

SCURRY COUNTY, TEXAS
ONE-STEP REQUEST FOR PROPOSALS
FOR
CONSTRUCTION MANAGER-AT-RISK
FOR
EMERGENCY MEDICAL SERVICES STATION
RFP# [2024-001-EMS]

Issued: April 16, 2024
Due: May 17, 2024 at 1:00 P.M. CST

Scurry County, Texas
1806 25th St.
Snyder, Texas 79549
(325) 573-8576

SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** Scurry County, Texas (the “Owner” or “County”) is soliciting proposals (“Proposals”) for selection of a Construction Manager-at-Risk (“CMAR”) firm for new construction of **the Emergency Medical Services Station** (the “Project”), in accordance with the terms, conditions, and requirements set forth in this Request for Proposals (“RFP”).
 - 1.1.1 This RFP is for selecting a CMAR firm for the Project as provided by Chapter 2269 of the Texas Government Code. The RFP provides the information necessary to prepare and submit Proposals including fee proposals and general conditions prices. The selection process for this RFP is a one-step process as described in Section 2269.253 of the Texas Government Code. The Owner will rank the Proposals based on the published selection criteria and the information provided by the Respondents.
- 1.2 **PUBLIC INFORMATION:** All information, documentation, and other materials submitted in response to this RFP are considered non-confidential and non-proprietary and are subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552.001, et seq.) after the solicitation is completed.
 - 1.2.1 The requirements of Subchapter J, Chapter 552, Texas Government Code, may apply to this RFP and the Construction Manager agrees that any contract resulting from this solicitation can be terminated by the Owner if the Construction Manager knowingly or intentionally fails to comply with a requirement of that subchapter.
 - 1.2.2 Subchapter J does not create a cause of action to contest a bid for or the award of a contract with the Owner.
 - 1.2.3 The Owner may not accept a bid for a contract described by Subchapter J, Chapter 552 or award the contract to an entity that the Owner has determined has knowingly or intentionally failed to comply with Subchapter J in a previous bid or contract described by that section unless the Owner determines and documents that the entity has taken adequate steps to ensure future compliance with the requirements of Subchapter J.
 - 1.2.4 Nothing in this subchapter prevents the Owner from including and enforcing more stringent requirements in a resulting contract to increase accountability or transparency.
 - 1.2.5 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFP information. Pursuant to these decisions and opinions, certain proprietary information and trade secrets that offerors may provide can be the subject of objections to

disclosure. However, offerors should be aware that the Act and the County's general policy is that all information received is considered public information.

1.3 **TYPE OF CONTRACT:** Any contract resulting from this solicitation will be in the form of the Standard AIA A133 Form of Agreement between Owner and CMAR, as modified by the County. A prepared set of documents, including AIA A133-2019 Form of Agreement, AIA A201-2017 General Conditions of the Contract, Owner's Insurance Requirements, Performance Bond, Payment Bond and Guaranteed Maximum Price Exhibit are included with this RFP for Respondent evaluation prior to submission of a response.

1.4 **PRE-PROPOSAL CONFERENCE:** An optional pre-proposal conference for all interested parties will be held at 1806 25th St, County Courtroom, Snyder, TX 79549 on **May 6, 2024 at 9:00 AM CST**. It is highly recommended that all parties interested in submitting a bid for this work be present.

1.5 **CLARIFICATIONS AND INTERPRETATIONS:** Any clarifications or interpretations of this RFP that materially affect or change its requirements will be issued by the Owner as an addendum. All such addenda issued by the Owner before the Proposals are due are part of the RFP, and Respondents shall acknowledge receipt of and incorporate each addendum in its Proposal.

1.5.1 Questions about the Projects or the RFP shall be submitted in writing and addressed to County Judge Dan Hicks at scjudge@co.scurry.tx.us. Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda three (3) days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Proposals. Deadline for submitting questions pertaining to the Proposal will be on **May 10, 2024 at 5:00 P.M. CST**.

