

REQUEST FOR PROPOSALS



CONSTRUCTION MANAGER AT RISK SERVICES FOR

SIMSBORO AQUIFER WATER TREATMENT PLANT, WELL FIELD AND TRANSMISSION FACILITIES

RFP #2021-001



**CITY OF BASTROP, TEXAS
REQUEST FOR PROPOSALS (RFP)
CONSTRUCTION MANAGER AT RISK SERVICES**

The City of Bastrop, Texas is seeking a qualified Construction Manager at Risk (CMAR) to provide preconstruction services and complete construction services for the **Simsboro Aquifer Water Treatment Plant, Well Field and Transmission Facilities Project**. The selected CMAR will work as a team with the City staff and its Design Professional to ensure an efficient design approach and construction delivery of the project.

Project Description

The project includes construction of three (3) new water wells in the Simsboro Aquifer, and completion of an existing well; approximately 14,000 lf of 10" to 24" well field gathering pipeline to convey raw water to the water treatment plant; a new 6 million gallons per day (MGD) water treatment plant with chemical feed systems and conventional filtration for removal of iron and manganese; office/laboratory building; chemical storage/feed building; concrete ground storage tank; transfer pump station and approximately 21,500 lf of 24" transmission pipeline; wastewater lift station and approximately 21,500 lf of 8" force main; standby electrical generator and other ancillary facilities. The estimated construction value is \$35 million. A project overview exhibit is attached to this RFP.

Scope of Work

The CMAR will begin with the firm in an agency support role for preconstruction services. The CMAR will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) contract. The CMAR will be responsible for construction means and methods and will be required to solicit bids from prequalified subcontractors to perform the work using the City's subcontractor selection process. **The GMP must be submitted in CSI format or it will not be accepted.**

- A. Preconstruction phase services by the CMAR may include the following:
- provide detailed cost estimating and knowledge of marketplace conditions
 - provide project design review, project planning and scheduling
 - provide for construction phasing and scheduling that will minimize interruption to City operations
 - provide alternate systems and materials of construction evaluation and constructability studies
 - advise City on ways to gain efficiencies in project delivery
 - provide long-lead procurement studies and initiate procurement of long-lead items
 - assist in the permitting processes
 - protect the owner's sensitivity to quality, safety, and environmental factors
 - prepare a Guaranteed Maximum Price (GMP) proposal that meets the approval of the City

- B. Construction phase services by the CMAR may include:
- construction of the selected alternative per final plans and specifications
 - select subcontractors/suppliers for this project
 - coordinate with various City of Bastrop departments, other agencies, utility companies, etc.
 - arrange for procurement of materials and equipment
 - schedule and manage site operations
 - bid, award, and manage all construction related contracts while meeting City bid requirements
 - responsibility for successful startup and commissioning of project
 - provide quality controls
 - bond and insure the construction
 - address all federal, state and local permitting requirements
 - address owner concerns
 - maintain a safe work site for all project participants

Pre-submittal Meeting

An RFP Conference will be held on December 17, 2020 at 9:00 a.m. at the Bastrop Convention Center, 1408 Chestnut Street, Bastrop, TX, 78602. Interested parties may attend the RFP Conference virtually using the following Video Teleconference (VTC) instructions:

To join the meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/280302653>

This meeting is locked with a password: Bastrop_Water

You can also dial-in using your phone:

United States: +1 (646) 749-3112
Access Code: 280-302-653

At this meeting, City staff will discuss the scope of work, general project requirements, and respond to questions from the attendees. It is strongly recommended that interested firms attend the pre-submittal meeting. Inquiries regarding the project scope outside of this pre-submittal meeting must be directed to the City's Project Manager, Tony Buonodono, PE at tbuonodono@cityofbastrop.org.

Proposal Evaluation Criteria

The Firm will be selected through a qualifications-based selection process based on the criteria below.

A. General Information (30 points)

1. Provide a general description of the firm that is proposing to provide construction management services and general construction services,

- including the legal organization of the proposed firm or team.
2. Provide an organization chart showing key personnel and identify the location of the firm's principal office, the home office location of key staff on this project and availability to dedicate to this project.
 3. Provide a description of the firm's approach to project safety and demonstrated safety record through safety metrics (EMR, TRIR, etc.) for the past 5 years.
 4. Provide information on the firm's annual contracting project revenue and experience (in any delivery method) with similar size or larger projects.
 5. Identify any contract or subcontract held by the firm or officers of the firm, which has been terminated within the last five years. Identify any claims arising from a contract which resulted in litigation or arbitration within the last three years. Briefly describe the circumstances and the outcomes.

