

# Request for Qualifications (CM at Risk Contract)

## State of Ohio Standard Forms and Documents

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**Administration of Project:** Local Agency

Project Name	<u>Portage Lakes East Reservoir Dam Rehabilitation</u>	Response Deadline	<u>09/30/2016</u>	<u>4:00p.m.</u> local time
Project Location	<u>Portage Lakes State Park</u>	Project Number	<u>DNR-130036</u>	
City / County	<u>Akron / Summit</u>	Project Manager	<u>Jeremy Wenner</u>	
Owner	<u>Ohio Department of Natural Resources</u>	Contracting Authority	<u>Local Agency</u>	
Delivery Method	<u>CM at Risk</u>	Prevailing Wages	<u>State</u>	
No. of paper copies requested (stapled, not bound)	<u>5</u>	No. of electronic copies requested (PDF)	<u>2</u>	

Submit the requested number of Statements of Qualifications (Form F110-330) directly to Jacqueline Heiter at 2045 Morse Road, Building E-3, Columbus, Ohio 43229. See Section G of this RFQ for additional submittal instructions.

Submit all questions regarding this RFQ in writing to Jacqueline Heiter at [Jacqueline.Heiter@dnr.state.oh.us](mailto:Jacqueline.Heiter@dnr.state.oh.us) with the project number included in the subject line (no phone calls please). Questions will be answered and posted to Opportunities page on the OFCC website at <http://ofcc.ohio.gov> on a regular basis until one week before the response deadline. The name of the party submitting a question will not be included on the Q&A document.

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### Project Overview

#### A. Project Description

Construction Management at Risk services are being requested to provide pre-construction and construction phase services for rehabilitation of East Reservoir Dam. East Reservoir Dam is a Class I high-hazard-potential structure, comprised of an earthen embankment which impounds 235 acres of water at normal pool and is located near Barberton, Ohio. The dam consists of three separate embankment areas: south embankment (100 feet long), main embankment (825 feet long), and the north embankment (175 feet long). East Reservoir Dam was originally part of the Ohio-Erie Canal system, constructed in the 1840s. The main embankment failed during the 1913 flood event and was reconstructed with a new ogee spillway in the north embankment. The embankments are constructed of sand overlying a typically sand foundation. Over time, various performance issues have been identified including uncontrolled seepage conditions, persistent wet areas, and the deterioration of the appurtenant structures. Currently, the structure does not meet established dam safety standards.

The site of the proposed work is along the shoreline of the existing embankment extending near the western edge of the reservoir and along Portage Lakes Drive to approximately 250 feet north of the intersection of North Turkeyfoot Road and Portage Lakes drive. State-owned property within the work site includes all areas within the existing shoreline (East Reservoir). Additional State-owned or State-leased parcels along the shoreline and adjacent to the work site may be available for use by the contractor. Work will be required on properties not owned or leased by the State.

Through this selection process, ODNR contemplates engaging a Construction Manager at Risk ("CM") to provide pre-construction and construction services for all improvements at the facility. The selected CM's agreement may be extended and amended to add scope of work as capital appropriations are available in future Capital Bill legislation for projects at Portage Lakes State Park, including North Reservoir. However, the Contracting Authority may terminate the agreement with the CM and seek proposals from other firms after successful completion of the work on East Reservoir Dam.

Professional design services are being acquired by the Contracting Authority under a separate contract.

All aspects of the project and related issues will be implemented and operated consistent with the Contracting Authority and/or Owner's policies and procedures.

#### B. Scope of Services

The work required includes heavy civil construction both on land and in water. Work may include some or all of the following:

- Preconstruction services as described below.
- Construction of embankment stability berm in areas presently submerged, and removal and disposal of berm material post construction.

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- Working from barges or other floating plant and equipment.
- Removal of existing dock and marina structures that impede construction.
- Construction of seepage barriers which could include placement of temporary or permanent sheet piling, construction of cutoff walls, and application of deep soil mixing methods.
- Construction of a gravity structure using deep soil mixing methods.
- Construction of cofferdams.
- Administration of lake level control plans.
- Shallow dredging and dredge material disposal.
- Participation in development of construction monitoring and emergency action plans and procurement of materials and equipment as necessary for implementation in the case that emergency action is required during the construction period.
- Demolition and modifications to existing concrete spillway structures as well as construction of new spillway structures and gateways.
- Demolition and construction of a new concrete channel near the southern end of the north embankment.

The selected Construction Manager at Risk ("CM"), as a portion of its required Scope of Services and prior to submitting its proposal, will discuss and clarify with the Contracting Authority and/or Owner, the breakdown of the Agreement detailed cost components, to address the Owner's project requirements and refine the project schedule.