1.6 **SUBMISSION OF PROPOSALS:**

1.6.1 **DEADLINE AND LOCATION:** Proposals must be received by the County at or before **1:00 P.M. CST on May 17, 2024**. Proposals shall be submitted in one (1) original and five (5) hard copies to be delivered in a sealed envelope via mail, courier service, or hand delivery to:

Scurry County, Texas
Attn: Dan Hick, County Judge
Emergency Medical Services Station Project
RFQ# [2024-001-EMS]
1806 25th Street
Snyder, Texas 79549

1.6.2 Late responses will be returned to Respondent unopened (if properly identified).

- 1.6.3 The Owner will not acknowledge or receive Proposals via oral communication, telephone, electronic mail (email), or facsimile transmission (fax).
- 1.6.4 Properly submitted Proposals will not be returned to Respondents.
- 1.6.5 Proposal materials must be addressed to the point-of-contact set forth in Section 1.6.1 of this RFP; the package must clearly identify the submittal deadline, the RFP number, and the name and return address of the Respondent.
- 1.6.6 Properly submitted Proposals will be opened publicly and the names of the Respondents and the fees and prices will be read aloud **May 17, 2024 at 1:00 P.M. CST at 1806 25th Street, Snyder, Texas 79549.**

1.7 **EVALUATION OF PROPOSAL:**

- 1.7.1 The evaluation of the Proposals shall be based on the selection criteria contained herein to select the Proposal that offers the best value to the Owner. In this RFP, Respondents are required to provide Respondent's Pre-Construction Phase Fee, Construction Phase Fee, and pricing for fulfilling the Project General Conditions and other requirements as described in this RFP. The Owner's schedule requirements for completion and delivery of a substantially complete Project are significant.
- 1.7.2 Not later than the 45th day after the Proposals are opened, all properly submitted Proposals will be reviewed, evaluated, and ranked by the Owner in relation to the selection criteria set forth in this RFP. Respondents should provide all necessary information to allow Owner to evaluate their firm based on the criteria contained herein.
- 1.7.3 Owner reserves the right to interview five (5) or fewer qualified Respondents prior to the expiration of the evaluation period. In the event Owner opts to interview Respondents, the final ranking will be based on all information, including the written proposal and oral interview, if conducted.
- 1.7.4 Owner will first attempt to negotiate with the selected offeror. If Owner is unable to negotiate a satisfactory contract with the selected offeror, Owner will end negotiations with that offeror and proceed to negotiate with the next offeror in the order of the selection ranking until a contract is reached or negotiations with all ranked offerors end.

1.8 **OWNER'S RESERVATION OF RIGHTS:**

- 1.8.1 The Owner may evaluate the Proposals based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Proposals and re-solicit for new Proposals, or to reject any and all Proposals and temporarily or

permanently abandon the Project. Owner makes no representations, written or oral, that it will enter into any form of agreement with any Respondent to this RFP for any project, and no such representation is intended or should be construed by the issuance of this RFP.