B. Experience, Qualifications and Reputation of the Firm (15 points)

1. Identify at least three comparable projects in which the firm served as either CMAR or General Contractor. Special consideration will be given to firms that have provided CMAR services on similar successful projects. For each project identified, provide the following:
 - a. Description of the project
 - b. Role of the firm (specify whether CMAR or General Contractor. Also specify services provided during design phase, i.e. cost modeling/estimating, scheduling, value engineering, design reviews for constructability/bidability, etc.)
 - c. Percentage of the work self-performed
 - d. Project's original contracted construction cost and final construction cost
 - e. Construction dates and Project's original contracted construction time and final construction time
 - f. Project owner and contact information (current name with telephone numbers and email address per project)

C. Experience of Key Personnel to be Assigned to This Project (20 points)

(Note: Resumes for Key Personnel are not counted in the maximum page limit.)

1. For each key person identified, list their length of time with the firm and in the industry, and at least two comparable projects in which they have played a primary role. If a project selected for a key person is the same as one selected for the firm, provide just the project name and the role of the key person. For other projects provide the following:
 - a. Description of project
 - b. Role of the person
 - c. Project's original construction cost and final construction cost
 - d. Construction dates and Project's original contracted construction time and final construction time
 - e. Project owner and contact information (current name with telephone numbers and email address per project)

2. List any proposed consultants, including key staff names and the experience and qualifications of these individuals.

D. Understanding of the Project and Approach to Performing the Required Services (20 points)

1. Discuss the major issues your firm has identified on this project and how you intend to address those issues.
2. Describe your firm's project management approach and team organization during design and construction phase services and how you will provide continuity of staff and project knowledge between project phases. Describe systems used for planning, scheduling, estimating, and managing construction. Briefly describe the firm's experience on quality control, dispute resolution, and safety management.
3. Attached to this RFP is the proposed subcontractor selection plan for this project (see Exhibit A). Describe how you intend to implement this subcontractor selection plan including your recommendations for outreach to subcontractor trades; trades where pre-qualification of subcontractors is not recommended; your approach to coordinating with the City on recommended subcontractors; and the benefit that your subcontractor selection plan provides to the project.

E. Documented Quality of Past Services (15 points)

Obtain and provide at least three letters of reference for past, similar projects delivered by the firm. It is preferred no more than one be a City of Bastrop project. One project must be a competitively bid project (competitively sealed proposal is acceptable). Provide name and title, agency/organization, telephone number and email address for each reference if not provided in the letter for follow-up by the selection committee.

Proposal Submittal Requirements

A. Submittal Deadline, Number of Copies and Addressee

One (1) original and five (5) copies of the proposal shall be addressed to Trey Job, Assistant City Manager, City of Bastrop, TX, 1311 Chestnut Street, Bastrop, TX 78602. **SEALED PROPOSALS SHALL BE CLEARLY LABELED AND SHALL BE RECEIVED NO LATER THAN 3:00 PM ON THURSDAY, JANUARY 14, 2021.**

Proposals will not be accepted by email or other electronic means.

Questions regarding this RFP or the project may be submitted in writing via email to the City's Project Manager, Tony Buonodono, PE at tbuonodono@cityofbastrop.org.

B. Submittal Requirements

1. Clearly display the firm name, project title and RFP Number 2021-001 on the

- cover of the Proposal.
2. A maximum of 15 pages is permitted to address all content in the proposal submittal. Maximum page limit includes evaluation criteria and all additional content.
 3. Page size shall be 8½" x 11"
 4. Font size must not be less than 10 point
 5. Content count:
 - a. Each side of a page containing evaluation criteria and additional content will be counted toward the maximum page limit noted above.
 - b. Pages that have project photos, charts and/or graphs will be counted towards the maximum page limit noted above.
 - c. Front and back covers, information sheet, key personnel resumes, Conflict of Interest Questionnaire, Table of Contents pages, and divider (tab) pages will **NOT** be counted toward the maximum page limit noted above, unless they include evaluation criteria and additional content that could be considered by the selection panel.
 6. Information Sheet: Provide an information sheet that includes project title, RFP number, firm name, address, phone number, and the name, title, email address and signature of your contact person for the project. Do not include any additional information. This information sheet is not included in the permitted maximum page limit.
 7. Key Personnel Resumes: Provide resumes, not to exceed two (2) pages per person, for each of the key personnel identified in the firm's response to the Section C Evaluation Criteria. Resumes for key personnel are not included in the permitted maximum page limit.
 8. Evaluation Criteria: Address the RFP evaluation criteria.
 9. Additional Content: Resumes and other information may be included (content shall be included within the permitted maximum page limit).
 10. Conflict of Interest Disclosure: Provide Conflict of Interest Questionnaire (attached) as described in Section 176 of the Texas Government Code (COI not included in the maximum page limit).

