CITY OF MELISSA
REQUEST FOR QUALIFICATIONS (RFQ) FOR CONSTRUCTION MANAGER-AT-RISK (CMAR) SERVICES FOR THE CONSTRUCTION OF Z-PLEX ATHLETIC FACILITY, PHASE 3A RFQ NO. 2020-1004

The City of Melissa will accept Request for Qualifications (RFQ) for Construction Manager-At-Risk (CMAR) Services for Construction of Z-Plex Athletic Facility, Phase 3A including, at a minimum, parking facilities, an irrigation well, a retention/detention pond and various extended water, sewer, electric and communication infrastructure. Statements of Qualification will be received until 10:00 A.M. local time on May 29, 2020. All submittals and RFQ should be delivered to:

City of Melissa
Attn: Ron Duzenack, Parks Superintendent
3411 Barker Avenue
Melissa, Texas 75454

To request the full RFQ, please email Geoff Hall, PLA, with Pacheco Koch Consulting Engineers, Inc. at ghall@pkce.com. All requestors will be added to a recipient list to receive any future correspondence and/or addenda related to the RFQ.

First Advertisement: Thursday, May 7, 2020
Second Advertisement: Thursday, May 14, 2020
The City of Melissa will accept Request for Qualifications (RFQ) for Construction Manager-At-Risk (CMAR) Services for Construction of Z-Plex Athletic Facility, Phase 3A including, at a minimum, parking facilities, an irrigation well, a retention/detention pond and various extended water, sewer, electric and communication infrastructure. Statements of Qualification will be received until 10:00 A.M. local time on May 29, 2020. All submittals and RFQ should be delivered to:

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Attn: Ron Duzenack, Parks Superintendent
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DATE OF ISSUE
Qualification submittal packets shall be plainly marked on outside of a sealed envelope as follows:

CONSTRUCTION MANAGER-AT-RISK FOR: CONSTRUCTION OF Z-PLEX ATHLETIC FACILITY, PHASE 3A
RFQ NO. 2020-1004
ATTENTION: RON DUZENACK

Any qualification packets received later than the specified time, whether delivered in person or by mail, will not be accepted, and shall be returned unopened.

The City of Melissa reserves the right to waive any informality and to reject any or all qualifications/proposals and to waive minor formalities and irregularities.

The City of Melissa appreciates your time and effort in preparing a response. Please note that all submissions must be received at the designated location by the deadline shown. Submissions will be publicly opened, and the names of the offerors will be read aloud, on the due date and time at the City of Melissa, City Hall. Submissions received after the deadline will not be considered for the award of the contract and will be returned unopened. No modification to this RFQ NO. 2020-1004 or the resulting submissions will be considered bona fide unless such modifications are made in writing.

A qualified Construction Manager at Risk (CMAR) will be chosen in a two-step process to work alongside the Civil Engineer/Landscape Architect for the construction of the Z-Plex Phase 3A located in Melissa, Texas. The selection will be determined via scoring described herein by a panel consisting of Melissa City Manager, Melissa Parks Superintendent, Melissa Parks Board Chairman, the Civil Engineer/Landscape Architect, and one other member as chosen by the Melissa City Manager. The City will select the RFQ submitted that provides the best value to the City. The CMAR will provide construction services at a contracted fee.
1. **PROJECT DESCRIPTION**

The project design team is being led by Pacheco Koch Consulting Engineers, Inc. Phase 3A includes, at a minimum, parking facilities, an irrigation well, a retention/detention pond and various extended water, sewer, electric and communication infrastructure with associated earthwork, paving and landscape enhancements as depicted in green in the Exhibit A at the end of this document.

Prior to filing out a response, the Proposer shall examine the site of the work to satisfy itself as to the conditions which will be encountered relating to the character, quality, and quantity of the work to be performed and materials and equipment required. The filing of a response by the Proposer shall be considered evidence that it has complied with these requirements.

The scope of services for the project is intended to provide a complete and useable facility for the City of Melissa which can be put into operation immediately after acceptance by the City.

2. **PROJECT FUNDING**

An approximate budget of $2.0m has been identified in preliminary work to be funded through Municipal Bonds. This includes survey, design and testing fees; construction costs including CMAR costs; and all contingencies.