- 1.8.2 The Owner, in its sole discretion, reserves the right to determine the propriety of any proposal and may disqualify any Respondent based on an incomplete, inaccurate, or noncompliant response. The Owner further reserves the right to reject any or all of the proposals, to waive inconsistencies, irregularities, incomplete submissions, or formalities, and to evaluate and rank Respondents as outlined in this RFP subject to or subsequent to any exercise of reserved rights. Respondents will be notified in writing of any determinations made by the Owner as to the application of this section.
- 1.9 **ACCEPTANCE OF EVALUATION METHODOLOGY:** By submitting its Proposal in response to this RFP, Respondent accepts the evaluation process and acknowledges and accepts that evaluation and determination of the Respondent's scores for each selection criteria, and the corresponding cumulative score, will require subjective judgments by the Owner.
- 1.10 **NO REIMBURSEMENT FOR COSTS:** Respondent acknowledges and accepts that any costs incurred from the Respondent's participation in this RFP shall be at the sole risk and responsibility of the Respondent.
- 1.11 **DISCLOSURE**
The State of Texas Local Government Code (Chapter 176) requires that all vendors seeking to do business with the County file a disclosure questionnaire identifying any business relationship they have with the County or representatives of the County. For more information or to obtain the Questionnaire CIQ, go to the Texas Ethics Commission web page at: www.ethics.state.tx.us/forms/CIQ.pdf. The disclosure questionnaire **must be submitted with your Proposal.**
- 1.12 **CERTIFICATE OF INTERESTED PARTIES**
State of Texas Local Government Code (Chapter 2252) states that the County may not enter into a contract with a business entity unless and until the business entity has submitted a Certificate of Interested Parties (hereafter referred to as "Form 1295") to the County for filing with the Texas Ethics Commission (hereafter referred to as "TEC"). Instructions for completing this form are included at https://www.ethics.state.tx.us/whatsnew/elf_info.form1295.htm. Form 1295 **must be submitted with your Proposal.**

SECTION 2 – PROJECT SCOPE AND EXAMINATION OF DOCUMENTS:

2.1 GENERAL PROJECT SITE AND SCOPE

The County anticipates the Emergency Medical Services Station to be an approximately 15,000 sq. ft. industrial warehouse-styled workspace which

includes temporary living quarters for EMS personnel to be constructed on one certain property owned by the County.

The County’s budget for the Emergency Medical Services Station is approximately \$4,300,000.00 inclusive of all construction costs.

The Project design is in the schematic design phase and is approximately thirty percent (30%) complete upon award of this RFP. As such, the Owner cannot provide a fully defined scope of work with the RFP. A detailed scope of the Project will be further defined with the selected Respondent’s assistance of the Owner’s design firm during the preconstruction phase. The Schematic Design is included in this RFP package.

2.2 EXAMINATION AND PURCHASE OF DOCUMENTS

- 2.2.1 Information regarding the RFP and requirements for submitting proposals can be found on the County’s website.
- 2.2.2 Questions about the Project or the RFP shall be submitted in writing and addressed to County Judge Dan Hicks at scjudge@co.scurry.tx.us. The County will respond in writing, the response will be published on the website, and a notification email will be transmitted to all potential Respondents.

SECTION 3 – REQUIREMENTS FOR PROPOSAL

Respondents shall carefully read the information contained in the following criteria and submit a complete response to all questions in Section 3 formatted as directed in Section 4. Incomplete responses will be considered non-responsive.

Rating Category	Description	Point Value
1	<u>Pricing and delivery proposal</u>	35
2	<u>Experience and past performance on similar projects</u>	25
3	<u>Project planning and scheduling</u>	25
4	<u>Estimating and cost control measures</u>	10
5	<u>References</u>	5
6	<u>Financial Information</u>	Pass/Fail
<u>Total</u>		100
7	<u>Interview (Optional)</u>	15
Post-Interview Total		115

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3.1 **CRITERION ONE: RESPONDENT'S PRICING AND DELIVERY PROPOSAL**

3.2.1 Complete the "Pricing and Delivery Proposal" form attached hereto.

3.3 **CRITERION TWO: RESPONDENT'S EXPERIENCE AND PAST PERFORMANCE ON SIMILAR PROJECTS**

3.3.1 Respondents should provide the following for facilities of similar size and scope constructed by Respondent:

3.3.1.1 the name of the owner;

3.3.1.2 the name of the project

3.3.1.3 the project cost and duration, indicating whether the project was completed within the original budget and schedule;

3.3.1.4 the name of the owner's representative;

3.3.1.5 the identity of the architect of record and its representative(s); and

3.3.1.6 the names of the Respondent's key personnel involved with the project.

3.3.2 Respondents may submit photographs, project descriptive narratives, letters of recommendation, project awards, and references to demonstrate experience in constructing a project which meets the Owner's expectations for a quality project constructed on time and within budget. Respondents should demonstrate experience in the construction of projects of similar construction cost or techniques or describe how it intends to provide the needed experience and expertise.

