****City of Seattle

REQUEST FOR QUALIFICATIONS/PROPOSALS (RFQ/PA)

For General Contractor/Construction Manager (GC/CM) Services

Project

PW#20XX-XXX

Proposal Due Date:

Date

Time (suggested times are 2:00 PM or 4:00 PM)

INSERT AD AS SECOND PAGE

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# **RFQ/PA Contact Information**

This solicitation is managed by City Purchasing and Contracting Services Division (CPCS). The City contact shall be the CPCS Program Administrator assigned to this contract. The Administering Department, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is the Owner who manages and has authority for the project.

Unless authorized by the CPCS Program Administrator, no other City official or employee may speak for the City with respect to this RFQ/PA. Any Proposer seeking information, clarification, or interpretations from any other City official or City employee is advised that such material is used at the Proposer’s own risk. The City will not be bound by any such information, clarification, or interpretation.

City Purchasing and Contracting Services (CPCS)

CPCS Program Administrator, XXXXX

Back-up Contact: XXXXXX

Table : Address & Location

|  |  |
| --- | --- |
| Fed Ex & Hand Delivery - Physical Address | US Post Office - Mailing Address |
| City Purchasing & Contracting Services  Seattle Municipal Tower  41st Floor, Suite 4112, 700 Fifth Avenue  Seattle, Washington, 98104 | City Purchasing & Contracting Services  Seattle Municipal Tower  P.O. Box 94687  Seattle, Washington, 98124-4687 |

# **GC/CM Selection Schedule**

Table : Selection Schedule

|  |  |
| --- | --- |
| Selection Milestones | Target Date for Key Milestones |
| RFQ/PA Released for Advertisement |  |
| Pre-Proposal Meeting | Date and TIME |
| Deadline for submitting questions | Date and TIME |
| Proposal Deadline | Date and TIME |
| RFQ/PA Evaluation Complete |  |
| Announcement of Candidates for Interviews |  |
| Interviews |  |
| Announcement of Short List Finalists |  |
| Issue Price Request to Short List Finalists |  |
| Price Submittal and Opening |  |
| Announcement of Highest Ranked Proposer |  |
| Work Plan Finalization |  |
| Preconstruction Contract Execution |  |

# **Proposal Package Checklist**

The RFQ/PA response should be packaged into the following section. This list is for proposer’s convenience, to assist with quality control before submitting proposal. Addenda may change this list; be sure to check any final instructions. See Section 4.0 Proposals, for detailed requirements.

1. Letter of Interest (optional)
2. Company Questionnaire (see Form in Attachment 4).
3. Proof of Legal Name
4. Scored elements
5. Accident Prevention Program
6. Attachments

# 1.0 Project Description

## 1.1 Services Being Solicited

The City of Seattle is accepting proposals from experienced firms for construction of the Project (Project) utilizing the General Contractor/Construction Manager (GC/CM) project delivery method authorized under RCW 39.10.

The GC/CM will provide the City and its designer with Preconstruction Services and Construction Services, as summarized below:

* 1. Preconstruction Services: The GC/CM will work with the City and designer, as a member of the project team to participate in the project during preconstruction. A scope of work for Preconstruction Services is included in Attachment X. It is anticipated that Preconstruction Services will be required over a period of xxxxx(x) months. The Pre-construction Services Contract form may be found in Attachment X.

No earlier than 90% completion of the construction documents, the GC/CM and City will negotiate the Maximum Allowable Construction Cost (MACC) for the GC/CM Construction Contract.

* 1. Construction Services: If and when the MACC is agreed upon, a Construction Contract will be executed. A form of the Construction Contract is found in Attachment X. The City anticipates a phased MACC to allow \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

## 1.2 Project Background & Description

### Project Background

Department Enter Here, be concise

### Project Description

Department Enter Here, be concise

## 1.3 Rationale for Using GC/CM Approach

The City has elected to use the GC/CM contracting procedure because

### Department Enter Here reasoning under 39.10.340, may include the following topics

### Scheduling Challenges

Department Enter Here if applicable

### Site Challenges

Department Enter Here if applicable

### Technical Challenges

Department Enter Here if applicable

## 1.4 Budget & Project Schedule

### Budget

The estimated Preconstruction Services price is $xxxxxx. The estimated maximum allowable construction cost (MACC) for the Project is $XX million.

### Estimated Project Schedule (Department edit table as appropriate)

The following is the estimated project schedule.

Table : Project Schedule

|  |  |
| --- | --- |
| Project Phases and Key Milestones | Target Date for Key Milestones |
| 30% Construction Documents |  |
| Preconstruction Contract Execution |  |
| GC/CM Notice to Proceed for Preconstruction Services |  |
| 60% Design Complete |  |
| 90% Design Complete |  |
| GC/CM MACC Negotiation Begins |  |
| 100% Design Complete |  |
| GC/CM Construction Contract executed |  |
| Permits Issued/Construction Begins |  |
| Regulatory Required Start Construction No Later Than |  |
| Substantial Completion |  |
| Physical Completion |  |
| Regulatory Required Completion No Later Than |  |

# 2.0 Minimum Qualifications

Those proposals that do not meet these minimum qualifications at time of the Proposal due date shall be rejected by the City without further consideration. If the Proposer is a Joint Venture, each venture partner must demonstrate these requirements as separate entities at the time a Proposal is submitted. If the highest ranked proposer is a Joint Venture, the proper will be expected to become compliant as a Joint Venture partnership at the time of Award.

Proposers must:

* Be registered as a Licensed Contractor with Washington State in accordance with RCW 18.27.020;
* Have a current State unified business identifier
* Have industrial insurance coverage for Bidders’ employees working in Washington as required by Title 51 of the Revised Code of Washington (RCW),
* Not be disqualified from bidding on any public works contracts under RCW 39.06.010 or 39.12.065 or on the Excluded Parties List System (epls.gov).

Notes to Project Manager and Program Administrator: The City/FAS has agreed with the AGC to limit these, in an effort to provide opportunity to as many firms as possible. You may add other minimum qualifications if highly essential to the project. Minimum Qualifications should be very rare and very carefully considered. They automatically eliminate a Proposer from being eligible to even submit.

These are items that can’t be evaluated, and are truly PASS/Fail and drop-dead issues. These must be facts easy to prove immediately upon receipt.

# 3.0 Selection Instructions, Requirements & Procedures

## 3.1 Obtaining RFQ/PA Documents

All RFQ/PA documents are posted on [**http://www.ebidexchange.com/seattle**](http://www.ebidexchange.com/seattle). Interested Proposers must complete a free registration prior to viewing, printing, and saving documents to their own equipment at no cost or ordering full or partial document sets and/or CDs through the website. It is the Proposer’s responsibility to ensure it has received a complete set of documents from the download or delivery service. It is the responsibility of the Proposer to determine and correct if a page or document is missing from the RFQ/PA.

## 3.2 Registration to do Business with the City

If your firm has not previously completed a one-time registration into the City Registration system, register at: [http://www2.seattle.gov/ProposerRegistration/](http://www2.seattle.gov/VendorRegistration/) The City requires all firms to register. Women and minority owned firms are asked to self-identify. If you need assistance, please call 206-684-0444.

## 3.3 Pre-Proposal Meeting

The City shall conduct an optional pre-proposal meeting on the time and date provided in the project schedule**,** Table 2 in Room XXXX, Seattle Municipal Tower, 700 Fifth Avenue, Seattle, WA. Proposers are highly encouraged to attend but are not required to attend in order to be eligible to propose. The meeting is to answer questions about the solicitation and clarify issues. This also allows Proposers to raise concerns. Proposers are encouraged to visit the Project Site(s) at their own convenience.

PRE PROPOSAL MEETING COMMENTS: Note to Project Manager: The City intends to host a Pre-Proposal Conference for every project to add clarity to the bidding community, raise questions important for the Project Manager to consider, and provide protections during protests, and the Owner, by proving adequate opportunity to raise issues.

A pre-proposal conference should be optional for the firms to attend, unless there is a very strong business case to make it mandatory. A mandatory pre-proposal limits competition.

