



Request for Qualifications
Construction Manager at Risk
(CMAR)

Cleveland County Justice Center Campus

RFQ-2022 02 14 rev 0

Cleveland County Government

February 14, 2022

Cleveland County Administrative Building
Attn: Kim Lester
Finance & Purchasing Department
311 E. Marion St
Shelby, NC 28150
Office: 704-484-4840
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I. Project Overview

Cleveland County has a vision to transform the 8.3 acres around the existing Cleveland County Courthouse into a campus that will consolidate judicial public services—improving customer service, security, safety, accessibility and reduce maintenance and operational costs of an aging infrastructure.

Campus Location — 100 Justice Place, Shelby, NC



Cleveland County commissioned a conceptual study which masses the buildings on the campus and proposes possible phasing of this vision. The study confirms that these 8.3 acres is large enough to accommodate a new multi-level Jail/Detention Center—initially 460 beds and 100,000 sq ft, a new Sheriff's Office—28,000 sq ft, a new Courthouse—100,000 sq ft, and subsequent parking.

This conceptual study visually outlines these potential construction phases:

Phase 1 New Detention Center

Phase 2 New Sheriff's Office

Phase 3 New Courthouse

Phase 4 Demolition of the Cleveland County Courthouse and parking deck and construction of the new entry plaza

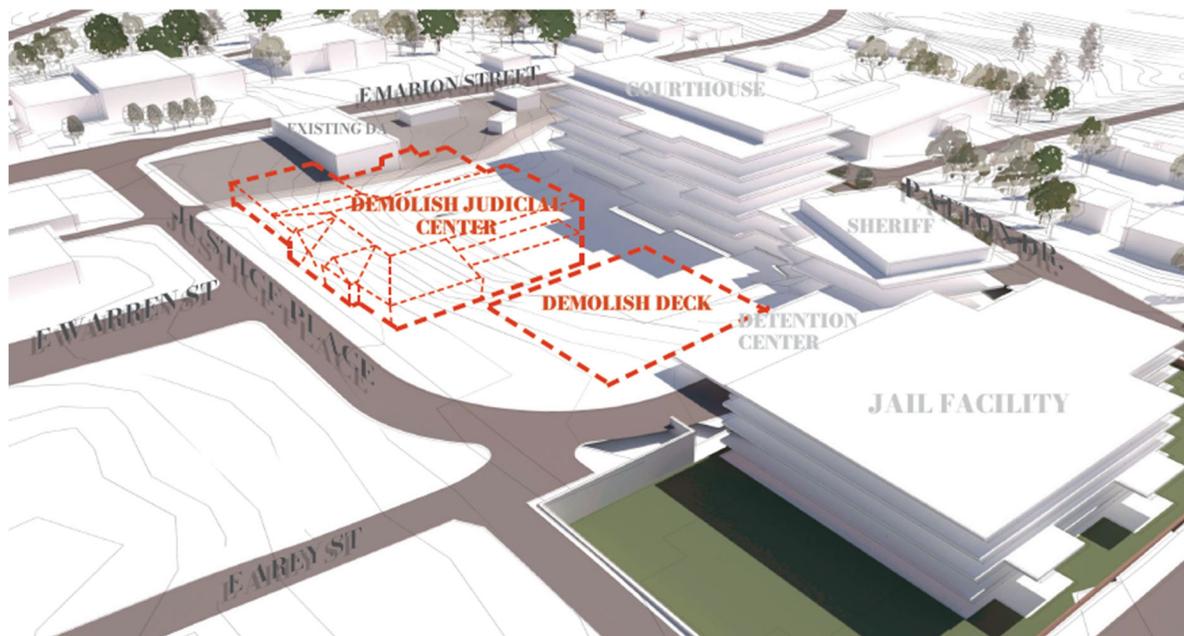
Moseley Architects has been the chosen firm which will provide professional architectural and engineering services for development and cost estimates of all phases. Phases will align with county budgets, grant funding, and construction feasibility.

Moseley Architects has done preliminary concept sketches illustrating possible the Justice Center build outs.