3. **ANTICIPATED CONSTRUCTION SCHEDULE**

Anticipated Construction Start: July 1, 2020
Anticipated Completion: May 31, 2021

4. **CMAR SCOPE OF WORK, AND ANTICIPATED CMAR SCHEDULE:**

The City invites the submittal of responses to this Request for Construction Manager at Risk (CMAR) Request for Qualifications (RFQ) from firms who can adequately demonstrate they have the resources, experience, and qualifications necessary to provide “Construction Management at Risk” services in connection with the design, pre-construction services, and construction of the Z-Plex Phase 3A. The following project narratives are to assist you in responding to this request for RFQ.

The City will evaluate the submittals and will select the highest-ranking submittal pursuant to the criteria outlined herein. Should the City of Melissa so choose, they may elect to interview up to the top three scoring candidates to assist in a selection should the scoring be extraordinarily close. However, the City reserves the right to terminate its negotiations with the CMAR in writing if it appears to the City that the negotiations will not result in the execution of a contract. In such event, the City will select the next highest ranking CMAR and attempt to negotiate a contract with that CMAR, and so on and so forth until the City has successfully negotiated a contract with a selected CMAR.
After the City selects the highest-ranking Construction Manager at Risk (CMAR), the City will attempt to negotiate a contract with the CMAR for performing pre-construction services only to a point sufficient to establish a Guaranteed Maximum Price (GMP).

Should the GMP fit within the budget allowed and established by the City of Melissa, the CMAR contract will be continued through general construction of the project.

A. A **Non-Mandatory Pre-RFQ Conference** will be held from 3:00 PM to 4:00 PM, Thursday, May 21, 2020 at Melissa City Hall, 3411 Barker Avenue, Melissa, Texas 75454. The purpose of the meeting is to discuss this solicitation and answer questions. Attendance is not mandatory; it is however, highly recommended.

B. The last day for questions/clarifications from prospective Proposers is on Tuesday, May 26, 2020 at 12:00 PM CST. All questions/clarifications should be emailed to ghall@pkce.com prior to the deadline. Answers will be emailed as an addendum to all RFQ holders. The addendum must be signed and included in the RFQ response to be considered a responsive RFQ.

C. The selected CMAR Contractor will provide Pre-Construction Services including Constructability Reviews, Value Engineering Recommendations and Estimating Services Fees to review during the final phases of the design process.

D. Following execution of the pre-construction services contract, the CMAR will receive a 75% construction document set of drawings and specifications for their use in providing the following:
   a. A review of constructability and estimated timeline based on critical path items.
   b. A pricing review of all major items as established through qualified sub-contractor preliminary pricing.
   c. A list of potential or recommended value engineering options for Owner consideration.

E. Following Owner direction on the submittals above, the Engineer/Landscape Architect will revise documents to incorporate direction and issue a GMP set of drawings and specifications (95%).

F. The CMAR will provide a **Guaranteed Maximum Price (GMP)** for the work. This GMP will be inclusive of Value Engineering and Estimating Services fees, General Conditions, Construction Manager's Fee, bonds, insurance, and other agreed upon costs, including the City's General Contingency Allowance. The total project cost is anticipated to be $2.0M.

G. The City reserves the right to disqualify any submittal without cause. By submission of a response, Proposers waive any rights to make a claim against the City, its employees, agents and consultants related in any way to the submission of the proposal or the Owner’s disqualification of the proposal as a result.
H. For purposes of this Request for Qualifications (RFQ), the successful respondent will enter into a Construction Manager at Risk Agreement (“Agreement”) with the Owner. AIA Document A141™-2014, Standard form of Agreement between Owner and Construction Manager as Constructor where basis of payment is the Cost of Work Plus a Fee with a Guaranteed Maximum Price, and General Conditions for the Contract for Construction, respectively, as modified for this project. The finalized and signed Agreement and Conditions will include such language and modifications as proposed by the City of Melissa, Texas. The Owner reserves the right to not enter into a contract with any respondent if it so chooses.