Carefully consider whether any WMBE outreach is appropriate to foster at this point in time.

The Project Manager can offer a Site Tour, which is the decision of the Project Manager.

## 3.4 Questions

Proposers may submit written questions to the CPCS Program Administrator at any time until the deadline stated in the Selection Schedule (Table 2, page 4 or as otherwise amended).

## 3.5 Changes/Addenda to the RFQ/PA

CPCS will publish the questions and any answers on eBid and will issue Addenda for any changes to the RFQ/PA. All changes to this RFQ/PA will be through such formal written addenda issued by the CPCS Project Administrator and shall become part of this RFQ/PA. If an addendum is issued, all other provisions that are not modified remain unchanged.

## 3.6 Receiving and Acknowledging Addenda and/or Question and Answers

It is the obligation and responsibility of the Proposer to learn of any addenda, responses, or notices issued by the City. Such efforts by the City to provide notice or to make it available on eBid do not relieve the Proposer from the sole obligation for learning of such changes.

Note that some third-party services may independently post City of Seattle bids on their websites as well. The City does not, however, guarantee that such services have accurately provided Proposers with all the information published by the City, particularly Addenda or changes to the proposal deadline.

Submittals of the proposals and the final price proposals sent to the City shall be considered evidence of acknowledgement of all Addendums, with or without specific confirmation from the Proposer that the Addendum was received and incorporated. However, the City Purchasing and Contracting Services Director may, at his/her sole discretion, reject a proposal if it is apparent that the response does not incorporate a material Addendum change.

## 3.7 Effective Dates of Offer

Proposals are considered valid until the City executes a preconstruction contract.

## 3.8 Validity of Proposals after Execution

Should the original contract executed under this proposal be terminated for any reason within ninety (90) days of award, the City reserves the option to return to the solicitation process to pursue award to the next highest ranked responsive Proposer upon the mutual agreement with such Proposer to do so.  Any new award will have this same option.

## 3.9 Cost of Preparing RFQ/PA Proposals

The City will not be liable for any costs incurred by the Proposer in the preparation and presentation of RFQ/PA Proposals including but not limited to, costs incurred in connection with the Proposer’s participation in demonstrations and/or any interviews.

## 3.10 Proposer Responsibility to Examine Documents

It is the Proposer responsibility to examine and fully comply with all documents posted on eBid.

## 3.11 No Objections

If the Proposer does not object to any of the provisions of this RFQ/PA prior to the proposal deadline, the Proposer waives all rights to protest the provisions of this RFQ/PA. By submitting a proposal in response to this RFQ/PA, Proposer agrees that the process, criteria, and requirements described in this RFQ/PA are fair and proper, and that the Proposer has no objection to any provisions of the RFQ/PA.

## 3.12 Proposer Responsibility to Provide Full Response

It is the Proposer’s responsibility to provide a full and complete written response, which does not require interpretation or clarification by the City. The Proposer is to provide all requested materials, forms and information. During scoring and evaluation (prior to interviews if any), the City will rely upon the submitted materials and shall not accept materials from the Proposer after the RFQ/PA deadline; however this does not limit the right of the City to consider additional information (such as references that are not provided by the Proposer but are known to the City, or past experience by the City in assessing responsibility), or to seek clarifications as needed by the City.

## 3.13 Readability

Proposers are advised that the City’s ability to evaluate proposals is dependent in part on the Proposer’s submitting proposals that are well ordered, detailed, comprehensive, and readable.

## 3.14 Errors in Proposals

Proposers are responsible for errors and omissions in their Proposals. No such error or omission shall diminish the Proposer’s obligations to the City.

## 3.15 Changes or Corrections in a Proposal

Prior to the proposal deadline, a Proposer may make changes to its response, if the change is initialed and dated by the Proposer. No change shall be allowed after the deadline. Note that you cannot change, mark-up or cross-out any condition, provision or term that appears on the Final Price Form. If you need to change any of your own prices or answers that you write on the Pricing Form, such changes must be made in pen, initialed, and be clear in intent. Do not use white-out.

## 3.16 Withdrawal of an RFQ/PA Proposal

A proposal may be withdrawn at any time by written request of the Proposer.

## 3.17 Cancellation and Rejection of Proposals

The City reserves the right to reject any and all proposals at any time and for any reason at its sole discretion. The City may choose not to award and/or execute a contract(s) up to the time the City signs the contract documents, even after a notice of selection has been issued. Proposers acknowledge that a notice of selection confers no right of contract. A decision by the City to cancel the RFQ/PA and/or enter into a contract will not be the basis of any claims or causes of action for costs or damages by any Proposers against the City.

## 3.18 Achieving Mutual Agreement

The City intends to have discussions with the highest ranked Proposer, to achieve mutual agreement on the Preconstruction Services Workplan and WMBE Plan. The Price Proposal and contract boilerplates (General Conditions, Preconstruction Services and Construction Agreements) shall not be negotiated, unless the City requires changes to best meet City needs.

ETHIC NOTES: Project Managers: This section has a series of requirements addressing conflicts of interest. However, a conflict could exist if you hired a Proposer to perform pre-design work, and that same company wishes to bid on these specifications. Their prior work could, but won’t necessarily, disqualify them.

A conflict does not automatically exist because a former employee from your department is also working for the Proposer; they must have had a direct relationship to the contract in order for it to create an ethics issue. That being said, a former employee from your department can not communicate to your department staff for one year after leaving, even if they did not have direct involvement in the contract matters. Bring your questions and concerns to Wayne Barnett, City Ethics and Elections Director.

To City Project Manager: This is a guideline for your reference of Ethic instructions to City employees. 

## 3.19 Ethics

Please familiarize yourself with the City Ethics code: <http://www.seattle.gov/ethics/etpub/et_home.htm>. Specific question should be addressed to the staff of the Seattle Ethics and Elections Commission at 206-684-8500 or via email: (Executive Director, Wayne Barnett, 206-684-8577, [wayne.barnett@seattle.gov](mailto:wayne.barnett@seattle.gov) or staff members Kate Flack, [kate.flack@seattle.gov](mailto:kate.flack@seattle.gov) and Mardie Holden, [mardie.holden@seattle.gov](mailto:mardie.holden@seattle.gov)). The Ethics code has been amended to apply to Proposer company workers that perform more than 1,000 hours cumulative hours on any City contract during any 12-month period. Any such Proposer company employee must abide by the City Ethics code. The Proposer is to be aware and familiar with the Ethics code and educate Proposer workers accordingly.

### No Gifts and Gratuities

Proposers shall not directly or indirectly offer anything of value (such as retainers, loans, entertainment, favors, gifts, tickets, trips, favors, bonuses, donations, special discounts, work, or meals) to any City employee, volunteer or official, if it is intended or may appear to a reasonable person to be intended to obtain or give special consideration to the Proposer. An example is giving sporting event tickets to a City employee who is on the evaluation team of a proposal you plan to submit. The definition of what a “consideration” would be is very broad and could include not only awarding a contract but also the administration of the contract or the evaluation of contract performance. The rule works both ways, as it also prohibits City employees from soliciting items of value from Proposers. Promotional items worth less than $25 may be distributed by the Proposer to City employees if the Proposer uses the items as routine and standard promotions for the business.

### Involvement of Current and Former City Employees

If a Proposer has any current or past (within the most recent 24 months) City employees, officials or volunteers that are working or assisting on this solicitation business or on the contract, you **must** notify the Program Administrator. The Company Questionnaire within your proposal documents prompts you to do so. You must continue to update that information to CPCS during the course of the contract. The Proposer is to be aware and familiar with the City’s Ethics Code as it pertains for current and former City employees, and to educate and ensure compliance by the Proposer and identified individuals or firms accordingly.

### No Conflict of Interest

The Proposer (including officer, director, trustee, partner or employee) must not have a business interest or a close family or domestic relationship with any City official, officer or employee who was, is, or will be involved in selection, negotiation, drafting, signing, administration or evaluating Proposer performance. The City shall make sole determination as to compliance.