As required by the Agreement, and as properly authorized, provide the following categories of services: provide constructability review comments on documents produced by the A/E during the 50% Design (Schematic), 75% Design (Design Development), & 100% Design (Construction Documents) stages; develop and maintain estimates of probable construction cost, value engineering, project schedules, and construction schedules; lead and manage the Subcontractor Prequalification and Bidding process, Construction and Closeout Stage.

Refer to the *Ohio Facilities Construction Manual* for additional information about the type and extent of services required for each. A copy of the standard Agreement can be obtained at the OFCC website at <http://ofcc.ohio.gov>.

The preconstruction and construction services are generally described below. Subcontracts will be awarded by the CM to prequalified vendors using a competitive process. The parties will engage in an "open book" pricing method in which all subcontracted work shall be based upon competitive pricing that will be reviewed by the Contracting Authority and/or Owner, the A/E and the CM. The Contracting Authority and/or Owner shall have access to all books, records, documents and other data in the CM's possession related to itself, its subcontractors and material suppliers pertaining to bidding, pricing or performance of the Agreement.

Preconstruction Services: The CM will work cooperatively with the Contracting Authority and/or Owner, A/E, and Project Team, and will provide, among other services, schedule development, estimate development, Guaranteed Maximum Price (GMP) proposal, subcontractor prequalification and bidding, constructability review, permits, budgeting, value engineering, and preconstruction planning throughout the preconstruction stages. When the drawings and specifications are at the stage of completion specified in the Agreement, such partially completed documents (the "Basis Documents") shall be provided to the CM, together with the A/E's detailed listing of any incomplete design elements and the A/E's statement of intended scope with respect to such incomplete elements (the "Design Intent Statement"). Contingent upon the Contracting Authority's approval of the GMP, the parties will enter into an amendment to the Agreement establishing the Contract Sum ("GMP Amendment"). If the proposed Contract Sum exceeds the Project Budget established for construction, then the Contracting Authority may terminate the agreement with the CM and seek proposals from other firms for completion of the Project.

Construction Services: The CM shall construct the Project pursuant to the construction documents and in accordance with the schedule requirements. The CM shall hold all subcontracts and shall be fully responsible for the means and methods of construction, project safety, project completion within the schedule agreed upon in the preconstruction phase, compliance with all applicable laws and regulations including monitoring compliance with all EDGE, equal employment, and prevailing wage requirements, and submitting monthly reports of these activities to the Contracting Authority. All subcontracts shall be on the subcontract form prescribed by OAC Section 153:1-03-02. The Contracting Authority reserves the right to approve the CM's selection of subcontractors and any supplemental terms to the form subcontract.

Anticipated Schedule of Services: Proposed schedule for the Portage Lakes East Reservoir Dam Improvements Project Procurement, Preconstruction Services and Construction Services.

1. RFQ Response – 09/30/2016
2. Shortlist Selection / RFP Issued – 10/07/2016
3. Site Visit – 10/12/2016
4. Pre-proposal Meeting – 10/20/2016
5. Proposal Submission – 10/27/2016

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6. Interview – 11/01/2016
7. CM Selection – 11/04/2016
8. Notice to Proceed – 12/12/2016

For purposes of completing the Relevant Project Experience Matrix in Section F of the Statement of Qualifications (Form F110-330), below is a list of relevant scope of work requirements for this RFQ:

1. Experience with complex, fast-track projects of similar or greater magnitude as appropriate for the scope discussed herein. For all past projects utilized to demonstrate experience, the contractor shall provide a description of the specific work items relevant to the scope of work described herein and specifically identify their role in that work (i.e., CM, General Contractor, Self-Perform, etc.)
2. Experience with water resource projects, including marine work, dredging, installation of seepage barriers for embankments, spillway and outlet structure construction or modification.
3. Knowledge and experience with complex dam rehabilitation projects inclusive of those involving multiple permitting and regulatory agencies.
4. Experience with multiple seepage control alternatives and construction technologies, including innovative techniques.
5. Experience with marina and dock construction, including dock removal, relocation, and installation.
6. Administration of Construction Monitoring, Emergency Action, and/ or detailed safety plans for dam rehabilitation and construction.
7. Experience with addressing and mitigating private property impacts related to construction activities, such as rights of entry and potential property lease agreements.
8. Experience in contracting with state, federal, or local governmental agencies.
9. Experience with stakeholder communications and public information associated with large heavy civil projects.