I. The Geotechnical Engineering Study will be available to the chosen CMAR upon request.

J. Payment and performance bonds will be required of the CMAR for the entire project construction budget. If a fixed contract amount or guaranteed maximum price has not been determined at the time the contract is awarded, the penal sums of the performance and payment bonds delivered to the City must each be in an amount equal to the project construction budget, as specified in this document. The CMAR shall deliver the bonds to the City not later than the 10th day after the date the CMAR executes the contract unless the CMAR furnishes a bid bond or other financial security acceptable to the City to ensure that the CMAR will furnish the required performance and payment bonds when a guaranteed maximum price is established.

K. The scope of services for the project is intended to provide a complete and useable facility for the City of Melissa which can be put into operation immediately after acceptance by the City. The following describes the anticipated services expected during design and construction:

L. Provide Pre-Construction Services as previously described
   • Meet with City Staff and the consultant team to gain a detailed understanding of the project requirements and general parameters under which the project will be designed and constructed.
   • Manage the Guaranteed Maximum Price (GPM) Documentation.
   • Establish budget by bid package for design components.
   • Prepare, execute & manage contractor/sub-contractor bid or proposal packages.
   • Conduct pre-bid meetings.
   • Conduct Pre-construction meetings with all sub-contractors.
   • Conduct award of contracts/purchase orders.
   • Provide coordination and management of sub-contractors.
   • Conduct progress and coordination meeting with on-site trade foremen or superintendents.
   • Conduct meetings with the CITY’s representative and ENGINEER/LANDSCAPE ARCHITECT to review construction progress, scheduling, conflict resolution, etc.
   • Review and process all pay request applications by the sub-contractors.
   • Summarize monthly reports.
   • Provide change order and contingency fund control.
   • Establish and maintain a Quality Control and Quality Assurance program.
- Supervise, direct, and manage the complete construction of the project.
- Track construction costs and maintain detailed construction cost records.
- Review and process shop drawings and other submittals.
- Establish, monitor, and update a construction scheduling system; to be updated every two weeks.
- Develop, manage and monitor comprehensive safety program for the Project.
- Provide temporary job site facilities and services.
- Provide accounting functions.
- Provide jobsite security functions and control site access.
- Provide post-construction services, including implementation of close-out procedures.
- Provide value engineering.
- Maintain and provide as-built information to ENGINEER/LANDSCAPE ARCHITECT for preparation of record drawings.
- Provide Warranty walk-through to occur one-year after project completion.
- Other services as deemed appropriate by the CITY.

5. **CONSTRUCTION MANAGER AT RISK SELECTION SCHEDULE**

- Request for Qualifications (RFQ)  
  First Advertisement May 7, 2020
- Request for Qualifications (RFQ)  
  Second Advertisement May 14, 2020
- Non-Mandatory Pre-RFQ Meeting May 21, 2020
- Deadline for Questions May 26, 2020
- Addendum Posted (If needed) May 27, 2020
- Deadline to Receive Request for Qualifications May 29, 2020
- Evaluation Meetings to Rank Submissions June 1-3, 2020
- Interviews if Necessary June 8, 2020
- Notification of Finalist June 9, 2020
- Negotiations with Finalist for Contract June 10-19, 2020
- City Council Consideration of CMAR Contract June 23, 2020

6. **REQUEST OF QUALIFICATIONS:**

Pursuant to the provisions of the Chapter 2269, Subchapter F of the Government Code, it is the intention of the City of Melissa to select a Construction Manager-At-Risk for the construction of the Z-Plex Athletic Facility, Phase 3A. Sealed submittals are to include the information requested in this package in the sequence and format prescribed herein.
RFQ: One (1) bound original, five (5) bound copies of the RFQ plus one (1) pdf electronic file on a flash drive are to be submitted.

7. **RESTRICTION ON COMMUNICATIONS**

Respondents are prohibited from communicating with City of Melissa employees, City Council, City Board Members, consultants or subconsultants with contracts regarding this RFQ during the period in which submittals have been solicited or are being evaluated (other than as specifically specified herein), with the exception of pre-submittal meetings open to all Respondents or responses to questions posed during interviews scheduled after responses are received and opened.