## 3.20 Licensing

Any resultant contract may require the additional licensing listed below. The winning firm must meet all licensing requirements that apply to its business immediately after receiving Intent to Award or the City may find the Proposer not responsible. Companies must license, report and pay revenue taxes for the Washington State business License (UBI#) and Seattle Business License, if they are required by the laws of those jurisdictions. The Proposer should carefully consider those costs prior to submitting its offer, as the City will not separately pay or reimburse those costs to the Proposer.

### Seattle Business Licensing

All costs for any licenses, permits and Seattle Business License taxes owed shall be borne by the Proposer and not charged separately to the City. The highest ranked Proposer must immediately obtain the license and ensure all City taxes are current, unless exempted by City Code due to reasons such as no physical nexus. Failure to do so will result in rejection of the proposal.

### State Business Licensing & Associated Taxes

At the time of proposal, you must be a registered contractor with the State, unless exempted. Before the pre-construction contract is signed, you must have a State of Washington business license (a State “Unified Business Identifier” known as a UBI#).If the State of Washington has exempted your business from State licensing (for example, some foreign companies are exempt and in some cases, the State waives licensing because the company does not have a physical presence in the State), then submit proof of that exemption to the City. All costs for any licenses, permits and associated tax payments due to the State as a result of licensing shall be borne by the Proposer and not charged separately to the City. Instructions and applications are at <http://www.dol.wa.gov/business/file.html> and the State of Washington Department of Revenue is available at 1-800-647-7706.

In addition, no later than the pre-construction contract is signed, you must have an Employment Security Department Account number for Unemployment Insurance and be current on payments; and a Labor & Industries Account for Industrial Insurance (Worker’s Compensation), and be current on amounts due or submit proof of being self-insured; and have an Department of Revenue tax account set up and be current on payments.

## 3.21 Equal Benefits

Seattle Municipal Code Chapter 20.45 (SMC 20.45) requires consideration of whether Proposers provide health and benefits that are the same or equivalent to the domestic partners of employees as to spouses of employees, and of their dependents and family members (See the general conditions). This RFQ/PA includes a “Company Questionnaire” which is the mandatory form on which you make a designation about the status of such benefits. If your company does not comply with Equal Benefits and does not intend to do so, you must still supply the information on the Company Questionnaire. Instructions are provided at the back of the Questionnaire.

## 3.22 Apprentice Utilization Requirement

The total Apprentice Utilization Requirement for this Project is 15%. The Contractor shall ensure that the at least 15% of the total Contract labor hours utilized on the Project are performed by apprentices registered with the Washington State Apprenticeship and Training Council and is in compliance with RCW 49.04 RCW and WAC 296.04. The Contractor shall make good faith efforts to:

* Ensure that apprentice hours worked are equally distributed in each trade/craft and consistent with the apprentice utilization percentage requirement of the Contract.
* Recruit and hire minority and women apprentices for the Project. Of the total apprentice utilization requirement percentage, the Contractor shall pursue a goal of using twenty-one percent (21%) labor hours performed by minority apprentices and twenty percent (20%) labor hours performed by women apprentice.

## 3.23 Worker Diversity

The City requires the GCCM and all subs to hire new workers through a Section 3 Worker Diversity Program requirement, identified in the General Terms and Conditions. The Proposer must indicate how many new workers the Prime or any tier sub may hire during pre-construction. Before signing the construction contract, the Prime will then estimate the number of new hires for the construction contract. All new hires must be solicited through the required process for Section 3 as specified in the General Terms and Conditions. See Section E of Criterion 7.

## 3.24 Requesting Disclosure of Public Records

The City asks interested parties to refrain from requesting public disclosure of RFQ/PA response records until an intention to award is announced. This measure is intended to shelter the solicitation process, particularly during the evaluation and selection process or in the event of a cancellation or re-solicitation. With this preference stated, the City will continue to be responsive to all requests for disclosure of public records as required by State Law.

## 3.25 Proprietary and Confidential Material

***The State of Washington’s Public Records Act (Release/Disclosure of Public Records)***

Under Washington State Law (reference RCW Chapter 42.56, the *Public Records Act*) all materials received or created by the City of Seattle are considered ***public records***. These records include but are not limited to bid or RFQ/PA response proposals, agreement documents, contract work product, or other contract material.

The State of Washington’s Public Records Act requires that public records must be promptly disclosed by the City upon request unless specifically exempted from disclosure. Proposers must be familiar with the Washington State Public Records Act and the limits of record disclosure exemptions. For more information, visit the Washington State Legislature’s website at <http://www1.leg.wa.gov/LawsAndAgencyRules>).

***Requesting Materials be Marked for Non Disclosure (Protected, Confidential, or Proprietary)***

As mentioned above, the City is required to promptly make public records available upon request. However, under Washington State Law some records or portions of records may be legally *exempt from disclosure*. A list and description of records identified as exempt by the Public Records Act can be found in RCW 42.56 and RCW 19.108.

If you believe any records you are submitting to the City are exempt from disclosure, you can request that you be given notice of any request to disclose such document so that you may pursue an injunction to stop disclosure of the records. To request that the City withhold records and provide you notice, complete the appropriate portion of the Company Questionnaire (Non-Disclosure Request Section) and very clearly and specifically identify each record and the exemption(s) that may apply. If you are awarded a City contract, the same exemption designation will carry forward to the contract records.

You may not simply mark all records as exempt by applying a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. Do not identify an entire page as exempt unless each sentence is within the exemption scope; instead, identify paragraphs or sentences that meet the specific exemption criteria you cite on in the Company Questionnaire. Only the specific records or portions of records properly listed on the Company Questionnaire will be withheld to provide notice. All other records will be fully disclosable upon request.

If the City receives a public disclosure request for any records you have properly and specifically listed on the Company Questionnaire, the City will notify you in writing of the request and postpone disclosure. While it is not a legal obligation, the City, as a courtesy, will allow you up to ten business days to file a court injunction to prevent the City from releasing the records (reference RCW 42.56.540). If you fail to obtain a Court order within the ten days, the City may release the documents.

The City will not assert an exemption from disclosure on your behalf. If you believe a record(s) is exempt from disclosure you are obligated to clearly identify it as such on the Company Questionnaire and seek an injunction. By submitting a bid document, the Proposer acknowledges this obligation; the proposer also acknowledges that the City will have no obligation or liability to the proposer if the records are disclosed.

**PROJECT MANAGER – Background Checks**

If the Project Manager knows that background checks ARE required, then the Project Manager should include such language and explain more carefully.

If the Department instead requires a Non-disclosure statement in order to release private documents for purposes of bidding, then that would be integrated into the instructions and preceding materials.

**3.26 Background Checks.**

The City may require background/criminal checks during the course of the contract for essential City purposes. The City does not intend to request background checks/verifications unless essential in the opinion of the City. Note that, in particular, Seattle City Light has regulatory requirements promulgated by organizations with jurisdiction over Seattle City Light, which require any contract worker that has access to certain locations/systems/data (“SCL Designated Access”) to undergo a background/criminal check before that worker can have authorized cyber or authorized unescorted physical access to those locations/systems/data. The requirements apply to all Proposer workers and mandate an appropriate Personnel Risk Assessment and security awareness training as directed by Seattle City Light.

# 4.0 Proposals

Submit a proposal meeting the following requirements.

**General Format, Submittal, and Page Counts:** Proposals must address each topic below in a clear, comprehensive, and concise manner and in the format described below. Please submit in the following order, and separated with labeled tabs. Proposals should be prepared simply and economically, providing straightforward and concise information that will enable the selection committee to efficiently evaluate pertinent information. In the event of any conflicts between the hard copy and electronic CD copy of the Proposal, the original hard copy will prevail.