### C. Funding / Estimated Budget

Total Project Cost	<u>\$33,000,000</u>	State Funding	<u>\$33,000,000</u>
Construction Cost	<u>\$30,000,000</u>	Other Funding	<u>\$0</u>

### D. Anticipated Schedule

CM Preconstruction Services Start	<u>12 / 16</u>
Construction Stage Notice to Proceed	<u>03 / 17</u>
Substantial Completion of all Work	<u>12 / 18</u>
CM Services Completed	<u>04 / 19</u>

### E. EDGE Participation Goal

Percent of the CM's total compensation excluding CM's Contingency*	<u>5.0%</u>
*Preconstruction Stage Compensation plus Contract Sum minus CM's Contingency	

### F. Evaluation Criteria for Selection

**Selection Criteria:** The CM will be selected using (i) qualifications-based process during the Request for Qualifications (RFQ) stage to develop a short list and (ii) best value process during the Request for Proposal stage. The qualifications-based criteria for the RFQ is included in this announcement. The best value criteria used in evaluating proposals from short listed firms will include such factors that are determined to derive or offer the greatest value to the State and Owner, combining both qualifications and fee.

**Short List:** Each firm responding to this RFQ will be evaluated and selected based on its qualifications and the qualifications and experience of the particular individuals identified as the candidate's proposed team for the Project. After evaluating the responses to this RFQ, the Contracting Authority will select a short list of no fewer than three candidates that it considers to be the most qualified, except if the Contracting Authority determines that fewer than three firms are qualified, it will only select the qualified firms.

**Request for Proposal:** The short-listed firms shall be sent a Request for Proposal ("RFP") that will invite the firms to submit pricing proposals containing their proposed preconstruction stage compensation, construction stage personnel costs, itemized construction stage general conditions costs, construction stage contingency percentage, and construction stage fee percentage. The short-listed candidates will also receive (i) form of Agreement with the Contracting Authority containing the contract terms and conditions, (ii) set of the most recent design documents and (iii) proposed Project schedule.

**Site Visit:** After Issuance of the RFP, a voluntary site visit will be coordinated with all short-listed firms and the Contracting Authority.

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**Pre-Proposal Meeting:** Prior to submitting a response to the RFP, the short-listed firms will be invited to meet individually with the Contracting Authority and/or Owner. The purpose of the pre-proposal meeting is to permit the short-listed firms an opportunity to ask the Contracting Authority and/or Owner questions in an individual setting to help the firms prepare their responses to the RFP. The Contracting Authority will notify each short-listed firm to schedule individual times for the pre-proposal meetings.

**Interview:** After submitting responses to the RFP, the short-listed firms will be interviewed by the Contracting Authority and Owner. The purpose of the interview will be to meet the proposed Project team, become familiar with key personnel, and understand the project approach and ability to meet the stated objectives for the Project. Please be prepared to discuss with specificity the firm's capacity to conduct this work in compliance with the timetable, budget and EDGE expectations. The Contracting Authority will notify each short-listed firm to schedule individual times for the interviews.

**Selection Schedule:** Tentative schedule is subject to change.

RFP issued to the Short-Listed Firms	10/07/2016
Interviews	11/01/2016
Selection of CM	11/04/2016

**Cancellation and Rejection:** The Contracting Authority reserves the right to reject all proposals and cancel at any time for any reason this solicitation, any portion of this solicitation or any phase of the Project. The Contracting Authority shall have no liability to any proposer arising out of such cancellation or rejection. The Contracting Authority reserves the right to waive minor variations in the selection process.

Interested CM firms are required to submit the Commitment to Participate in the EDGE Business Assistance Program form in its Statement of Qualifications (Form F110-330) submitted in response to the RFQ, to indicate its intent to contract with and use EDGE-certified Business Enterprise(s), as a part of the CM's team. The Intent to Contract and to Perform and / or waiver request letter and Demonstration of Good Faith Effort form(s) with complete documentation must be attached to the CM's Proposal. Both forms can be accessed via the OFCC website at <http://ofcc.ohio.gov>. The Intent to Contract and to Perform form is again required at the Fee Proposal stage.

For all Statements of Qualifications, please identify the EDGE-certified Business Enterprises, by name, which will participate in the delivery of the proposed professional services solicited in the RFQ.

### G. Submittal Instructions

Firms are required to submit the current version of Statement of Qualifications (Form F110-330) available via the OFCC website at <http://ofcc.ohio.gov>.

Electronic submittals should be combined into one PDF file named with the project number listed on the RFQ and your firm's name. Use the "print" feature of Adobe Acrobat or similar software for creating a PDF rather than using a scanner. If possible, please reduce the file size of the PDF. In Acrobat, go to Advanced, then PDF Optimizer. Also, please label the CD or DVD and the sleeve with the project number and firm name if applicable.

Paper copies of the Statement of Qualifications, if requested, should be stapled only. Do not use special bindings or coverings of any type. Cover letters and transmittals are not necessary.