Restricted communication includes, but is not limited to, “thank you” letters, phone calls, emails, and any contact that results in the direct or indirect discussion of the RFQ and/or submitted proposals. This policy is intended to create a level playing field for all potential Respondents, assure that contract decisions are made in public, and to protect the RFQ process. Violation of this provision by Respondents or their agents may lead to disqualification of Respondent’s Proposal.

8. **REQUEST FOR QUALIFICATIONS CONTENT OF SUBMITTALS:**

To enable the City to efficiently evaluate the responses, it is IMPORTANT that respondents follow the required format in preparing responses and submittals. SUBMITTALS THAT DO NOT CONFORM TO THE PRESCRIBED FORMAT MAY NOT BE EVALUATED. The aesthetics of the submittals will play no part in the award of a contract for the work. Emphasis should be placed completeness of services offered and on clarity of content.

Please provide the following information in the sequence and format prescribed by this request.

**DIVIDER #1: LETTER**
The first page shall be a letter transmitting the RFQ to the CITY and stating interest in the project. At least one copy of the transmittal letter shall contain the original signature of a Partner, Principal, or Officer of the RESPONDENT.

**DIVIDER #2: FIRM INFORMATION**
- Name of firm
- Address of Principal office
- Phone
- Fax
- Form of Business Organization (Corporation, Partnership, Individual, etc.)
- Year founded
- Size of Firm
- Primary individual to contact
- Email of primary individual to contact
- List of office locations if applicable
- Description of firm’s organization structure

**DIVIDER #3: GENERAL COMPANY HISTORY**
- How many years has your organization been in business in its current capacity?
- How many years has your organization been in business under its present name?
Under what other or former name(s) has your organization operated? If your organization is a corporation, please provide date of incorporation, State of incorporation and list all officers of the corporation.

If your organization is a partnership, answer the following: Date of organization, type of partnership (if applicable), and names of managing partner(s).

If your organization is individually owned, answer the following: Date of organization, name of owner.

If the form of your organization is other than those listed above, describe it and name the principals.

A one page resume of the individual that will be the project manager on this project, and the site superintendent should the project proceed to construction.

DIVIDER #4: LICENSING

List jurisdictions and trade categories in which your organization is legally qualified to do business and indicate registration or license numbers, if applicable.

List jurisdictions in which your organization’s partnership or trade name is filed.

DIVIDER #5 EXPERIENCE

List the categories of work that your organization normally performs with its own forces on projects of this type.

Provide an organizational chart that explains proposed team members.

List any subcontractors in which your organization has some ownership and list the categories of work those subcontractors normally perform.

Claims and suits (if the answer to any of the questions below is yes, please attach details).

Has your organization ever failed to complete any work awarded to it by a Texas municipality?

Are there any judgments, claims, arbitration proceedings or suits filed or outstanding against your organization or its officers for the last 5 years by a Texas municipality?

Has your organization filed any lawsuits or requested arbitration with regards to construction contracts within the last 5 years against a Texas municipality?

Similar Work over last 5 years of a value of over $2 million in construction value:

- List up to three projects (particularly municipal or ISD work of similar nature) constructed by your firm. For each project, provide the name, size site in acres, location, cost, completion date, owner, architect/engineer, and method selection (i.e.: Design Build, CMAR, CSP, Bid, Proposal or other).

DIVIDER #6: FINANCIAL INFORMATION

Attach a financial statement, preferable audited, including your organization’s latest balance sheet and income statement showing the following items:

- Current assets
- Current liabilities
- Capital accounts and retained earnings (e.g., capital, capital stock, authorized and outstanding shares per value, earned surplus, and retained earnings).

Name and address of firm preparing attached financial statement and date thereof.

Is the attached financial statement for the identical organization named under Item 1 above? If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent, subsidiary).

Will the organization whose financial statement is attached act as guarantor
of the contract for construction?
  • Provide name, address, and phone number for bank reference.