Justice Center — Possible Build out



Justice Center — End Phase



II. Anticipated Project Schedule

- Predesign Phase March 2022
- Schematic Design May 2022
- Design Development September 2022
- Agency Review November 2022
- Construction Documents February 2023
- Agency Review May 2023
- CDs Ready to Bid July 2023
- Bid/ Award September 2023
- Substantial Completion December 2025

III. Project Design Team

Moseley Architects of Charlotte, NC was selected by Cleveland County through a qualifications-based process to provide A/E for the project. The selected CMAR firm will coordinate with the A/E for the duration of the design, and construction phases of work.

IV. Scope of Construction Manager at Risk (CMAR) Services

The scope of services below is meant to provide the proposers an outline of the anticipated services required for this project. The detailed scope of services will be contained in the executed Contract for CMAR Services.

A. Pre-Construction Services

1. Review design documents when they are 35% complete, budget, and project schedule and identify key project issues.
2. Research different construction materials and report findings.
3. Develop cost estimates and project schedule; Reconcile from 35% design documents.
4. Develop Construction Documents cost estimate and schedule; Reconcile from previous estimate.
5. Regularly attend meetings with the County and Design Team immediately upon selection and through the remainder of design. Consult with the County and the Design Team regarding all aspects of the project, including site use, site improvements and selection of building materials, systems, and equipment.
6. Develop a provisional and final Critical Path Method (CPM) schedule using computer software reporting indicating methods and sequencing of procurement, permitting, construction and closeout of project. Include time requirements for sequences and durations, milestones dates for receipt and approval of design documents, receipt of regulatory approvals and permits, preparation and processing of shop drawings and samples, delivery schedule of materials or equipment requiring long-lead time procurement, project procurement schedule, and installation and construction completion.

This includes the periodic updates of project schedule for Design Team's review and County approval.

7. Develop and implement procedures for schedule adherence.
8. Perform a "constructability" review of the 35% design documents and the Construction Documents.
9. Provide detailed construction cost estimates, to achieve the Owner's budget (to be sorted by trade bid packages).
10. Develop value-engineering options.

B. Bidding Services

1. Subdivide the Work into bid packages that encourage bids from qualified local and minority contractors.
2. Identify and prequalify contractors for all bid packages in consultation with the County.
3. Develop requirements to assure time, cost and quality control during construction.
4. Provide a provisional construction schedule (CPM) for issuance with bid packages.
5. Schedule and conduct pre-bid conferences in conjunction with the Design Team and County.
6. Advertise and distribute bidding documents.
7. Monitor bidder activity.
8. Publicly open, review and analyze bids, in conjunction with County and Design Team.
9. Update Project schedule.
10. Conduct Minority and Women-Owned Business Enterprise (MWBE) outreach program to encourage participation by minority contractors.
11. Upon receipt and review of the bids for all bid packages, develop a draft Guaranteed Maximum Price (GMP) document(s) for the Project that includes:
 - a. The cost of the Work (the sum of bid amounts of the lowest responsible bidder for all bid packages)
 - b. The Construction Manager's Fee
 - c. The Construction Manager's General Conditions
 - d. The Construction Manager's Contingency
12. Reconcile schedule and cost with County against pre-established budget and schedule.
13. Develop Final Guaranteed Maximum Price document for the Project.

C. Construction Services

1. Maintain on-site staff for construction management.
2. Establish and maintain coordinating procedures.

3. Develop and maintain a detailed schedule (CPM) including delivery, approvals, inspection, testing, construction and occupancy.
4. Conduct and record weekly job meetings. (Designer will record monthly meetings)
5. Maintain a system for review and approval of shop drawings, samples and product data.
6. Maintain records and submit weekly reports and formal monthly reports to Design Team and Owner.
7. Maintain quality control and ensure conformity to plans.
8. Develop a system and provide cost control through progress payment review and verifications according to the approved schedule and contract amounts.
9. Develop and maintain as-built drawings for the duration of the Project.
10. Coordinate post-completion activities, including the assembly of guarantees, manuals, closeout documents, training, regulatory approvals and Owner's final acceptance.
11. Coordinate and monitor the resolution of remaining "punch-list" items to the satisfaction of the Owner.
12. Work closely with Designer and County staff to meet local, state and federal requirements

