

# SUMNER COUNTY, TENNESSEE



## REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR A NEW COURTHOUSE MARCH 20, 2019

Sumner County seeks Construction Manager at Risk (CMAR) Services to be provided by a qualified and licensed Construction Manager to provide pre-construction and construction phase services for a new courthouse to be located in downtown Gallatin. Additional information is provided in the Scope of Work section of this document.

Qualifications must be received by **1:00 PM** on **Wednesday, April 17, 2019**. Late Qualifications will be neither considered nor returned. Questions related to this RFQ must be received by 1:00 PM on Wednesday, April 3, 2019. No pre-bid conference will be conducted.

### DELIVER QUALIFICATIONS TO:

Leah May Dennen, Law Director  
Sumner County Administration Building  
355 North Belvedere Drive  
Gallatin TN 37066

**The envelope exterior must show the company name, address, and closing date.**

**SECTION I**  
**GENERAL TERMS AND CONDITIONS**

- 1.1 **ADDITIONAL INFORMATION:** Requests for additional information can be emailed to [ben@sumnercountylaw.com](mailto:ben@sumnercountylaw.com). Questions must be received by 1:00 PM on Wednesday, April 3, 2019. All responses to inquiries will be posted on the Sumner County website (<http://www.sumnerctn.org/>) under the “Bids” link. Any inquiries received will not be answered individually, but will be posted for all interested vendors.
- 1.2 **ACCEPTANCE:** Respondents shall hold their submittal firm and subject to acceptance by Sumner County for a period of ninety (90) business days from the date of the Qualification closing, unless otherwise indicated in their Qualification.
- 1.3 **AWARD:** It is the intent of the Owner to negotiate a fee and enter into a contract with a firm, to provide CMAR services for the listed project(s).
- 1.4 **COPIES:** Sumner County requires that Qualifications be submitted as one (1) marked original and eleven (11) exact copies. Additionally, Sumner County requests the Submittal be submitted in digital format on a flash drive or compact disc.
- 1.5 **DECLARATIVE STATEMENTS:** Any statement or words (e.g.: must, shall, will) are declarative statements and the respondent must comply with the condition. Failure to comply with any such condition may result in their Qualification being non-responsive and disqualified.
- 1.6 **ELECTRONIC TRANSMISSION OF QUALIFICATIONS:** Sumner County **will not** accept electronically transmitted responses when responding. Facsimile submission is strictly prohibited. All responses must be mailed or delivered by hand.
- 1.7 **INCURRED COSTS:** Sumner County will not be responsible for any costs incurred by the firms in the preparation of their response.
- 1.8 **NO CONTACT POLICY:** After the date and time that the vendor receives this solicitation, any contact initiated by any respondent with any Sumner County representative, other than the questions concerning this Request for Qualification, is strictly prohibited.
- 1.9 **QUALIFICATION DELIVERY:** Sumner County requires respondents, when hand delivering responses, to have the sealed envelope to be time and date stamped in the Office of the Law Director at the time of deposit. Sumner County will not be responsible for any lost or misdirected mail sent by common carrier. Sumner County shall also not be responsible for responses delivered to other addresses other than the one listed at the top of this solicitation. The clock in the Law Director’s Office shall serve as the official record of time.

- 1.10 **SIGNING OF QUALIFICATIONS:** In order to be considered, all Qualifications must be signed. Please sign the original in blue ink. By signing the response document, the respondent acknowledges and accepts the terms and conditions stated in the Qualification document.
- 1.11 **NO DISCRIMINATION:** Sumner County does not discriminate towards any individual or business on the basis of race, sex, color, age, religion, national origin, disability, or veteran status. The successful firm(s) agrees that they shall comply with all local, state, and federal law, statutes, and regulations including, but not limited to, the Rehabilitation Act of 1973 and the Americans with Disabilities Act.
- 1.12 **FORUM SELECTION:** Any contract will be interpreted under the laws and statutes of the state of Tennessee. Sumner County does not enter into contracts which provide for mediation or arbitration. Any action arising from any contract made from this Qualification shall be brought in the state courts in Sumner County, Tennessee or in the United States Federal District Court for the Middle District of Tennessee.
- 1.13 **NULLIFICATION:** Sumner County may, at any time, nullify the agreement if, in the judgment of Sumner County, the firm(s) have failed to comply with the terms of the agreement. In the event of nullification, any payment due in arrears will be made to the firm(s), but no further sums shall be owed to the firm(s).
- 1.14 **OPEN RECORDS ACT:** After Qualifications are accepted, all Qualifications will be subject to the Tennessee Open Records Act, and the proposals will be available to the public upon written request. Summary information on Qualifications submitted will be posted on the Sumner County Government website at <http://www.sumnertn.org/> under the "Bids" link.
- 1.15 **WAIVING OF INFORMALITIES:** Sumner County reserves the right to waive minor informalities or technicalities when it is in the best interest of Sumner County.