3.3.3 If Respondent does not have specific experience with projects of this type and magnitude, the Respondent may describe its proposed approach and how its experience with other projects enhances their capability to successfully complete this Project.

3.3.4 Respondent should also provide information for similar Projects demonstrating the quality of its Work. Quality considerations may include the appearance of the completed work, amount of warranty work required, continuing ability of the Project to meet performance needs, durability and maintainability of the completed project, and quality of documentation provided.

3.3.5 Respondent should also provide information concerning past safety record and performance on similar projects including specific project site safety program. Respondent should also submit detailed information of any OSHA violations for which citations were issued or fines levied for the last 5 years to demonstrate the effectiveness of the safety program.

3.4 **CRITERION THREE: RESPONDENT'S PROJECT PLANNING AND SCHEDULING FOR THIS PROJECT**

- 3.4.1 Provide an organizational chart describing the organization structure and management team to be assigned to the Projects. Provide resumes, indicating the experience of all personnel responsible for planning and delivery of the Projects and their city(s) of residence. Indicate their level of involvement during preconstruction phase services, construction phase services and project closeout. Include the following personnel:
- 3.4.1.1 Project Executive
 - 3.4.1.2 Project Manager(s)
 - 3.4.1.3 Project Superintendent(s)
 - 3.4.1.4 Project Engineer(s)
 - 3.4.1.5 BIM Coordinator
 - 3.4.1.6 MEP System Coordinator
 - 3.4.1.7 Project Scheduler
 - 3.4.1.8 Project Estimator
- 3.4.2 For your proposed project schedule, provide a Primavera, or equivalent software generated, CPM Milestone schedule for this Project using the commencement and completion deadlines in this RFP and identify specific critical process, phases, milestones, approvals, and procurements anticipated.
- 3.4.3 As the Project scheduler, describe your philosophy regarding establishment and use of Total Project Float on this Project to achieve the Owner's required Substantial Completion date.
- 3.4.4 Describe your plan for meeting or improving the Owner's proposed schedule for design and construction. If you propose to improve the schedule, describe the impact on quality of services, materials or workmanship that may occur.
- 3.4.5 Describe your approach to providing preconstruction phase services in advance of providing a GMP. Include specific methodology towards completing constructability reviews and assessment of proposed building systems of the Architect or Engineer design documents during the design development and Construction Document phase. Include your approach to ensuring the design intent of the documents are conveyed to subcontractors through the buyout sequence to ensure the total scope of the work is coordinated among the trades.
- 3.4.6 Describe your approach to collaborating with the Architect in determining a strategy for project delivery through early packages and trade packages for procurement. Describe your use of Building Information Modeling for coordination of trade contract work and compliance with contract documents.

- 3.4.7 Describe your approach to project estimating during preconstruction to ensure costs are in alignment with Owner's budget and Projects scope is attained to the greatest extent.
- 3.4.8 Describe your experience with implementing sustainable design approaches through construction and ensuring subcontractors are aware of Projects goals and requirements.
- 3.4.9 Explain your approach to mobilizing on site and executing the Project. Describe any mitigation measures you may take to avoid disrupting residential neighbors around the site; protection measures for sensitive features and designated vegetation; and storm water management during construction.
- 3.4.10 Explain what measures you have employed in other projects to minimize project impact from external impacts including pandemics, material or labor shortages, or regulatory oversight.

