

**YELLOWSTONE COUNTY**

**BILLINGS, MONTANA**

**REQUEST FOR QUALIFICATIONS FOR**

**GENERAL CONTRACTOR/CONSTRUCTION MANAGER SERVICES**

**FOR**

**ALTERNATIVE PROJECT DELIVERY**

**FOR**

**THE YELLOWSTONE COUNTY DETENTION FACILITY ADDITION/REMODEL**

**NOVEMBER, 2016**

**Request for Qualifications for General Contractor/Construction Manager Services  
Yellowstone County Detention Facility Addition/Remodel  
Billings, Montana**

The Commissioners of Yellowstone County, Montana approved funding for the design, new construction and renovation of the Yellowstone County Detention Center (YCDF). The Commissioners of Yellowstone County, Montana, (the "County"), require the services of a competent General Contractor/Construction Manager(s) (GC/CM), normally engaged in this profession and duly registered as a Construction Contractor in the State of Montana, to provide GC/CM services as an alternative delivery process, specifically for the following Project:

**The Yellowstone County Detention Facility Addition/Remodel  
3165 King Avenue East, Billings, Montana**

It is the Commissions desire to engage a qualified GC/CM firm to work with the County and the selected Architectural firm for the performance of this project. The County has selected Schutz Foss Architects as the Design Firm for the project. The Owner's Architects have completed design development documents, and which can be viewed at the following website:

<https://schutzfoss.sharefile.com/d-s5d391f6a761448da>

Time is of the essence, as the project shall be fully complete and ready for occupancy by no later than spring of 2018.

The final form of the contract shall be an amended AIA A-133™ - 2009 "Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of Work Plus A Fee with a Guaranteed Maximum Price", in conjunction with AIA A201™ - 2007 "General Conditions of the Contract for Construction." It is the intent of the County to make a single award for these services specific to YCDF.

The entire context of this RFQ/RFP for GC/CM services, including submittal instructions, can be found on the County's website at the following link: <http://www.co.yellowstone.mt.gov/> and are also available at Yellowstone County Commission offices located at 217 North 27<sup>th</sup> Street, Billings, Montana.

### SUBMITTAL OF INFORMATION

Eight (8) hard copies and 1 electronic copy of the written response to this RFQ must follow submittal instructions, must be placed in a separate sealed package, clearly marked RFQ, and be received at:

Board of County Commissioners  
Room 403  
217 N. 27<sup>th</sup> Street  
Billings, MT 59101.

NOTE: CAREFULLY READ SUBMITTAL INSTRUCTIONS. The separate sealed RFQ and RFP responses will be placed together in a single sealed package.

ALL QUESTIONS AND CONTACTS REGARDING THIS RFQ MUST BE SUBMITTED IN WRITING (email or facsimile is acceptable) TO:

Purchasing Department  
Yellowstone County Courthouse  
Attention: James Matteson  
217 North 27<sup>th</sup> Street  
Room 404  
Billings, MT 59101  
E-mail: [jmatteson@co.yellowstone.mt.gov](mailto:jmatteson@co.yellowstone.mt.gov)  
Fax: 406-254-7929

### INSTRUCTIONS TO PROPOSERS:

Statements of Qualifications must:

1. Follow the format outlined in the Selection Procedure;
2. Be signed by an officer or principal of your firm;
3. Be contained in a document not to exceed a total of Twenty-five (25) single side, 8.5"x 11" pages. This page limit is inclusive of all information, pictures, charts, graphs, tables, and text the proposer deems appropriate to be part of the review of the firm's qualifications. A transmittal letter and front and back cover pages are exempted from the page limit. Page size is limited to 8-1/2 x 11 inches, with basic text size of all information reasonably legible.