D. Project Closeout/Warranty

1. Submit record drawings for approval of the Designer and the Owner.
2. Assist in transition to occupancy, including deliveries and installation of equipment.
3. Receive record and address all warranty issues.
4. Resolve all warranty issues to the satisfaction of the Owner

V. Proposal Submission Requirements

Submittals shall be made on 8 1/2" x 11" paper, side bound with Table of Contents and reference tabs for key sections. The total submittal shall not exceed forty (40) single-sided pages. All pages are to be consecutively numbered. All materials not clearly labeled "Trade Secret" or "Confidential" shall become property of Cleveland County and will be considered public documents (Reference Section XI - Confidentiality of Documents). Submittals must include, at a minimum, the following:

A. Qualifications and Experience

1. Overview identifying all firms proposed for the CMAR. The overview should indicate the following:
 - a. The firm (Prime CMAR) providing the bond for the project.
 - b. Organizational chart depicting key staff and their roles proposed for the Project
 - c. Identify current assignments for each staff member and their availability to work on this project.

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- d. Provide a resume for each of the key staff and their experience serving in their proposed roles for the Project
2. Profile of CMAR firm:
- a. Provide the following for each Prime and any Associate Firm(s):
- (1) Firm name and Address
 - (2) Phone and Facsimile numbers
 - (3) E-mail of Key Executive to be assigned to this project
 - (4) In-house service capabilities
 - (5) Corporate Licenses (List all licenses by name and license numbers held in the State of North Carolina, including but not limited to contractor's licenses, business licenses, etc.)
 - (6) Location of all offices (and number of staff in each office)
 - (7) Identify corporate office (Headquarters or Home Office)
 - (8) Corporate history:
 - Year first organized and current organizational structure
 - Corporate officers, partners
 - Years providing construction services
 - Number of projects completed within past 5 years (by year)
 - Dollar value of projects completed within past 5 years (by year)
 - Confirmation of authority to do business in North Carolina
 - State of Incorporation/formation
 - Years in Business
 - (9) Corporate Officers, identify the following:
 - President
 - Vice President
 - Secretary –Treasurer
 - (10) Corporate Structure: -LLC, Corporation, etc.
 - Partners, Major Shareholders, provide names and addresses for all
 - Business Origination, provide company name and year when first organized
 - Previous Companies, provide any previous names under which the company has done business
 - (11) Subsidiary Companies (provide a list of all subsidiaries of the company)
 - (12) Affiliated Companies (provide a list of all affiliated companies in which the principals have a financial interest)
3. Construction Management at Risk Services:
- a. Provide the number of years the company has provided Construction Management at Risk services.