Facsimile copies of the Statement of Qualifications will not be accepted.

Unless otherwise noted or exempt, all documents submitted to the Contracting Authority in response to this RFQ and subsequent RFP are public and will be available for inspection at the conclusion of the selection process. The following information shall remain confidential and will not be released: (1) Proposal Form(s), except for cost category subtotals which will be transferred to the Best Value Rating Form; (2) Financial Capacity; and (3) Bonding/Insurance.

Proposers are requested to submit the following information in response to this RFQ within Section H of Form F110-330.

1. **Summary:** Provide a summary, on one page or less, describing why your firm/team is the most qualified for the Project.
2. **Bonding/Insurance:** Provide evidence of capacity to provide bonding in the amount of the construction budget (e.g. a letter from your Surety agent stating that one or more Sureties will issue Bonds in the amount of the construction budget if your team is selected) and a copy of the firm's certificate of insurance showing the firm's current limits of liability for commercial general liability, employer's liability, business automobile liability, and professional liability insurance.
3. **Management Systems:** Describe the scheduling and cost control systems the firm would propose to use for the Project

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4. Self-Performed Work: Indicate whether the firm intends to self-perform any work on the Project through a competitive process and, if so, the nature of the work and capability to self-perform.
5. Estimating: Demonstrated track record of performance of in-house estimating on projects comparable to the Project.
6. Scheduling: Demonstrated track record of performance of managing projects to the original schedule.

Firms are requested to identify professional registrations, memberships and credentials including but not limited to: LEED GA, LEED AP, LEED AP+, CCCA, CCM, CCS, CDT, CPE, DBIA, and any other appropriate design and construction industry credentials. Identify that information on the resume page for individual in Block 22, Section E of the F110-330 form.

# CM at Risk Selection Rating Form

## State of Ohio Standard Forms and Documents

Project Name Portage Lakes East Reservoir Dam Rehabilitation Proposer Firm \_\_\_\_\_  
 Project Number DNR-130036 City, State, Zip \_\_\_\_\_

Selection Criteria		Value	Score
<b>1. Primary Firm Location and Workload</b> (Maximum 10 points)			
a. Proximity of firm to project site	Less than 50 miles	5	
	50 miles to 150 miles	2	
	More than 150 miles	0	
b. Amount of contracts awarded by Contracting Authority in previous 24 months	Less than \$5,000,000	5	
	\$5,000,000 to \$20,000,000	2	
	More than \$20,000,000	0	
<b>2. Primary Qualifications</b> (Maximum 40 points)			
a. Project management lead	Experience / ability of project manager to manage scope / budget / schedule / quality	0 - 10	Max = 30
b. Project administration lead	Experience / ability to effectively administer project controls and processes	0 - 15	
c. Technical staff	Experience / ability of technical staff to develop accurate estimates and schedules	0 - 10	
d. Construction administration staff	Experience / ability of field representative to identify and solve issues during construction	0 - 5	
<b>3. Key Consultant Qualifications</b> (Maximum 10 points)			
a. Key consultants	Experience / ability of key consultants to perform effectively and collaboratively	0 - 5	
b. Proposed EDGE-certified Consultant participation*	One point for every 2 percent increase in Services compensation** over the EDGE participation goal	0 - 5	
<b>4. Overall Team Qualifications</b> (Maximum 10 points)			
a. Previous team collaboration	Less than 2 sample projects	1	Max = 3
	2 to 4 sample projects	2	
	More than 4 sample projects	3	
b. LEED*** Registered / Certified project experience	Registered projects	1	Max = 2
	Certified projects	2	
c. BIM project experience	Training and knowledge	1	Max = 3
	Direct project experience	3	
d. Team organization	Clarity of responsibility / communication demonstrated by table of organization	0 - 2	
<b>5. Overall Team Experience</b> (Maximum 30 points)			
a. Previous team performance	Past performance as indicated by evaluations and letters of reference	0 - 10	
b. Experience with similar projects / delivery methods	Less than 2 projects	0 - 3	
	2 to 4 projects	4 - 6	
	More than 4 projects	7 - 10	
c. Budget and schedule management	Performance in completing projects within original construction budget and schedule	0 - 5	
d. Knowledge of Ohio Capital Improvements process	Less than 4 projects	0 - 1	
	4 to 8 projects	2 - 3	
	More than 8 projects	4 - 5	
* Must be comprised of consulting firm(s) and NOT the lead firm ** Preconstruction Stage Compensation plus Contract Sum minus Subcontracted Work, Self-performed Work, and CM's Contingency *** Leadership in Energy & Environmental Design administered by the Green Building Certification Institute		<b>Subtotal</b>	

**Notes:**

**Evaluator:**

Name \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_