3.4 **CRITERION FOUR: RESPONDENT'S ESTIMATING AND COST CONTROL MEASURES FOR THIS PROJECT**

- 3.4.1 Identify the proposed cost control team for Pre-Construction and Construction Services, their duties, city(s) of residence, estimating system, and Guaranteed Maximum Price (GMP) cost control system for this Project.
- 3.4.2 Describe your project estimating system for developing the GMP Proposal and how you will monitor and track these costs during the procurement and payment process.
- 3.4.3 Describe how the cost control team will ensure the executed GMP Proposal will be within the Owner's budget on this Project.
- 3.4.4 The Owner requests a GMP at 95% completion of the Construction Documents, describe your process for ensuring that the scope, cost and schedule assumptions will arrive at a "complete" GMP Proposal for this Project.
- 3.4.5 Describe the contingencies you will propose in the GMP, and how these contingencies will be managed through the completion of Construction Phase Services.
- 3.4.6 Describe your plans for establishing, tracking, reporting and payment of the GMP and possible future changes on this Project.
- 3.4.7 Describe your philosophy regarding Payment and Performance bonds, if any, to be required of subcontractors.

3.5 CRITERION FIVE: REFERENCES

- 3.5.1 Provide at least five (5) references from projects of similar size and scope, including name, title, phone number and project.

3.6 CRITERION SIX: FINANCIAL INFORMATION

- 3.6.1 Owner will consider the firm's corporate history and financial stability, including the historical stability, corporate structure, firm's ability to acquire and maintain surety bonds and insurance, history of litigation and arbitration, history of debarment by municipalities or other public entities, and a statement of any liquidated damages that have previously been withheld by public owner clients of the Proposer on projects within the last five (5) years.

- 3.6.2 Proposers must include at a minimum the following items to assist the Owner in its evaluation:

- 3.6.2.1 Past two (2) years of available financial statements, preferably audited. Provide financial statements showing the name and address of the firm preparing the financial statements and the date of preparation. Proposers may choose to report on the financial capability and stability of their organization to demonstrate that they have the ability to complete the Project in a manner that will not impose undue efforts on the part of the Owner to invoke rights under bonds to complete the Project or for Proposer to meet financial obligations;

- 3.6.2.2 A list of bank references, including contact name and title, address and phone of contact person; and

- 3.6.2.3 Written evidence of its authority to do business in the state of Texas.

- 3.6.3 This is a pass or fail criterion. Any Proposer receiving a score of "fail" will be automatically disqualified.

3.7 CRITERION SEVEN: INTERVIEW (OPTIONAL)

- 3.7.1 After the Proposals have been initially ranked based on the selection criteria above, the Owner, in its sole discretion, may conduct oral interviews of the Proposers. The number of Proposers invited to interview will depend on the scores following evaluation of the written proposal responses. Only the highest ranked Proposers that are, on the basis of their written proposal, qualified to perform the work will be invited for interviews. No more than five (5) Proposers will be selected for interviews. If the Owner chooses to conduct interviews, selected Proposers will be interviewed during normal

business hours; will be sent the interview format and agenda; and individuals from the firm expected to participate in the interview as a minimum standard. Failure to participate in the interview, if requested, may result in disqualification of the proposal. Proposers selected for interview will be scored based on the interview for a maximum score of 15 points. The interview points will be added to the initial proposal score to comprise the final total score, on which the final rankings will be based.

RESPONDENT'S PRICING AND DELIVERY PROPOSAL FORM (CRITERION ONE)

Proposal of: _____
(Respondent's Company Name)

To: Scurry County, Texas
 Attn: Dan Hicks, County Judge
 1806 25th Street
 Snyder, Texas 79549

Project Name: **Emergency Medical Services Station Project**

RFP No.: [2024-001-EMS]

Having carefully examined all the requirements of this RFP, the proposed form of Agreement, and any attachments to them, the undersigned proposes to furnish Construction Manager-At-Risk services as required for this Project on the following terms:

1. **ESTABLISHMENT OF THE CONSTRUCTION MANAGER'S BUDGET LIMITATION:** The Owner has established a Construction Manager's Budget Limitation (CMBL) amount of \$4,300,000.00 that includes the Pre-Construction Phase Fee and the Construction Services Guaranteed Maximum Price Proposal. Respondents shall base the pricing information requested below on the CMBL, with the understanding that in addition to being inclusive of the Pre-Construction Phase Fee, it also includes the Construction Phase Fee and the cost for fulfilling the project general conditions.

