staff members. All inquiries regarding the solicitation are to be directed to the designated city representative identified in Section II of the solicitation. Upon issuance of the solicitation through the pre-award phase and up to the award, aside from responder's formal response to the solicitation, communications publicly made during the official pre- qualification conference, written requests for clarification during the period officially designated for such purpose by the City Representative, neither Respondent(s) nor persons acting on their behalf shall communicate with any appointed or elected official or employee of the City of Houston, their families or staff through written or oral means in an attempt to persuade or influence the outcome of the award or to obtain or deliver information intended to or which could reasonably result in an advantage to any bidder. However, nothing in this paragraph shall prevent a bidder from making public statements to the City Council convened for a regularly scheduled session after the official selection has been made and placed on the City Council agenda for action.

C. Respondents who provide false or misleading information, whether intentional or not, in any documents presented to the City for consideration in the selection process shall be excluded. Any false or misleading information in these documents would, in effect, render the entire document suspect and therefore useless.

D. COST OF SOQ and RFP – The City will not be responsible for costs incurred by anyone in the submittal of qualifications or proposals, or for any costs incurred prior to the execution of a formal contract.

E. CONTRACT NEGOTIATIONS – This RFQ and RFP are not to be construed as a contract or as a commitment of any kind. If this RFQ and RFP result in a contract offer by the City; a specific scope of work, fees, insurance coverages, and other contractual matters will be determined during contract negotiations. To ensure that the appropriate staff is assigned to the project the City will make the inclusion of a "key persons clause" a part of the contract negotiations.

F. CONFIDENTIAL INFORMATION – All responses shall be held confidential from other parties by the City to the extent allowable by law until after the selection process is completed. Respondents should be aware that at the completion of the selection process the contents of their SOQs and proposals are subject to the provisions of the Texas Public Information Act and may be made public. CONFIDENTIAL or SENSITIVE information should not be included in the SOQ or proposal. The City has no obligation to return the SOQ or any materials provided, and they will become the property of the City's official files.

G. CITY POLICIES & ORDINANCES – Respondents should be aware of and therefore, familiar with all pertinent City of Houston Ordinances and policies which will relate to contracting with the City. More detailed guidance is available on City's website http://www.houstontx.gov/. The following is a partial list of relevant subjects:

1. Equal Employment Opportunity
2. MWBE Goal of **28%** participation: 18% Minority Business Enterprises (MBE) and 10% Women Business Enterprises (WBE)
3. City of Houston Fair Campaign Ordinance
4. Mayor's Drug Detection and Deterrence Policy and Procedures
5. City Contracts and Indebtedness to Taxing Authorities
6. Insurance requirements
7. Conflict of Interest Questionnaire
8. Pay or Play (POP) Program
9. LEED Resolution No. 2004-15
10. At the time of the Contract, CMAR will be required to provide the City with either a performance and payment bond in the amount of the construction budget or a bid bond.

H. The City of Houston reserves the right to (1) evaluate the qualifications/proposals submitted; (2) waive any irregularities therein; (3) select Respondents for the submittal of more detailed information; (4) accept any submittal or portion of a submittal; and/or (5) reject any or all Respondents submitting qualifications/ proposals, should it be deemed in the City's best interest.

I. HIRE HOUSTON FIRST_- To be designated as a City or Local Business for the purposes of the Hire Houston First Program, as set out in Article XI of Chapter 15 of the Houston City Code, a Respondent must submit the Hire Houston First Application and Affidavit (HHF Affidavit) to the Director of the Office of Business Opportunities and receive notice that the submission has been approved prior to submission of SOQ.

Download the HHF Affidavit from the Office of Business Opportunities Webpage at the City of Houston e-Government Website at the following location: http://www.houstontx.gov/hbsc/hirehoustonfirstaffidavit.pdf

Submit the completed application as directed on the form, or submit a signed original affidavit with Response.

J. PROTEST:

1. A protest shall be handled according to the City of Houston Procurement Manual. http://www.houstontx.gov/legal/coh_procurementmanual.pdf

2. A protest shall include the following:
a. The name, address, e-mail, and telephone number of the protester;
b. The signature of the protester or its representative who has the delegated authority to legally bind the person protesting;
c. Identification of the solicitation description and the solicitation or contract number;
d. A detailed written statement of the legal and factual grounds of the protest, including copies of relevant documents, etc.; and
e. The desired form of relief or outcome.

3. A protest does not create any due process rights, but is intended to allow bidders to raise concerns regarding actions taken regarding a bid or other form of competitive solicitation.

for HB

Humberto Bautista, P.E.
City Engineer
General Services Department

OK

Date: 2/11/14

RAV; CRC; LJ:MS:ms

END OF RFQ