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- b. Provide a list of projects with construction cost completed within the past 10 years in which the firm was the CMAR
4. Current project commitments:
 - a. Provide a list of all the company's current project commitments including the name, location, and time frame to complete and the following information for each project:
 - b. Provide contact names, telephone numbers and emails for the Owner and Lead Designer for each project.
 - c. Construction Manager, CM at Risk or Construction Contract Defaults—List all incidents where the proposer has been considered in default, suspended, or terminated for cause. Include all incidents where the proposer abandoned or did not fully complete any project, including any warranty period work. Attach an explanation of each matter, including name and location of the project, the name and address of the owner's representative and all pertinent details of the default, suspension, or termination.
 5. Provide a list of five (5) completed or at least (50%) completed projects that demonstrates the firm's construction management experience with similar size and type of facility with similar complexity (i.e. construction occurs around existing operational facilities, and include at a minimum the following information for each:
 - a. Name of project.
 - b. Year completed
 - c. Size of project
 - d. Contact information for Owner's Representative and Project Architect.
 - e. Details of pre-construction and construction phase services provided.
 - f. If projects were managed from multiple offices list the office that managed each project.
 - g. Guaranteed Maximum Price (GMP) or if non-GMP the estimated cost of bid provided by you prior to initiating the project.
 - h. Total construction cost at completion.
 - i. The CM fees earned as a percentage of GMP (separate pre-construction and construction fees).
 - j. The CM General Conditions as a percentage of the GMP
 - k. Provide a detailed explanation if project cost exceeded GMP bid or estimated project cost.
 - l. Identify the number and total value of approved change orders.
 - m. Indicate the amount of the CM Contingency as a percentage of GMP and amount used during construction.
 - n. Indicate number of calendar days allocated to complete the work in the original schedule and the number of calendar days added by change order(s).
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- o. Indicate number of calendar days taken for actual completion and provide a detailed explanation if project completion date was beyond the completion date as adjusted by change order(s).
 - p. List your firm's Project Manager and Lead Superintendent.
 - q. MWBE Participation achieved as a percentage of the Total Contract Amount or GMP (as applicable).
6. Staffing Resources:
- a. List the number of full-time personnel, by discipline, within your company located in the office(s) that will provide support for the proposed project:
 - (1) Project Managers
 - (2) Engineers
 - (3) Supervisors, Foremen, or Superintendents
 - (4) Skilled Employees including Technicians
 - (5) Unskilled Employees
 - (6) Estimators
 - (7) Schedulers
 - (8) Administrative
 - (9) Clerical
 - (10) Accounting
 - (11) Others
 - (12) Total number of Full time Personnel
7. Financial Stability (*Information can be submitted in a separate envelope marked "Confidential-Do Not Release Publicly" and will not count towards the proposal page limitation*).
- a. Attach an original letter addressed to Cleveland County from a surety company or its agent licensed to do business in North Carolina verifying company's capacity to provide adequate performance and payment bonds for this project.
 - b. Insurance: Provide your limit of excess liability umbrella coverage.
8. Legal History for Past Ten (10) Years (*Information can be submitted in a separate envelope marked "Confidential-Do Not Release Publicly" and will not count towards the proposal page limitation*)
- a. Pending Litigation—List case name and case number of all pending litigation in which the proposer is involved as a party or proposer's officers are involved as parties in their official capacity. Include cases pending in any Federal, State or County jurisdiction, court, commission, regulatory body or other authority having the power to determine the rights of parties appearing before it.
 - b. Construction Manager, CM at Risk Construction Defaults—List all incidents where the proposer has been considered in default, suspended, or terminated for cause. Include all incidents where the proposer abandoned or did not fully complete any project, including any warranty period work. Attach an explanation of each matter, including name and

location of the project, the name and address of the owner's representative and all pertinent details of the default, suspension, or termination.

- c. Owner Completed Contracts—List all incidents where the proposer's contract or any portion of the work connected with the contract has been completed by the Owner or Proposer's Surety. Attach a full explanation of each matter, including name and location of the project, the name and address of the owner's representative and all pertinent details of the matter.
 - d. Debarments/Suspensions—List all incidents where the proposer has been debarred or suspended for any reason by any federal, state or local government procurement agency or refrained from bidding on a public project due to an agreement with such a procurement agency. Provide a full explanation of each matter where the submitter has been named in any action, administrative proceeding, or arbitration in which it was alleged that the submitter failed to comply with NC General Statutes Chapter 22C—Payments to Subcontractors, or any similar state or federal statute requiring prompt payment of subcontractors. Provide a full explanation of each matter.
 - e. Bid Fraud Convictions—List all incidents where the proposer or any predecessor or related entities, or officers, shareholders, partners or key personnel of the submitter has been convicted of, or pleaded guilty to, any crime related to the bid process for contracts on public or private projects or involving fraud or misrepresentation. Provide a full explanation of each matter.
9. Information on Proposed Project Team
- a. Provide Project Staff Organization Chart (In-house and Consultant team members), attach a copy clearly showing lines of communication and level of responsibility/authority and identify the firm that employs each person.
 - b. Provide resumes of each Project Team member. (Resumes should be included in a Supplemental bound document and included with the CM at Risk's submittal package. The Resume Supplement will not count towards the proposal page limitation.)