1. Number all pages sequentially. The format should follow closely what has been asked for in this RFQ/PA, including the order of your answers and the order of your documents. Tabs are helpful.
2. Proposers are encouraged to “double side” their responses; for the purposes of page limitations, one side of a printed page is considered one page.
3. The City has 50 page limit for the proposal. Any pages that exceed the page limit will not be considered for purposes of evaluation. The City does not intend to reject proposals for exceeding page limits, but instead, will not consider any information on pages that exceed the page limitation. All proposals shall be bound in an 8 ½” by 11” format. Proposers may use 11” by 17” format for the Site Staging and Laydown Plan, Tier 1 Schedule, and any other figures, drawing or tables used in responding to the RFQ/PA requirements. All 11” by 17” pages must be folded and bound in the proposal and will be counted as one page per one side of a printed page.
4. Proposers have full responsibility for ensuring that their proposals arrive at the City by the proposal deadline. A late proposal may be rejected, unless the lateness is waived as immaterial by the City Purchasing and Contracting Services Director, given specific fact-based circumstances. Late responses may be returned unopened to the submitting firm; or CPCS may accept the package and make a determination as to lateness.

### Hard Copy Proposal

Submit one hard-copy original (1) unbound, ten (10) hard copies, and one (1) electronic CD copy. Fax, e-mail and CD copies **will not** be an alternative to the hard copy. Delivery is to the location specified on Page 4, Table 1, Proposal Addresses.

1. Hard-copy responses should be in a sealed box or envelope clearly marked and addressed with the CPCS Program Administrator Name, RFQ/PA title and number. If RFQ/PA’s are not clearly marked, the Proposer bears the risks of the RFQ/PA being misplaced and not properly delivered. “RFQ/PA for [PROJECT NAME], PW# [20XX-XXX]”
2. Please do not use any plastic or vinyl binders or folders. If a binder or folder is essential due to the size of your submission, please use fully 100% recycled stock. Such binders are available from Keeney’s Office Supply at 425-285-0541 or Complete Office Solutions at 206-650-9195.

# 4.1 Proposal Documents

**Proposal Documents:** A proposal should contain each of the following documents, organized as follows:

1. Letter of Interest: The Proposer may include a Letter of Interest. Provide the name of the entity submitting as the GC/CM and the primary contact (address, email, and telephone). The letter of interest may contain any information desired by the Proposer but not required by this RFQ/PA.
2. Company Questionnaire (see Attachment X). For a Joint Venture, the Company Questionnaire should be filled out to provide the requested information about each member of the Joint Venture separately. You may use additional pages or copies of the form for a JV proposal, as appropriate.
3. Proof of Legal Name: If a JV, this is not required. If you are intending a joint venture agreement, use the proposed name of the JV partnership. For all others, submit a certificate, copy of web-page, or other documentation from the Secretary of State in which you incorporated that shows your legal name as a company. Many companies use a “Doing Business As” name or a nickname in their daily business. However, the City requires the legal name of your company, as it is legally registered. When preparing all forms below, use the company legal name. Verify your legal name through the State Corporation Commission in the state in which you were established: <http://www.coordinatedlegal.com/SecretaryOfState.html>
4. Proposal Elements (see Proposal Section 4.2, below).
5. Summary of your firm’s accident prevention program and how you manage subcontractor safety. Include a signed copy of the Safety and Health Qualifications Statement, Attachment 1, in your Proposal Appendix. **This form is not included in the page count.** Provide one (1) copy of your firm’s accident prevention program with your Proposal.

Note to Project Manager: Blue highlights is to encourage you to edit and modify this entire section as you wish. These materials below are a starting point, questions below are recommended , however a Project Manager may decide the points, the Criteria and the specific questions to be and read any way you wish. You also are likely to have additional unique aspects to your project that you wish to ask about.

# 4.2 Proposal Elements

## 4.2 Proposal Elements

The Proposal Response is the core part of your proposal and is a narrative that responds to the criteria below. Please address each criterion in the order provided.

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| **Criterion 1: Qualifications of Proposer** | **80 points** |

1. History and Structure of Firm: Provide a brief history and description of your firm including, but not limited to the following. If you are part of a national company, provide this information for the local office that will be handling the project, and for your national firm as appropriate.
   1. The date it was established
   2. Any former name(s) of your firm
   3. The type of ownership or legal structure of your firm (corporation, joint venture, or other legal entity)
   4. Describe the types and relative dollar values of the projects that your firm typically performs and how these project experiences would help qualify your firm to perform on the XXXXX Project.
   5. State whether within the past five (5) years it has:
      1. Had a contract terminated for cause or default.
      2. Had liquidated damages assessed.
      3. Been in bankruptcy, reorganization and/or receivership.
      4. Been disqualified or debarred by any federal, state or local agency from being awarded and/or participating in public contracts.
      5. Received a complaint filed against your firm by regulatory agencies (e.g. Ecology, WSHA, OSHA, L&I, etc).
      6. Identify any non-compliance fines the Owner or you received on your construction projects in the past three years where your firm was the general contractor responsible for managing the work or managing subcontractors performing the work. In an Appendix to the Proposal provide a brief, concise and accurate summary and explanation of each fine.
      7. Received an unsatisfactory performance rating from any owner.

If you are part of a national company, provide this information for both the local office that will be handling the project and for the national firm.

1. Joint Ventures: If proposing as a joint venture, describe the JV. Identify projects where the joint venture partners have experience together. Describe the responsibilities of each JV partner. Specify the control each partner will exercise and responsibilities each partner will exercise. Attach a draft copy of the joint venture agreement or other available documentation. The copy of the joint venture agreement will not count as part of the three (3) page limit of this section.
2. Firm Capabilities: Describe your proposed team’s abilities in managing, performing, and completing GC/CM projects or construction projects of similar scope, schedule, and scale. Describe your proposed project team’s experience and success with:
   1. Facilitating cooperation with other Project team members and third-party interests
   2. Working collaboratively with project team members
   3. Being responsive to owner requests
   4. Meeting the Owner’s required scope and quality
   5. How your firm’s expertise will aid in the project being completed on schedule and within its budget.
3. Bonding Capacity: Describe the current bonding capacity and the ability to provide separate Payment and Performance bonds for this Project, each in the amount of 100% of the Total Contract Cost. Include a signed letter from your bonding agent committing to bond your firm in the event your firm is selected. The letter should include contact information for your agent. The bonding company (surety) must be registered with the Washington State Insurance Commissioner, appear on the current Authorized Insurance List in the State of Washington published by the Office of the Insurance Commissioner, having a current rating of at least A-VII in A.M. Best’s Key Rating Guide, and be included in the U.S. Department of the Treasury’s Listing of Approved Sureties (Circular 570). **The letter does count for the page count limitation.**
4. Insurance: List the name, contact person, and telephone number of your insurance agent and include a statement from your insurance agent pertaining to the firm’s ability to meet the Project insurance requirements.  **The letter does not count for the page count limitation**
5. Safety: Describe the firm’s accident prevention program and how you manage the safety of the subcontractors.

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| **Criterion 2: Location of the Firm** | **10 points** |

The RCW requires the City to consider location. The City suggests the following may be discussions about how your local presence enhances your performance for this project.

* 1. Proximity of Project Team to the project site. Explain how having a local presence affects your firm’s ability to perform on the project.

Knowledge of Local Market: Describe your firm's familiarity with the local labor and subcontracting market. Describe your firm’s capability to work with local subcontractors, and your experiences and capabilities to package subcontract bid packages in a manner most likely to be inclusive of WMBE firms and generate the lowest and most competitive prices from subcontractors.

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| **Criterion 3: Past Performance** | **50 points** |

The City recognizes that various types of experience can prove valuable for performing in a GC/CM delivery method. This may include performance of other negotiated forms of guaranteed maximum price contracts, GC/CM contracting or similar alternative contracting in the public/private sector, such as CM/GC, CM at Risk, or Negotiated GMP. This may also include highly complex and multi-phased construction contracts under the design-bid-build model. While the City favors and seeks those with GC/CM experience, the City Evaluation Team shall also consider and recognize experience demonstrated in these other circumstances, if the Proposer is able to successfully discuss the experience and expertise that they bring to this Project.