## SECTION II SCOPE OF WORK

### INTRODUCTION

Sumner County seeks a qualified Construction Management firm to provide complete pre-construction and construction phase services for a new courthouse in downtown Gallatin. The proposed courthouse is approximately 209,000 building gross square feet, with an additional 12,000 square feet of secure judicial parking to be located in the basement area of the building. The new facility will contain 10 courtrooms, court office space, detainee holding areas, and a shelled/unfinished floor for future expansion. The program for the new facility can be reviewed at the County Law Director's Office.

The assumed project site for the new courthouse is currently owned by the First Baptist Church. The County is currently in negotiations with the Church to acquire the property. The assumed site is a parking lot located directly adjacent to the County Library on East Main Street. It is bounded by East Main Street, Boyers Avenue, and Smith Street. A budget of approximately \$78 million has been established for the new courthouse. This budget includes site and construction costs, owner contingency, professional fees, furnishings and equipment, and three years of escalation to the mid-point of construction, which is assumed to be 2021. Construction for this project is expected to commence in late 2020.

Parking requirements and scenarios for public and staff are still under consideration. The selected CMAR may be contracted for construction of a parking garage. The assumed site for a parking garage would be located next to the courthouse site. The parking garage is of currently undetermined size, but might potentially be approximately 400 to 500 spaces. A graphic is included to show the relationship between the courthouse and parking garage.



It is the County's intent to enter into a pre-construction services agreement with the selected Construction Manager at Risk in the schematic design phase of the Project. The design team has been selected, and design work commenced in February 2019.

**PROJECT MANAGEMENT**

Commissioner Leslie Schell, currently Chairperson of the General Operations Committee of the Sumner County Board of County Commissioners, has been designated to be in overall charge of the project. Commissioner Schell will be considered the Owner, acting on behalf of the Board of County Commissioners, in subsequent language throughout the RFQ and during the project.

Justice Planning Associates (JPA) developed the strategic plan and facility program for the new courthouse. JPA will continue to serve the County in the role of Owner's Representative, reporting directly to the Owner. JPA will be responsible for overall project leadership. NoBox Development is the Project Manager (PM). NoBox Development will assist the County and JPA, with a specific focus on project management. NoBox Development will be responsible for managing the Project, including budgeting, scheduling, communication, and process flow. Both the Architect and the Construction Manager at Risk will report to the Project Manager, who will report to JPA, as the Owner's Representative.

ESa Architects, in association with Stevens & Wilkinson, has been selected by Sumner County to provide A/E services for the Project. The Schematic Design Phase began in February. The selected CMAR firm will coordinate with the A/E Team for the duration of the design and construction phases of work.

**SCOPE OF CONSTRUCTION MANAGER AT RISK SERVICES**

The Construction Manager at Risk (CMAR) selected shall be required to provide comprehensive CMAR services as appropriate to the Project. It is desirable for the CMAR to have experience in performing pre-construction services and in managing construction of courthouse or judicial center projects. The CMAR will provide consulting and estimating services during pre-construction, and will act as the general contractor during the construction, holding the trade contracts, and providing management and construction services.

The CMAR will competitively procure the contracts with trade subcontractors and will assume the responsibility and risk of construction delivery within specified cost and schedule terms. The CMAR will also provide a guaranteed maximum price for the Project.

Tasks include, but shall not be limited to, those specified below:

## **A. Pre-construction Services**

- Value Engineering.
- Constructability Issues - Participate in the development of the design and provide constructability reviews and analysis. Offer suggestions to improve the quality, timeline, or cost of the Project.
- Cost Estimating and Budget Management - Provide continuous cost management to assure the design is within the budgeted cost estimate. Assume approximately four budget estimates over the course of the design.
- Quality Control.
- Develop and maintain a Project schedule that incorporates all tasks and approvals of all involved parties necessary to complete the Project within the contract durations. Provide construction planning, phasing, and scheduling during design and through construction completion.
- Document Tracking and Reporting.
- Bring design-assist trade subcontractors into the design phase appropriate for the Project and as approved by the County.
- Develop Trade Contactor Bid Packages and receive bids in the most logical, competitive, and seamless manner.
  
- Prequalify trade subcontractors to comply with County's standards.
- Coordinate with and provide information as required to regulatory agencies. Schedule and monitor required agency approvals.
- Provide an "Open Book" Guaranteed Maximum Price (GMP) for the completion of construction of the Project. GMP may include breakout pricing for a maximum of two (2) Early Release Package(s).

## **B. Construction Services**

- Project Administration.
- Monthly Progress Reports.
- Review all requests for payment for construction work in place and make recommendations as to the validity of the request prior to submitting to the Project Manager for review and processing.
- Quality Control.
- Conduct periodic and final inspections.
- Monitor Construction Schedule, and provide 2-week Lookahead Schedules as requested for review with the Project Manager.
- Provide Shop Drawings and Submittals; track and log approvals.
- Monitor that safety and accident prevention measures are established and maintained at the site.
- Maintain project records.
- Track and monitor Requests for Information and maintain a log of each and its status until resolved.
- In conjunction with the Project Manager, provide Agendas and leadership for Owner-Architect-Contractor (OAC) Meetings as needed. Recurrence and duration of OAC's to be determined.
- Project Closeout/Warranty.