DIVIDER #7: EXPERIENCE AS A CONSTRUCTION MANAGER-AT-RISK
  • Describe how your firm will benefit this project using Construction Manager at Risk.
  • Cost Estimates:
    o Provide an example of a proposed accounting method for a Construction Manager at Risk contract and a preconstruction and final GMP (FGMP) cost estimate on similar work. Attach a sample conceptual cost estimate prepared during the design phase of the project and a sample of the final cost estimate/breakdown used to fix the contract amount for the construction of the same project. (The identity of the project may be concealed. The intent is to see the nature and format of the cost information provided).
    o Describe your approach in verifying estimating strategy assures that pricing is consistent with market.
  • Fees:
    o Pre-construction phase service fee:
      ▪ Describe your organization’s ideology as it pertains to the pre-construction phase fee, i.e., items and services to be included in the fee. **DO NOT INCLUDE A DESCRIPTION OF YOUR ESTIMATED FEES IN THIS SECTION, ONLY INCLUDE A DESCRIPTION OF WHAT ITEMS AND SERVICES WILL BE INCLUDED IN THE FEE.** Selected short-list proposers may be requested to submit additional information indicating fees.
    o Construction phase service fee:
      ▪ Describe your organization’s ideology as it pertains to the construction phase fee, i.e., fixed fee, percentage fee, and particular items to be included and/or excluded from the fee. **DO NOT INCLUDE A DESCRIPTION OF YOUR ESTIMATED FEES IN THIS SECTION, ONLY INCLUDE A DESCRIPTION OF WHAT ITEMS AND SERVICES WILL BE INCLUDED IN THE FEE AND HOW THAT FEE WILL BE CALCULATED (FIXED FEE VERSUS PERCENTAGE FEE).** Selected short-list proposers may be requested to submit additional information indicating fees.
  • Savings:
    o Describe your organization’s concept for the disposition of savings realized during construction. Is the full amount or a percentage thereof returned to the Owner?
  • Contingencies:
    o Describe your organization’s concept for cost contingencies during design? During construction? What is your organization’s concept for the disposition of contingency funds after the completion of the project?
  • Cost Information:
    o Your firm would be required to provide all cost information during design and construction available to the City and the City’s Engineer/Landscape Architect. Describe how this information would be furnished and how the City and architect would be assured that it is complete and accurate.

DIVIDER #8 SAFETY
Provide information as pertains to your firm’s accident frequency rate and modifier for the last five years. List any OSHA citations in the last five years. List any deaths that have occurred on your projects in the last five years.

DIVIDER #9 SCHEDULES
Provide a sample of a schedule that will be used to control various project phases. Give a history of your ability to deliver projects on time for the past 2 years. Describe methods employed to keep projects on schedule and methods of corrective action to overcome schedule deficiencies.

**DIVIDER #10 REFERENCES**

- For the projects listed above in E:8. Identify a primary and secondary representative of the owner and 1 representative of the architect/engineer. (provide complete contact information: name, company, title, address, phone and email) whom we could contact as references regarding your organization’s services for Construction Manager at Risk. Ideally, some of the references should be for municipal/public projects of comparable scope and similar type from the past 5 years.

**DIVIDER #11: EXPERIENCE ON THE SITE AND FOR THE CITY OF MELISSA**

- Provide a list of projects within the last 7 years that have been completed by the firm both within the City of Melissa (or its ETJ) and (if applicable) on the site itself.

9. **CRITERIA FOR SELECTION:**

Per Chapter 2269, Subchapter F of the Texas Local Government Code, the City of Melissa may consider the following in determining to whom to award the contract for Construction Manager-At-Risk services. The selection process is weighted heavily on important issues critical to the success of the project. In determining the best value to the City, the information requested in the submittal requirements above can and will be evaluated along with any other key issues deemed important to the City.

The following weighted criteria will be considered in selecting the Construction Manager at Risk:

- **FIRM EXPERIENCE AND FINANCIAL CAPABILITY** - (40% of scoring)

- **FIRM EXPERIENCE AS A CMAR** - (20% of scoring)

- **REFERENCES** - (20% of scoring)

- **EXPERIENCE IN MELISSA AND/OR THE SITE** - (20% of scoring)
EXHIBIT A – SITE AREA (IN GREEN)

Area in green represents the range and area of improvements that may be considered with the budget established for the C.M.A.R.