1. **Process and Knowledge:** Describe your firm’s understanding and knowledge of GC/CM or other negotiated projects as described above. Describe how this will enable your Project Team to successfully complete this project. If you are a national firm, specify the experience of the local office to support this type of project, and your proposed team member’s experience instead of the entire national firm experience. If you are a joint venture, provide the experience of each partner, and also note any experience you have had working together as a JV or in other forms of contract partnerships.
2. **Project List:** Describe your firm’s relevant experience completing such projects, starting with GC/CM projects in Washington State, other GC/CM projects that the Project Manager or the local firm have managed, any guaranteed maximum price or other such complex projects that required skills and experience similar to those of a GC/CM project, or other highly complex construction projects that you regard to provide significant experience towards your ability to perform on this work. Provide five (5) examples of projects that your local firm and/or Project Manager have completed in the past ten (10) years that clearly demonstrate your firm’s ability to provide GC/CM services to the City for this project. Provide the following information for each of the five projects in the order listed:
3. **Project name;**
4. **Location;**
5. **Firm’s role;**
6. **Project contract delivery method** – Identify the project delivery method. If not a WA State GC/CM project describe ways in which the delivery method was similar to a WA State GC/CM project authorized under RCW Ch. 39.10;
7. **Owner -** Provide the name of the Owner, Owner’s contact person who is familiar with your firm's performance in completing the project, and telephone number;
8. **Designer** - Provide the name of the Design engineer, Design engineer‘s contact person who is familiar with your firm's performance in completing the project, and telephone number;
9. **Project description** – Provide a description of the project and demonstrate how the experience gained on this project will benefit the Project;
10. **Preconstruction services description** – Provide a description of preconstruction services performed and demonstrate how the experience gained on this project will benefit the Project;
11. **Construction duration** – Provide the negotiated and final construction start date and negotiated and final substantial construction completion dates. Provide an explanation if there are any differences between the negotiated and final dates;
12. **Total Contract Cost (TCC)** - Provide the negotiated and final TCC and provide and explanation it there are any differences between the negotiated and final TCC; and
13. **Team members involved –** Provide the name, firm employed by, and role of individuals proposed in Section 3 that participated as a team member on the referenced project.

The five (5) past projects should demonstrate experience in all of the following areas. Proposers may choose to include one project for each criteria, or one project that includes all 5 criteria:

1. Large underground concrete structures, shoring design, and dewatering;
2. GC/CM contracting or similar alternative contracting in the public/private sector, such as CM/GC, CM at Risk, or Negotiated GMP, where the proposer provided preconstruction services and the Proposer was the contractor at risk during construction;
3. Construction of wastewater facilities and conveyance systems, pump stations, large diameter pipelines, mechanical, and electrical systems;
4. Working in environment that requires mitigation of public concerns and coordination; and
5. Meeting budget and managing phased, complex, and tight schedules.
6. **Typical Work:** Describe the scopes of work your firm most often self-performs with your own forces. Include any subsidiaries and/or joint venture partners and their scopes of work. (During the development and approval of your subcontracting plan the City will approve your approach to bid to self-perform work on this project based on the project needs and the competition in the current market place. The City’s policy is to ensure direct subcontracting bidding is as competitive and as diverse as possible.)

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| **Criterion 4: Qualifications of Key Personnel** | **100 points** |

1. Project Team: Describe the proposed project team, including the individual team members, the organizational hierarchy of the team and the project responsibilities of each team member. The following, at a minimum, are considered “key personnel” and must be identified: *the corporate executive dedicated to the project, the project manager for preconstruction and construction services, the superintendent, the project engineer, the quality control manager, the lead cost estimator, the lead scheduler, the WMBE Inclusion Expert (see Criterion 7, below), and the safety officer*.
2. Background and Experience of Key Personnel: Describe the abilities, specialized experience, technical competence and qualifications of the firm’s key personnel that will comprise the proposed project team. Provide the following for each identified project team member:
   * 1. Name, title and a description of the proposed project team member’s roles and responsibilities;
     2. Washington State GC/CM experience of each project team member. For those members who lack the State of Washington GC/CM experience, discuss other relevant work experience that would add to this project.
     3. Demonstration of qualifications and experience, relevant to this scope of work, through three (3) current or past projects for each team member. Include project name, location, brief project description including its size, scope, and complexity if not referenced in Criterion 3; and description of individual’s position and responsibilities on the project; along with contact information for each project including the owner and firm employing the key individual. References may be contacted by the City and used as part of the evaluation process, including references not provided by the Proposer;
     4. Resumes for all key personnel identifying history of employment, education, work experience, length of time with your firm and any other information you believe the selection committee would find useful in evaluating the qualifications and abilities of the individuals proposed. **Note: Resumes do not count against the page limitation, but each resume should be limited to two pages and they should be placed in the Appendix.**
   1. Organizational Chart: Provide a project-specific organizational chart showing the overall organizational structure and hierarchy for the key individuals to be assigned to the project team. Identify how the organizational structure will result in an integrated and cohesive team for managing the project. Provide a separate chart if the preconstruction and construction phases will use different teams.
   2. Key Personnel Availability: Discuss the availability and commitment of the key personnel identified for the entire project. Identify and discuss the impact of current assignments of key personnel and other potential projects on the availability for this Project of the key personnel identified in response to this RFQ/PA. Describe the extent of involvement of the individuals assigned during each phase of the project (preconstruction and construction phases) expressed as a percentage (100% = full time) in a table format. Identify other projects and commitments for key personnel.

Note: Key personnel identified here are considered material to any contract signed for this project. If the Proposer needs to replace “key personnel” during the contract term, a comparably qualified replacement must be proposed for review and approval by the City prior to replacement.

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| **Criterion 5: Proposer’s Approach to Executing the Project** | **150 points** |

Outline a potential approach your Project Team could utilize to complete this project.

* 1. Outline the scopes and organizational approach to the project that would make the progress of the Work most efficient.
  2. Challenges: Identify and discuss key challenges and major complexities related to the project and how your team would address these issues. Additionally, address the following:
     1. The key risks your firm has identified on the project and how your firm proposes to manage them.
     2. The processes you would propose to employ to successfully negotiate a MACC acceptable to the owner and within the owner’s budget.

1. Provide examples of successful communication techniques used on similar projects that established productive relationships with Owners, designers or third parties.
2. Describe your approach to ensuring effective coordination between the different subcontractors and trades required for this project.
3. Describe your expectations of the Owner during the preconstruction services and construction phases.
4. Describe your initial subcontracting approach based on the information in this RFQ/PA. Provide your initial recommendations on:
   * 1. Number of Subcontractor Packages
     2. Early bid packages, if any
     3. Predetermination of subcontractor eligibility, if any
     4. Use of EC/MC/CM, if any
5. Project Schedule. Provide a summary project schedule that presents your firm’s phasing and sequencing approach to all major activities necessary to meet or improve on the dates identified in this RFQ/PA. The project schedule should commence with the Contract Award Date through Completion. **The project schedule is not included in the page count.** Proposed contract duration shorter than the maximum allowed duration will receive increasing favorable consideration provided it is realistic, deemed to be achievable, and does not shift significant additional risk to the Owner. Proposed contract duration greater than the desired schedule identified in this RFQ/PA is not preferred but will be evaluated to determine whether the longer schedule provides the Owner with substantial and noteworthy benefits that outweigh the operational and financial costs associated with additional time. A narrative must accompany the schedule and shall identify:
6. The assumptions that underlie the schedule and any items that you view as critical to Project success.
7. The Proposer’s understanding of the biggest risks and challenges to attaining the contractual Substantial Completion date.
8. Approach to mitigation of risks and challenges to meet the Substantial Completion date.
9. Approach for reducing the Project duration and/or schedule risk, including potential delays associated with any work outside the direct control of Proposer.
10. Any potential schedule constraints that Proposer views as being within the responsibility and/or control of the Owner and what can be done to manage such constraints.
11. Any apparent long-lead items where advance fabrication and procurement prior to the commencement of construction may be beneficial to the Project Schedule.
12. Procedures for identifying potential delays and how the occurrence of any event giving rise to a delay or potential delay will be handled, including the use of recovery plans and schedules.
13. Preconstruction Approach: Identify the preconstruction activities that you see as being most important to the success of the project. Elaborate on the anticipated benefits of those activities to the project and your Project Team’s approach to providing it for this project. Provide a proposed staffing plan and preliminary budget for preconstruction services assuming a preconstruction services schedule from XXXX.  This preliminary budget is specifically for preconstruction services to give a general idea of the level of effort (LOE) the Proposer sees as necessary to perform the preconstruction services described in the Scope of Work.  Provide preconstruction labor rates for proposed preconstruction staff.  The labor rate proposed for each individual shall be the total compensation rate to include the cost for direct labor, indirect and overhead costs, profit, taxes, insurance, travel and travel related services and for all other necessary incidentals to perform preconstruction services. Compensation for preconstruction services will be based on the proposed hourly rates multiplied by the negotiated level of effort to determine the preconstruction contract amount. The preliminary LOE and preconstruction labor rates will not be considered as part of the evaluation process.