Note: All pages exceeding the specified maximum page limit will be removed from the submittal and not considered in evaluating a submitted SOQ

General Information

- A. Any changes to this RFP will be in the form of a notification.
- B. There is no expressed or implied obligation for the City to reimburse responding firms for any expenses incurred in preparing responses to this request.
- C. By submission of a proposal, each firm certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or excluded from participation in this procurement process by any local, state, or federal agency or other governing body.
- D. The City of Bastrop is subject to the Texas Public Information Act, Chapter 552 of the Texas Government Code. Information that the respondent believes is confidential as proprietary information should be clearly marked as such with a detailed justification for a claim for confidentiality.

- E. The City of Bastrop encourages the use of certified minority and women business enterprises (MWBE).
- F. Lobbying or engaging in any conduct to influence City staff, City Manager, or City Council Members will not be permitted or tolerated during this process and may result in disqualification of the firm from this solicitation and for a period of two years following.
- G. The City reserves the right to request additional information or clarification and to permit the correction of errors and omissions contained therein.
- H. The City reserves the right to accept or reject any or all submittals, to waive technicalities, and to take whatever action is in the best interest of the City of Bastrop and its citizens.

Selection Process and Schedule

A. Selection Process

The successful firm will be selected through a one-step selection process based on the qualifications demonstrated in the proposal and any follow-up/due diligence performed by the City. Interested firms will submit a Proposal. A Selection Panel will evaluate each Proposal according to the criteria set forth above. The City expects to create a final list of at least one, but not more than three firms for this project. The City may select a firm based on the Proposals received; or interviews may be conducted and may be used in final scoring of Evaluation Criteria C, D, and E. Additionally, the City may conduct a due diligence review on the firm receiving the highest evaluation. The Selection Panel will make its recommendation of the best-qualified firm to the City Council for approval. If City Council concurs, the City will enter into negotiations with the selected firm and upon completion of negotiation of fees and contract terms, develop a contract for City Council approval. If the City is unsuccessful in negotiating a contract with the best-qualified firm, the City may then negotiate with the next most qualified firm until a contract is executed, or the City may decide to terminate the selection process. Once a contract is executed with the successful firm, the procurement is complete.

B. Schedule

The City will make every effort to adhere to the following schedule:

- City of Bastrop Website Posting December 9, 2020
- Notices of RFP in Official Newspaper December 9, 2020
December 16, 2020
- RFP Conference to Answer Questions December __, 2020
- Proposals Due January 14, 2021
- Selection Committee Proposal Evaluation Jan 15 – Feb 4, 2021
- CMAR Interviews (if necessary) February 1 – 2, 2021
- CMAR Design Phase Contract Negotiation February 5 – 22, 2021
- Council approves Selected CMAR Firm March 9, 2021
- CMAR Notice to Proceed March 10, 2021

EXHIBIT A
SUBCONTRACTOR SELECTION PLAN
(EXCERPT FROM CM@RISK PRECONSTRUCTION CONTRACT)

2.7 MAJOR SUBCONTRACTOR AND MAJOR SUPPLIER SELECTIONS

- 2.7.1 Pre-Qualification of major Subcontractors and major Suppliers that will provide bids for elements of the project may occur prior to submission of a GMP Proposal. Major Subcontractors may be selected based on qualifications or a combination of qualifications and price. Subcontractors shall not be selected based on price alone. Except as noted below, the selection of major Subcontractors/Suppliers is the responsibility of the CM@Risk. In any case, the CM@Risk is solely responsible for the performance of the selected Subcontractors/Suppliers.
- 2.7.1.1 The CM@Risk will prepare a Subcontractor/Supplier selection plan and submit the plan to the City for approval. This subcontractor selection plan shall identify those subcontractor trades anticipated to be pre-qualified by qualifications and competitive bid in accordance with Section 2.7.2 and subcontractor trades will not be pre-qualified through a formalized qualifications-based selection process (competitively bid only). The subcontractor selection plan must be consistent with the selection requirements included in this Contract.
- 2.7.2 Selection by qualifications and competitive bid - The CM@Risk shall apply the subcontractor selection plan in the evaluation of the qualifications of a Subcontractor(s) or Supplier(s) and provide the City with its process to prequalify prospective subcontractors and suppliers. All Work for major subconsultants and major suppliers shall then be competitively bid to the prequalified subcontractors. Competitive bids may occur prior to or after the GMP Proposal(s).
- 2.7.2.1 The CM@Risk will develop Subcontractor and Supplier interest, submit the names of a minimum of three qualified Subcontractors or Suppliers for each trade in the Project for approval by the City and solicit bids for the various Work categories. If there are not three qualified Subcontractors/Suppliers available for a specific trade or there are extenuating circumstances warranting such, the CM@Risk may request approval by the City to submit less than three names. Without prior written notice to the City, no change in the recommended Subcontractors/Suppliers will be allowed.
- 2.7.2.2 If the City objects to any nominated Subcontractor/Supplier or to any recommended self-performed Work bidding opportunities for good reason, the CM@Risk will nominate a substitute Subcontractor/Supplier that is acceptable to the City.
- 2.7.2.3 The CM@Risk will distribute Drawings and Specifications, and when appropriate, conduct a prebid conference with prospective Subcontractors and Suppliers.
- 2.7.2.4 If the CM@Risk desires to self-perform certain portions of the Work, it will request to be one of the approved Subcontractor bidders for those specific bid packages. The CM@Risk's bid will be evaluated in accordance with the process identified below. If events warrant and the City concurs that in order to ensure compliance with the Project