Resumes shall include the following:

- (1) Education
- (2) Related project experience
- (3) Describe role during preconstruction and construction phases each will fulfill.
- (4) Specifically identify those responsible for providing constructability services review (i.e. Design review, Value Engineering, Estimating, Scheduling, etc.)
- (5) List experience with the firm: projects, job titles, and years with the firm.

- (6) List prior and relevant Design/Construction experience prior to coming to the firm.
- (7) Current assignment location and proposed location while on this project.
- (8) Relevant, similar type or sized projects; specifically indicate any proposed team member having this experience, project name and location, and role they played on each project.
- (9) Submit a confirmation letter stating that project team members as proposed will be assigned to this project for its duration so long as they remain employed with the firm.

B. Project Approach

1. Project Planning: Provide a brief narrative addressing how the proposer will provide professional construction services under the Construction Manager at Risk method of delivery for the Project both the pre-construction and construction phases for:
 - a. Value Engineering
 - b. Constructability Issues
 - c. Cost Estimating and Budget Management
 - d. Quality Control
 - e. Adherence to Project Schedule
 - f. Document Tracking and Reporting
2. MWBE Outreach: Describe your approach to encouraging minority participation on this project. Identify your five (5) most successful projects relative to MWBE participation, indicate the percentage achieved and if the MWBE goal was met or exceeded. Describe what strategies were used to make these projects successful.
3. Identify how you will achieve maximum "Local" trade contractor and supplier involvement.
4. Describe how the project team proposes to use technology to manage and control the project.
5. Describe the CM at Risk's Safety Program and indicate your company's workman's compensation experience mod rate.

C. Questionnaire

Respondents are required to provide responses to the following questions. Each question is to be listed in italics, followed by the response in normal type style.

1. Provide an overview of your team's philosophy in the construction of a major public building.
2. Describe the team's approach to maintenance considerations during the design and construction phases of a project.
3. Explain the firm's procedures for document quality control and coordination of the various trades in the review of design documents and specifications.

Also, explain the same coordination of trades in the GMP Development and Construction Phase.

4. Describe procedures you use to review and consider product substitutions.
5. Describe how the team would provide cost management services on this project using the CM at Risk delivery method. How would you reconcile differences between your cost estimates and those prepared by the Design Team? Provide the cost model format used on one of the four similar completed projects listed in your response.
6. Explain the management tools, techniques and procedures the firm uses to monitor and maintain the construction phase schedule.
7. Describe your approach to the collaboration with the County and the Design Team relative to project design and materials/systems research that will assure the functional, aesthetic, and quality requirements are satisfactorily addressed for this project.
8. How do you manage the time and quality aspects of the process of reviewing and approving subcontractor submittals, clarification requests, issuance of bulletin drawings, development of cost proposals, identification and justification of change orders, payment requests, final inspections and assembly of the project close-out documents?
9. How do you manage project close-out in a manner that quickly provides for occupancy with minimal punch list items and warranty issues?
10. Describe your team's commitment to the success of this project and why you believe your assembled team is the best choice for this project.
11. Describe your value engineering process.
12. Describe how responsibilities as a CM at Risk differ from responsibilities as a General Contractor.
13. Written Explanation of Safety Record

D. General *(these documents do not count toward the 40-page maximum)*

North Carolina law imposes E-Verify requirements on contractors who enter into certain contracts with state agencies and local governments. Legislation specifically prohibits governmental units from entering into certain contracts "unless the contractor and the contractor's subcontractors comply with the requirements of Article 2 of Chapter 64 of the General Statutes." (Article 2 of Chapter 64 establishes North Carolina's E-Verify requirements for private employers). It is important to note that the verification requirement applies to subcontractors as well as contractors. The new laws specifically prohibit governmental units from entering into contracts with contractors who have not (or their subs have not) complied with E-Verify requirements. Complete the attached affidavit, and include it with your submittal.