At minimum, specifically address your approach for:

* + 1. Providing Design and Construction document coordination comments and verifying their implementation;
    2. Determining and assessing constructability issues including providing assistance in identifying safe work practices and requirements for construction;
    3. Proposing Value Engineering and assessing alternative construction options, products and engineering systems for cost savings and life cycle cost design considerations to maximize the Project’s scope;
    4. Scheduling, making recommendations for change and advising of long lead procurement packages to meet the project schedule;
    5. Recommending phasing and sequencing of work to minimize construction and operating impacts on neighbors; and
    6. Assessing and recommending site logistics requirements.

1. Construction Approach. Provide construction methods approach, including advantages and disadvantages and evaluate any risks associated with your recommendations. Address the following:
2. **Site logistic, safety, and security plan** - Discuss approach to utilizing the site during construction. Provide assumptions and a proposed site staging and laydown plan. Include an approach to site safety and security. **Site staging and laydown drawing depicting your plan is not included in page count.**
3. **Shoring and Excavation** - Discuss the preferred method of shoring and excavating for the storage tank. Include whether sloped excavation on one end is viable, what type of shoring support would be provided (tie backs or internal bracing), and address whether it is preferable to cast the tank walls against shoring. If tie backs are used to support the shoring, are penetrations through the tank wall required to de-stress the anchors?
4. **Construction Dewatering** - Describe the anticipated dewatering approach considering the geotechnical investigations that have been completed to date. See Attachment 8, Geotechnical Data Report, for site recommendations.
5. **Concrete Placement and Structure Design** - Discuss methods of controlling the heat of hydration in thick concrete pours (greater than 3 feet) and how it relates to preferences of construction joint placement.
6. **Community Disruption** - Describe construction approaches to minimize impact to Lake Washington Blvd South. Also, describe the methods to minimize impact to the community and waterfront for the storage tank and pipeline construction.
7. Environmental and Permit Compliance Approach: Discuss your understanding of the issues related to traffic control, erosion control, treatment and control of runoff, noise and dust mitigation and other environmental/permit concerns that will have to be addressed on this project. Describe your approach to dealing with such issues and your success in managing these issues on previous projects.
8. Quality Control: Provide a brief summary of your firm’s approach to developing, implementing, and documenting quality control plans and programs during preconstruction and construction. At a minimum, address the following:
9. Quality assurance and inspections;
10. Coordination and management of subcontract work to ensure work quality;
11. Coordination of commissioning;
12. Documentation procedures and tools; and
13. Describe the levels and authority of the individuals to be assigned quality control responsibilities on this Project. Describe the role and degree of independence that is proposed for the individual(s) or firm(s) responsible for quality control and how corrections to adverse inspections will be managed.

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| **Criterion 6: Proposer’s Ability to Meet Time and Budget Requirements** | **60 points** |

1. **Meeting Budget and Schedule:** Describe how your firm will meet the project scope and schedule within the project budget. Also, describe how you would propose the GC/CM’s and owner’s cost estimates, construction budget, and project schedule be reconciled at the completion of 60% and 90% design phases.
2. **Estimating and Scheduling Methodology:** Describe what cost and schedule estimating and tracking tools, scheduling systems and management techniques your firm will employ to deliver the project on time and within budget. Provide examples of projects that successfully utilized these tools, systems, and techniques.
3. **Project Examples:** Provide examples of five (5) relevant projects that best demonstrate your firm’s success in delivering projects within established budgets and schedules. For each of the five projects listed, provide the following:
4. Name, location and owner of the project, along with contact information for the owner;
5. Brief project description;
6. Project bid amount or negotiated MACC;
7. Final project construction cost and the difference from the bid or negotiated cost;
8. Original contract scheduled substantial completion date and date of actual substantial completion;
9. Description of why project costs or schedule did or did not meet planned costs or schedule.

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| **Criterion 7: Women and Minority Business Inclusion and Worker Diversity** | **50 points** |

Proposers must submit a plan for inclusion of WMBE firms for both preconstruction and construction work. The City may seek improvements to your plan before signing the Preconstruction contract, and again before signing the Construction contract. The agreed-upon Plan is material to both the preconstruction and construction contracts.

A proposer is to bid the costs associated with this plan as part of the General Conditions Work.

Note that the City recognizes self-identified minority and women owned (WMBE) firms. State-certification is not required. The City has a database of self-identified WMBE firms that is available to the public and all contractors that may be helpful in subcontractor recruitment. To view this and other tools the City sponsors for General contractors, see <http://www.seattle.gov/purchasing/wmbe.htm>

Include a very clearly ordered and organized discussion that answers each of the following:

**Section A. WMBE Expert. Provide the name and contact information of your WMBE Expert**. Your WMBE Expert is part of your Key Personnel for the Project Team. A pre-qualified list of consultants is at: <https://www2.ci.seattle.wa.us/ConsultantRoster/RptApprovedConsultant.asp> (Category 88). If the individual you name is not on the City’s consultant list, the City will review their qualifications. The City will expect a WMBE Expert that meets the following criteria:

* Experience with the general availability of qualified WMBE construction subcontractors in the greater Seattle area and familiarity with their skills.
* Skills in building WMBE recruitment plans and utilization goals.
* Commitment to increased utilization of WMBEs in construction contracting.
* Expertise in construction qualifications and requirements, such as prevailing wages, apprenticeship requirements, bonding requirements, licensing requirements and similar**;**
* Knowledge and/or experience in assisting with the implementation of mentoring programs and other tools for local WMBE development and capacity building.
* Experience planning and providing event support for “Meet and Greets” and similar forums that recruit and conduct outreach to local WMBE firms.
* Ability to assist WMBE firms with resolving issues and overcoming barriers to their achieving satisfactory performance on a construction contract, such as developing dispute resolution skills, assisting with licensing or bonding issues, etc.
* Ability to assist with ongoing outreach performance, helping to replace WMBE firms with other WMBE firms if required during the project, providing solutions if WMBE participation rates are below identified program goals

**Section B: Goals.** Clearly state proposed WMBE goals for Preconstruction and Construction phases. The aspirational goals you state are not mandatory, but it is material to the contract that you conduct all good-faith efforts to achieve such goals. Bidders should understand that these goals are intended to represent a serious commitment that the Bidder can reasonably and realistically achieve, given reasonable good faith efforts.

The City occasionally sees WMBE goals that weigh heavily on use of Woman-owned firms, and less on Minority-owned firms. This appears to be unbalanced given the extensive availability of minority firms. The City expects the proposer to pay attention and balance their goals.

In recent City contracts with similar scopes of work, Contractors have stated aspirational goals, or demonstrated actual utilization, as specified below. The Proposer may use this information as background in proposing aspirational goals for this particular project.

INSERT PAST PERFORMANCE #s FOR PW PROJECT WITH SIMILAR SCOPES TO THIS GCCM.

* + Goals for pre-construction, with a goal for women-owned and a goal for minority-owned business utilization.
  + Goals for construction, with a goal for women-owned and a goal for minority-owned business utilization. Construction goals are to be expressed as a percentage of the MACC, including NSS work.