Schedule and/or cost, the CM@Risk may self-perform Work without re-bidding the Work.

- 2.7.2.5 The CM@Risk shall request the pre-qualified subcontractors to provide a detailed bid for the services requested. The subcontractor bid, provided on the subcontractors' letterhead, shall contain sufficient information (i.e. unit costs/amounts) to allow an evaluation of the reasonableness of bid costs. The CM@Risk shall receive, open, record and evaluate the bids. The apparent low bidders will be interviewed to determine the responsiveness of their proposals. In evaluating the responsiveness of bid proposals the CM@Risk, in addition to bid price, may consider the following factors: past performance on similar projects, qualifications and experience of personnel assigned, quality management plan, approach or understanding of the Work to be performed, and performance schedule to complete the Work. The final evaluation of Subcontractor/Supplier bids will be done with the City Representative in attendance to observe and witness the process. The CM@Risk will resolve any Subcontractor/Supplier bid withdrawal, protest or disqualification in connection with the award at no increase in the Cost of the Work.
- 2.7.3 The CM@Risk will be required to prepare two different reports on the subcontracting process.
- 2.7.3.1 Within fifteen Days after each major Subcontractor/Supplier bid opening process, the CM@Risk will prepare a report for the City's review and approval identifying the recommended Subcontractors/Supplier for each category of Work. The report will provide (a) the name of the recommended Subcontractor/Supplier and the amount of the Subcontractor/Supplier bid for each subagreement, (b) the sum of all recommended Subcontractor/Supplier bids received, (c) a copy of the bids received from each subcontractor, and (d) trade work and its cost that the CM@Risk intends to self-perform, if any.
- 2.7.3.2 Upon completion of the Subcontractor/Supplier bidding process, the CM@Risk shall submit a summary report to the City of the entire Subcontractor/Supplier selection process. The report will indicate, by bid process, all Subcontractors/Suppliers contacted to determine interest, the Subcontractors/Suppliers solicited, the bids received, and costs negotiated, and the recommended Subcontractors/Suppliers for each category of Work.
- 2.7.4 The approved Subcontractors/Suppliers will provide a Schedule of Values that reflects their final accepted bid proposal, which will be used to create the overall Project Schedule of Values.
- 2.7.5 If after receipt of sub-bids or after award of Subcontractors and Suppliers, the City objects to any nominated Subcontractor/Supplier or to any self-performed Work for good reason, the CM@Risk will nominate a substitute Subcontractor or Supplier, preferably if such option is still available, from those who submitted Subcontractor bids for the Work affected. Once such substitute Subcontractors and Suppliers are consented to by the City, the CM@Risk's proposed GMP for the Work or portion thereof will be correspondingly adjusted to reflect any higher or lower costs from any such substitution.

2.7.6 Promptly after receipt of the Notice of Intent to Award, the City will conduct a pre-award conference with the CM@Risk and other Project Team members. At the pre-award conference, the CM@Risk will (a) review the nominated slate of Subcontractors and Suppliers and discuss any concerns with or objections that the City has to any nominated Subcontractor or Supplier; (b) discuss City concerns relating to any proposed self-performed Work; (c) review the CM@Risk's proposed Contract Price for the Work during the construction phase; (d) discuss the conditions, if any, under which the City will agree to leave any portion of the remaining CM@Risk Contingency within the Contract Price for the construction phase Work; (e) resolve possible time frames for the Date of Commencement of the Contract time for the construction phase Work; (f) schedule the pre-construction conference; and (g) discuss other matters of importance.