2. **RESPONDENT'S PRE-CONSTRUCTION PHASE FEE:** The Respondent shall identify a Pre-Construction Phase Fee in lump sum or percentage of the CMBL.

Respondent's Pre-construction Phase Fee \$ _____
 or _____%

3. **RESPONDENT'S CONSTRUCTION PHASE FEE:** Using the CMBL identified above, the Respondent shall identify a Construction Phase Fee percentage, pursuant to Article 7 of the Agreement:

Respondent's Construction Phase Fee Percentage _____%

4. **RESPONDENT'S GENERAL CONDITIONS COSTS:** Using the intended Notice to Proceed date of November 1, 2024 and Substantial Completion deadline of October 31, 2025, the Respondent shall provide pricing for fulfilling the project general conditions. Said pricing may be either a lump sum amount or a percentage of the CMBL.

Respondent's Pricing for Fulfilling Project General Conditions \$ _____
 or _____%

Total Construction Duration - approximately

12-14 months

General Conditions costs identified above should include all project management, bonds, insurance, field office and office supply costs for the Project. No separate payment will be permitted for identified items.

ADDENDA: Receipt is hereby acknowledged of the following addenda to this RFP (initial if applicable).

No. 1 _____ No. 2 _____ No. 3 _____ No. 4 _____ No. 5 _____ No. 6 _____

AWARD OF CONTRACT AND COMMENCEMENT OF SERVICES: The undersigned agrees to execute the Contract, as identified in section 1.3, after notification that the Respondent has been identified by the Owner as the Respondent with the highest ranked Proposal, and to commence services on or before the commencement date stated by the Owner in a Notice to Proceed. The Owner reserves the right to accept or reject all Proposals and to waive proposal irregularities. Proposals shall be valid and not withdrawn for a period of ninety (90) days from the date of opening thereof.

Respectfully Submitted and Certified By:

(Respondent's Printed Name)

(Title)

(Authorized Signature)

(Date)

SECTION 4 – FORMAT OF PROPOSALS

4.1 GENERAL INSTRUCTIONS

- 4.1.1 Proposals shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFP. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 4.1.2 Proposals shall be a **MAXIMUM OF TWENTY-FIVE (25) PRINTED PAGES**. The cover, table of contents, divider sheets, Pricing and Delivery Proposal do not count as printed pages.
- 4.1.3 Respondents shall carefully read the information contained in this RFP and submit a complete response to all requirements and questions as directed. Incomplete Proposals will be considered non-responsive and subject to rejection.
- 4.1.4 Proposals and any other information submitted by respondent's in response to this RFP shall become the property of the Owner.
- 4.1.5 Proposals that are qualified with conditional clauses, alterations, items not called for in the RFP documents, or irregularities of any kind are subject to rejection by the Owner, at its option.
- 4.1.6 The Owner makes no representations of any kind that an award will be made as a result of this RFP. The Owner reserves the right to accept or reject any or all Proposals, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFP when deemed to be in Owner's best interest.
- 4.1.7 Proposals shall consist of answers to questions identified in Section 3 of the RFP. It is not necessary to repeat the question in the Proposals; however, it is essential to reference the question number with the corresponding answer.
- 4.1.8 Failure to comply with all requirements contained in this Request for Proposals may result in the rejection of the Proposals.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

- 4.2.1 The respondent shall upload all of the requested response documents through the Public Purchase website in PDF format.

4.2.2 Additional attachments shall NOT be included with the Proposals. Only the responses provided by the Respondent to the questions identified in Section 3 of this RFP will be used by the Owner for evaluation.

4.2.3 Separate and identify each criteria response to Section 3 of this RFP by use of a divider sheet for ready reference.

4.3 TABLE OF CONTENTS:

Submittals shall include a "Table of Contents" and give page numbers for each part the Qualifications.

4.4 PAGINATION:

Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.).