**Section C: Affirmative Efforts and Inclusion Approach.** Discuss the strategies and activities you propose to undertake in the recruitment of WMBEs for participating in both pre-construction and in construction phases. Describe in detail how you will perform these efforts, how strategies and activities would be decided upon, and how they would be actually implemented. Format this in a very clear, numbered and sequenced document, which can be easily used to track progress and activities during the life of the contract.

Your strategies and activities should include and describe (in the following order) at least the following:

* Bid packaging and subcontracting planning. The City expects a thoughtful approach to breaking apart the project work into appropriate scopes and sizes that will achieve the greatest WMBE inclusion. The City expects that the GCCM will seek to bid out work that has the greatest WMBE opportunity, and will propose to bid to self-perform work that has unlikely WMBE opportunity;
* Hosting outreach and networking events, which may include a project brochure or other outreach materials;
* Any other outreach events, approaches or strategies in order to conduct an “Invitation to Bid” campaign that will solicit the participation of WMBE subs in bidding.
* Providing program for Capacity Building, Mentoring, Business and Technical Support.
* Building a project website to provide regular updates for interested community members, subcontractors and others about the progress of the project and the opportunities for WMBE firms, for posting of upcoming events/dates (e.g. open houses and bid dates).
* Monthly meetings and contractor reporting to the City regarding WMBE progress.
* Providing business and technical support to WMBEs during the preconstruction and construction phases. Support may include such things as training WMBE firms and resolving issues.

**Section D: Subcontracting.**

(Not a scored element. By submitting a proposal, Proposer’s are acknowledging their intent to comply with this section.)

If you are declared the highest ranked proposer, you will use the City’s WMBE Construction Inclusion Plan for GCCM Projects or a City approved alternative, as part of the responsiveness evaluation for subcontracting packages that are solicited above $300,000. The City will provide assistance, forms and evaluation spreadsheets to properly implement the Plan in the subcontracting low-bid award process.

**Section E: Worker Diversity.**

(Not a scored element. By submitting a proposal, Proposer’s are acknowledging their intent to comply with this section.)

The City requires that all new workers hired for the project, from any tier of contractor, must be solicited from the Seattle Housing Authority Section 3 Worker list. The requirements are identified within the General Terms and Conditions.

State how many new hires you anticipate for Preconstruction Contract services. Specify the type of work (i.e. administrative assistant, engineer, etc). The aspirational goal is 100% of all new workers (whatever that number is) shall be from the SHA Section 3 list.

# 5.0 Evaluation and Selection

The City will use the following selection process. SOQ/PAs will be evaluated by a City Evaluation Committee (CEC).

## 5.1 Initial Screening

The CPCS Program Administrator shall first review proposals for initial decisions on proposal responsiveness and Proposer responsibility. Those proposals/Proposers found responsive and responsible based on this initial review shall proceed to Scoring. Such items as Equal Benefits, Minimum Qualifications, signed documents, named WMBE consultant, past performance, financial responsibility and other initial elements of responsiveness and responsibility will be reviewed during Initial Screening.

## 5.2 Scoring SOQ/PA Proposal (250 Possible Points)

The CEC will evaluate the proposal using the criteria below. Responses will be evaluated and ranked or scored. To ensure the most qualified evaluation team, certain members of the team may score certain elements that best reflect their particular expertise.

Table : Scored Proposal Evaluation Criteria–Maximum Possible Points

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| --- | --- | --- |
| No. | Evaluation Criteria for Proposals | Maximum Points |
| 1 | Qualifications of Proposer |  |
| 2 | Location of the Firm |  |
| 3 | Past Performance of Proposer |  |
| 4 | Qualifications of Key Personnel |  |
| 5 | Proposer’s Approach to Executing the Project |  |
| 6 | Proposer’s Ability to Meet Time and Budget Requirements |  |
| 7 | Women and Minority Business |  |
| **Total for Proposals** | |  |
|  | Total of Proposal will determine short-list interview candidates |  |
| 8 | Interview |  |
|  | Interview results will determine which candidates are selected as Finalists |  |
| 9 | Finalist Price Proposal |  |
|  | Total of Price, Interview, and Proposal will be tallied for Final Selection |  |
| **Total for Selection Process:** | |  |

**References:** The City may contact references for each of those proposers that are intended for the short-list. The City may contact one or more professional references provided by the firms in their Proposal, and/or may contact other sources that may not have been named by the Proposer but can assist the City in determining performance. Provide the phone numbers and addresses of references.

## 5.3 Short List Interview (125 Possible Points)

The CPCS Program Administrator will announce the short list candidates. Short List candidates will be invited and scheduled to interview, which is expected to be within one week of notification. The format of the interview will be described in the notification letter to the short-listed Proposers.

## 5.4 Short List Finalists

The CPCS Program Administrator will announce the short list finalists after interviews, which will be the top-ranked firms based on all scoring and interview processes. Short list will be determined by the combined score of the proposal and interview. The final short list finalists will be issued a Price Request.

## 5.5 Price Proposal Submittal Instructions (125 Possible Points)

Short-list finalists will submit a Price Proposals for a Percent Fee based on the estimated MACC and bid an amount for the detailed General Conditions Work. The Price Request Form is Attachment X. Upon request by the City to short-list finalists, the Finalists will submit their price in a sealed envelope to CPCS no later than the scheduled date, time and place specified on the Price Proposal. Price Proposals are to be (1) submitted on the forms furnished by the City or on copies of those forms. Submittal of the price proposal form is considered binding to the Proposer, although Forms should be manually signed in ink. Do not mark-up or add any written comments on the Price Proposal Form. If revisions to the Price Proposal Form are made that attempt to modify the offer in any way, the City may declare the Proposal non-responsive.

The City reserves the right to reject any or all Price Proposals and waive as an informality any non-material irregularities in the Price Proposals received.

Price Proposals shall be submitted in sealed envelopes or packages up to **2:00 pm on DATE, 2012** at the CPCS offices as specified on Page 2 of this RFQ/PA. Such proposals should be clearly marked to show the project name, proposal submittal deadline date and time, and the Proposer name.

Receipt of Final Proposals by facsimile, e-mail, telephone, or orally will not be considered.

Bids will be publicly opened at **2:00 PM on DATE, 2012** at the above physical address, Suite 4112.

A Proposer may withdraw its Price Proposal by submitting a written request to the address noted above, which shall also be a decision for withdrawal of the Proposal. Any proposal modification after the deadline set forth herein will not be considered. The only acceptable evidence to establish the time of receipt at the office designated in this REQUEST FOR FINAL PROPOSAL FORM is the time/date stamped or printed by Owner on the bid envelope or package or other documentary evidence of receipt maintained by Owner.

Note the following:

1. The Price must be on the Price Proposal Form furnished by the City.
2. The Price Proposal requires two offer amounts. The first amount is the “GC/CM Percent Fee” and the second amount is the “Total Specified General Conditions Work”. The terms “Percent Fee” and “Specified General Conditions Work” are defined in the GC/CM Contract.
3. The Cost Allocation Matrix, Attachment X, provides a summary of the cost allocations for the various elements of the Total Contract Cost and how they relate to the components of the Contract Documents. The matrix is being provided as a guide to help proposers identify where costs will be identified throughout the project. It is not a binding document. In the event of a conflict or inconsistency, the other provisions of the Contract Documents shall take precedence over the GC/CM Cost Allocation Matrix.
4. Support services will be required during construction that cannot be quantified or identified at this time. These Negotiated Support Services are identified in the GC/CM Cost Allocation Matrix and will be negotiated as separate component of the MACC.
5. State the Percent Fee as a percentage, and multiply it by the estimate of the Maximum Allowable Contract Cost (MACC) stated on the Final Proposal Form to determine a single dollar amount for the Percent Fee. The dollar amount for the Percent Fee will be added to the dollar amount for the Specified General Conditions Work to determine a single amount, which shall be the Proposer’s Total Bid.