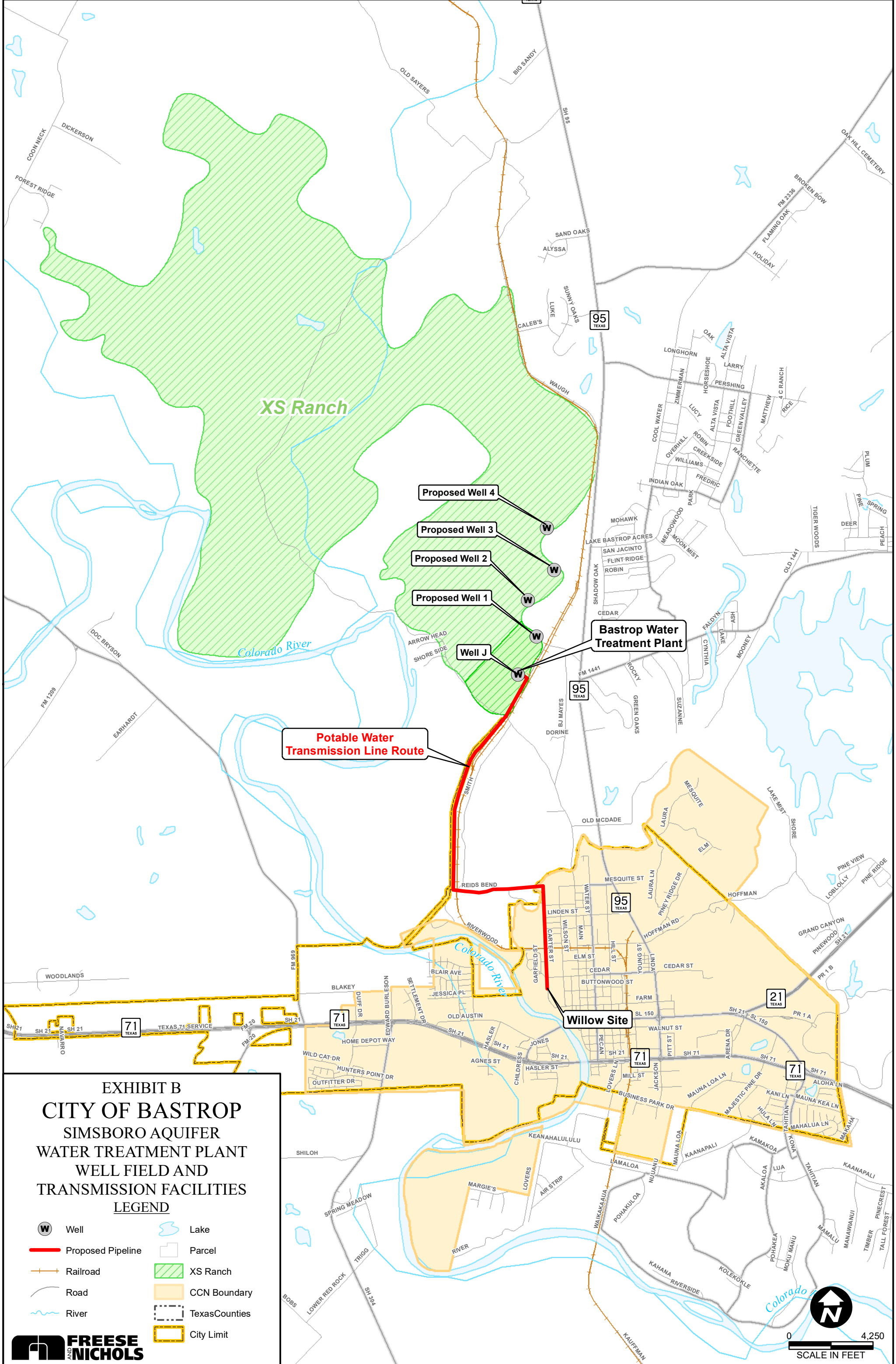
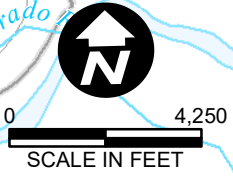


EXHIBIT B
CITY OF BASTROP
SIMSBORO AQUIFER
WATER TREATMENT PLANT
WELL FIELD AND
TRANSMISSION FACILITIES

LEGEND

- W Well
- Lake
- Proposed Pipeline
- Parcel
- Railroad
- XS Ranch
- Road
- CCN Boundary
- Texas Counties
- River
- City Limit



CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed;
- or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.