### SECTION III CONTENT OF RESPONSES

A cover letter, highlighting the key points of the response, should be submitted. The letter should be executed by the owner / principal or authorized representative of the submitting firm.

In addition to the cover letter, submittals must contain the following information, provided in the order listed below. For joint venture proposals, separately identify the information as to each joint venture member. Concise and direct responses are encouraged.

1. **Table of Contents** – A table of contents referring to specific sections within the response to the RFQ.
2. **Identification** – Provide full legal name of the firm, mailing address, telephone number, fax number, email address and contact person for the firm which will have contractual responsibility for the project. Identify year founded. Identify the number of employees for the firm as a whole, and at the offices where work will be performed. Identify any joint venture partners, or associated firms, with similar information. Note any prior working relationships and list relevant projects. Provide a description or history of the firm(s).
3. **Preconstruction Approach** – Describe the applicant’s preconstruction estimating approach. Describe the process for interacting with design teams. If multiple firms are submitting as part of a single team, clearly identify the specific roles and responsibilities of each firm. Clarity in preconstruction and construction roles and responsibilities will be a factor in selection.
4. **Construction Process** – Describe the applicant’s process for providing construction management at risk services. Indicate how your firm solicits and develops local subcontractor market input. Describe your firm’s approach towards safety on the jobsite, Building Information Modeling, and quality control. Indicate your punch-list, completion, and commissioning processes. Again, if multiple firms are submitting as part of a single team, clearly identify the specific roles and responsibilities of each firm.
5. **Proposed Personnel** – Provide an organizational chart and written description of the key project team members. Show each individual’s project function and title. Identify the project estimators, project managers, project superintendents, and jobsite personnel. Indicate the percentage of their time to be allocated to the proposed project.
6. **Resumes** – Provide resumes of each key proposed team member. Highlight relevant experience. Disclose any work that was completed with another firm.

7. **Project Experience** – Provide descriptions, illustrations, photos and other representation material which illustrate the applicant’s experience on other projects of similar nature, size, and complexity that are believed to be particularly relevant to the Sumner County project.
8. **Current Workload Section** – List current projects, stage of completion, and percentage of time to be allocated to those projects. Also include upcoming committed projects.
9. **References** – Provide names, addresses, telephone numbers, email or other contact information for at least five (5) references. Provide the project name(s) and services provided for each reference.
10. **Litigation** – Provide a list of any pending or concluded litigation against the applicant firm(s) within the previous five years.
11. **Additional Information** – Provide any additional information you feel is needed to describe your qualifications for this project.

## **CONSIDERATION OF RESPONSES**

Properly identified responses received on time, and in accordance with the requirements of the RFQ, will be considered for award. Responses not received on time, or otherwise not submitted in accordance with the requirements of the RFQ, will not receive consideration for award.

After all responses have been evaluated, the County will develop a list of respondents for further consideration in the selection. Short-listed respondents will be notified by email. Those respondents not short-listed will not be eligible for further consideration. Those respondents who are short-listed will be required to provide an oral presentation as described below:

**Oral Presentation:** An oral presentation for short-listed candidates will be announced in writing to the individuals selected. The format for the interviews will be defined at that time. Interviews will be held approximately three weeks following notification of the short-list. The County will select the Construction Manager at Risk which it believes is the best fit based on a combination of the original responses, references, oral presentations, and other relevant factors.

**Final Selection:** At this time, the County, at its discretion, may reject all submittals or may negotiate an agreement for services. It is anticipated that the County will negotiate a Stipulated Sum contract with the CMAR. If, in the County’s opinion, it is not possible to successfully complete negotiations with the first-ranked firm, the County may, at its sole discretion, elect to terminate those negotiations and proceed with the second-ranked firm, and so on. It is the intent of the County to enter into a contract with the Construction Manager at Risk within thirty (30) days of selection.

**Rejection of Responses:** The County shall have the right to reject any or all responses for any reason at any time, reject a response not accompanied by the information required by the RFQ, or reject a response which is in any way incomplete or irregular, with no liability for cost(s) incurred. Nothing contained in the RFQ shall create any legal right in favor of any respondent or create any liability or obligation on the part of Sumner County.

<b>RFQ SCHEDULE</b>		
<b>Date</b>	<b>Time</b>	<b>Description</b>
March 20, 2019	1:00 PM	Release RFQ
April 3, 2019	1:00 PM	Deadline for Written Questions
April 10, 2019	5:00 PM	County Responses <i>(Not Later Than)</i>
April 17, 2019	1:00 PM	Submittals Due

**END OF REQUEST FOR QUALIFICATIONS**