7. State the bid for the Specified General Conditions Work. The bid for the Specified General Conditions is to be based on the staffing plan identified in the firms Proposal and the schedule identified in the RFQ/PA. During Preconstruction Services and MACC negotiations, the Owner and the GC/CM Contractor will agree on the best scheduling approach for the project. Proposers shall base their bid on the project schedule as specified in the RFQ/PA and not on the Contractor’s proposed schedule in their Proposal or an anticipated shorter construction schedule. Impacts due to any changes in schedule will be negotiated with the Owner at the time those changes are agreed to.

8. The price proposal shall include all taxes imposed by law except Washington State Sales Tax. Sales tax shall not be included in the Total Bid.

## 5.6 Price Proposal Opening and Evaluation

The Price response will be opened and read at a public bid opening as specified by the CPCS Program Administrator in the notification to all finalists. The pricing will be mathematically calculated into scored points, with the lowest price receiving the maximum scored points available, and more costly bids receiving lesser points using the calculated formula.

The dollar amount of the Percent Fee and the fixed dollar amount for the detailed Specified General Conditions Work will be added together to determine a single number for the Total Price. Low conforming Price response shall score the full points available. Other Price responses will receive points based on the following formula:

*Low conforming Price response divided by the Contractor’s Price response multiplied by the total points available.*

The Owner may, at its sole discretion, perform a cost and/or price analysis of any or all components of the price offer. Should the analysis reveal any unacceptable or unreasonable costs or pricing in any component of the price offer, the Owner reserves the right, at its sole discretion, to seek clarification of the pricing and/or to consider the Bid non-responsive and reject the Proposal. If requested by the Owner, a proposer must submit supporting pricing information, including, but not limited to, anticipated level of effort, personnel cost elements such as direct salary rates by position and overhead rates (expressed as a verifiable rate), and other direct and indirect costs. Cost/price information may be evaluated to determine allowability, reasonableness, and proper allocability per RFQ/PA and Contract requirements.

## 5.7 Time Period for Validity of Price

In submitting the Price Proposal, Proposers agree that prices in the Price Request will be valid until completion of all Preconstruction Services, completion of negotiation of the MACC, and execution of the GC/CM Construction Contract for the full Total Contract Cost.

# 6.0 Final Selection

The finalist with the highest total score shall be selected as the Highest Ranked Proposer.

The CPCS Program Administrator will post notice of the Highest Ranked Proposer in a timely manner on the City website.

The City reserves the right to reject any proposer prior to award of the pre-construction services contract in the event that the City’s analysis of the proposer’s financial status and capacity indicates, in the City’s judgment, that the Contractor is not able to successfully perform the work. Prior to execution of the pre-construction services contract, the City may perform a review of the selected contractor's financial status and capacity to perform the work. The selected contractor shall comply with requests for information that are deemed necessary by the City to perform a reasonable review of the firm's financial status.

# 7.0 Award Instructions

The Highest Ranked Proposer will receive an Intent to Award from the CPCS Program Administrator after award decisions are made by the City. The Letter will include instructions for documents and materials that are due prior to execution of the contract.

## 7.1 Checklist of Documents Due

The Highest Ranked Proposer shall submit these documents as soon as possible.

* Current Seattle Business License with all taxes due paid.
* Certificate of Insurance
* Unless the Proposer has already submitted a Taxpayer Identification Number and Certification Request Form (W-9) to the City, the Proposer must submit this form prior to contract execution

## 7.2 Reaching Mutual Agreement

Throughout the GC/CM process the City intends to have discussions with the highest ranked proposer, to finalize the Pre-Construction Services Work Plan, ensure the most favorable WMBE Inclusion Plan, and negotiate the MACC (for the Construction Contract).

The Price Proposal and the contract forms (Preconstruction Services and Construction Contract) shall not be negotiated unless the City requires changes to best meet City needs within the scope sought by the RFQ/PA.

Once negotiations are successfully completed on the Pre-Construction Services Work Plan, CPCS will execute a Preconstruction Services contract. Should negotiations fail, the City may proceed to the next highest ranked proposer, or may reject all proposals.

**7.3 Preconstruction Services – Work Plan and Agreement**

Within seven (7) days of the Intent to Award the Pre-Construction Services Contract, the Proposer must submit a Preconstruction Work Plan for work to be performed during the Preconstruction phase, in accordance with Article 3 of the GC/CM Preconstruction Contract. The Work Plan should include the items your firm wishes to discuss, amend or add to the scope of the pre-construction services work.

* The Work Plan shall include a schedule of the activities included in the scope of work for Preconstruction Services, the anticipated number of hours needed to complete each activity, and the name(s) of the individuals that will be used to complete each task and an hourly rate for each individual the Contractor intends to use to accomplish the tasks assigned. The preconstruction staff and labor hourly rate shall be the proposed staff and rates identified in the Contractor’s SOQPA and shall be an all inclusive compensation rate; including the cost for direct labor, indirect and overhead costs, profit, taxes, insurance, travel and travel related services and for all other necessary incidentals to perform preconstruction services. The hourly rates multiplied by the number of hours needed to complete all tasks shall, unless adjusted pursuant to mutual agreement of the Owner and Contractor, constitute the total compensation for Preconstruction Services.
* If the Work Plan is not satisfactory, the City will advise the Contractor of the shortcomings in the Work Plan. The Contractor will not be entitled to any compensation until a Work Plan, satisfactory to the City, is provided and the Preconstruction Services Contract is executed. Failure to submit a Work Plan within twenty-one (21) calendar days of the Intent to Award, that is acceptable to and approved by the City, may result in the City canceling the Contractor’s selection. The City may then, at its discretion, begin discussions with the next highest ranked Proposer. Subject to approval of the Work Plan by the City, the Contractor shall immediately execute the Preconstruction Services Contract, a sample of which is included in this RFQ/PA, which shall be solely for the performance and payment of Preconstruction Services.

**MACC NEGOTIATIONS AND GC/CM CONTRACT**

You are hereby notified that if the Owner is unable to negotiate a satisfactory MACC, at any phase, with the selected firm that the Owner determines to be fair, reasonable and within available funds, negotiations with that firm shall be formally terminated. The Owner may begin negotiations with the next highest ranked Proposer. Contractor shall not be reimbursed for the MACC negotiations; however, the Contractor will be paid in accordance with the Agreement for Preconstruction Services, for any preconstruction work performed prior to the date the MACC negotiations are terminated. Contractor shall not be entitled to any other compensation, damages, loss of profits, or payment of any kind.

## 7.4 Insurance Requirements

The highest ranked Proposer must promptly provide such proof of insurance to the City in reply to the Intent to Award Letter. The pre-construction and construction Contracts will not be executed until all required proof of insurance has been received and approved by the City.

Proposers are encouraged to immediately contact their Broker to begin preparation of the required insurance documents, in the event that the Proposer is selected as a finalist. Proposers may elect to provide the requested insurance documents within their RFQ/PA response.

## 7.5 Apprenticeship

1. On or before the date of the pre-construction meeting, the Contractor shall submit to CPCS, a comprehensive plan outlining how the apprentice utilization requirements will be met on the total Contract labor hours. The plan shall be submitted on a form provided by the Owner or by accessing <http://www.seattle.gov/contracting/apprentice.htm>.
2. CPCS will provide assistance in directing the Contractor to available resources for hiring apprentices. The Contractor, the Engineer, and CPCS shall meet to discuss and modify the plan as may be appropriate.

# 8.0 Debriefing and Protests

## 8.1 Debriefing

Proposers may ask the CPCS Program Administrator for a debriefing, once the protest deadline has concluded. Debriefings may include a review of the debriefed Proposer’s points for each evaluation criteria, overall ranking, the strengths and weaknesses of its RFQ/PA and presentation in the Interview, and answers to questions regarding the selection process.

## 8.2 Protests

The City has rules to govern the rights and obligations of Proposers that desire to submit a protest to this process. Please see the City website at <http://www.seattle.gov/purchasing> for these rules. Proposers have the obligation to be aware of and understand these rules, and to seek clarification as necessary from the City.

**END OF RFQ/PA**