VI. Due Date for Submitting Proposals

Fill out the contact information form

Eight (8) complete packages and one digital copy on a USB must be received at the following address by 3:00 pm, on March 11, 2022 to be considered. Qualification Packets will be submitted to:

“RFQ Cleveland County Construction Manager at Risk (CMAR) Justice Center Campus proposal”, Attn: Kim Lester, Finance & Purchasing Department

Mailing Address:
P.O. Box 1210
Shelby, NC 28151

Physical Address:
311 E. Marion Street
Shelby, NC 28150

VII. General Comments or Clarifications

- A. Any cost incurred by respondents in preparing or responding to this RFQ shall be the respondent’s sole responsibility.
- B. All responses, inquiries or correspondence relating to this RFQ will become the property of Cleveland County when received (subject to Section IX - Confidentiality of Documents).
- C. Cleveland County has sole discretion and reserves the right to reject any and all responses received with respect to this RFQ and to cancel the RFQ process at any time prior to entering into a formal agreement. The County reserves the right to request additional information or clarification of information provided in the response without changing the terms of the RFQ. In the event a contract cannot be negotiated with the best qualified firm the County reserves the right to terminate negotiations with that firm and initiate negotiations with the next best qualified firm.
- D. Respondents are advised to refrain from contact with The Board of County Commissioners. All inquiries regarding this RFQ are to be directed to:

Greg Pering at greg.pering@clevelandcountync.gov

All questions or requests for clarification must be received in writing by email no later than 5:00 pm on Friday, February 25, 2022.

VIII. Selection Process

Cleveland County will review all submitted qualifications packages that comply with the requirements contained within this document. The criteria by which the packages will be evaluated include:

- A. Experience and successful completion of similar projects (North Carolina preferred)
- B. Experience and ability of key personnel.

- C. Understanding of CMAR delivery method and ability to successfully complete the expected scope of work on schedule and within budget.
- D. Proximity of CMAR to project location.
- E. Past success with and plan for maximizing local and minority participation.
- F. Financial Strength
- G. Feedback from client references

IX. Confidentiality of Documents

In general, documents that are submitted as part of the response to this RFQ will become public records, and will be subject to public disclosure. North Carolina General Statutes Section 132-1.2 and 66-152 provide a method for protecting some documents from public disclosure. If the CM at Risk follows the procedures prescribed by those statutes and designates a document “confidential” or “trade secret”, the County will withhold the document from public disclosure to the extent that it is entitled or required to do so by applicable law. If the County determines that a document that the CM at Risk has designated “confidential” or “trade secret” is not entitled to protection from public disclosure, the County will provide notice of that determination to the contact person designated by the CM at Risk, in any reasonable manner that the County can provide such notice, at least five business days prior to its public disclosure of the document.

If the CM at Risk does not designate anyone to receive such notice, or if, within five business days after the designated person receives such notice, the CM at Risk does not initiate judicial proceedings to protect the confidentiality of the document, the County will not have any obligation to withhold the document from public disclosure.

By submitting to the County a document that the CM at Risk designates as “confidential” or “trade secret”, the CM at Risk agrees that in the event a third party brings any action against the County or any of its officials or employees to obtain disclosure of the document the CM at Risk will indemnify and hold harmless the County and each organization’s affected officials and employees from all costs, including attorney’s fees, incurred by or assessed against any defendant, of defending against such action. The CM at Risk also agrees that at the County’s request the CM at Risk will intervene in any such action and assume all responsibility for defending against it, and that the CM at Risk failure to do so will relieve the County of all further obligations to protect the confidentiality of the document.

RFQ CONTACT FORM

RFQ-2022 02 14 rev 0

CMAR Justice Center Campus

February 14, 2022

RFQ Contact Form

To: Cleveland County Finance & Purchasing Department
PO Box 1210
ATTN: Kim Lester
311 E. Marion Street
Shelby, NC 28151

From: _____

Date: _____

Principal Contact Information

Signature

Company Address Line 1

Print Name

Company Address Line 2

License Number

Work Phone

Expiration Date

Cell Phone

Company Name

Email