### TIMELINE FOR REVIEW AND SELECTION AS FOLLOWS:

Advertising dates:	November 11 <sup>th</sup> , 18 <sup>th</sup> and 25 <sup>th</sup> , 2016
Submission of firms Qualification's due:	December 2, 2016, 5:00PM MST
Receipt acknowledged by Owner:	December 6, 2016 at the regular board meeting
Review by the County:	TBD

Interviews:	TBD
Selection and Negotiation:	TBD
Award:	TBD

**GENERAL REQUIREMENTS FOR GC/CM SERVICES:**

**SCOPE OF PRECONSTRUCTION SERVICES**

The specific scope of pre-construction services will be negotiated prior to signing the Contract. In general, pre-construction services are anticipated to include the following:

1. Participation in all design, coordination, and building committee meetings;
2. Review of all designs for constructability;
3. Work with the County and design team on phasing, scheduling, and other strategies to complete construction of this scale of project on or before the aforementioned dates;
4. Coordination and gathering of input from subcontractors regarding constructability;
5. Review and cost evaluation at each phase beyond 50% CD's of design taking into consideration schedule, phasing and market conditions;
6. Consult with, advise, assist, and provide recommendations to the County and design team on materials and constructability;
7. Provide information, estimates, schemes, and participate in decisions regarding construction materials, methods, systems, phasing, and costs to assist in determinations which are aimed at providing the highest quality building, constructed using the most sustainable construction materials and practices, within the budget and schedule;
8. Review in-progress design and construction documents and provide input and advice on construction feasibility, alternative materials, costs and availability;
9. Review completed design and construction documents prior to subcontractor/supplier bidding/selection and suggest modifications to improve completeness and clarity and to eliminate construction change requests due to inconsistencies or omissions in the construction documents;
10. Provide input to the County and the design team regarding construction market bidding climate, status of key subcontract markets, and other relevant economic conditions;
11. Recommend and actively source labor and material resources necessary to complete the project construction;
12. Provide input to the County and the design team regarding long lead time materials and equipment, impact on the construction schedule and strategies for mitigating the impact;
13. Prepare construction cost estimates for the Project at the construction document design phase and, if appropriate, at other times throughout of the work;
14. Notify the County and design team immediately if construction cost estimates appear to be exceeding the construction budget, and reconcile each cost estimate with the Architect's cost estimate, if required;
15. Furnish a final construction cost estimate for the County's review and approval;
16. Develop a firm construction schedule;

17. Develop all subcontractor/supplier bid packages and perform all advertising and receipt of subcontractor and supplier bids;
18. Obtain bids per trade for the County's review, unless otherwise approved by County in order to meet resourcing requirements, per the GC/CM Contract. Self-performed work must be bid against at least two subcontractors, if readily available;
19. Upon execution of any Early Work Amendment prior to a GMP agreement, undertake early material Procurement, site preparation, and advance construction work.

### **SCOPE OF CONSTRUCTION PHASE SERVICES**

In general, Construction Phase Services are anticipated to include the following:

It is anticipated that a GMP for the entire project will be requested near the completion of the Construction Documents phase provided the cost estimate is within the County's budget. The established GMP will be the maximum amount paid for the entire work, unless scope changes are requested by the County. Acceptance of the GMP by contract will constitute completion of preconstruction services and the GMP Agreement/Amendment will initiate the construction period services for the Project. For any work conducted on site prior to the establishment of the GMP the GC/CM will provide appropriate levels of performance and payment bonds for any work in progress. At the time of execution of the GMP, the GC/CM will be required to submit a 100% performance and 100% payment bond for the amount of the GMP. The County retains the option to cancel the construction phase services, or to start a new process for the construction of the project, or terminate the contract and negotiate a replacement contract with the next highest rated Proposer from this solicitation, or to conclude the GC/CM's services at pre-construction and issue the Project on a lowest, responsible bidder method.

Reference to The State of Montana Wage Rates/Schedule incorporated in this RFQ is provided for informational purposes only. The selected GC/CM(s) will be required to comply (as a minimum allowable rate schedule) with those Rates adopted and effective at the time of signing the GMP Amendment or any time work is awarded on the project for construction.

Full text for rates and compliance can be found on the State of Montana Department of Labor website:

<http://erd.dli.mt.gov/Portals/54/Documents/Labor-Standards/dli-erd-ls148.pdf?ver=2016-01-13-091253-813>

### **SELECTION PROCEDURE**

This RFQ is the first of a multi-part selection process. In order to qualify for further consideration, Proposers must comply with the mandatory requirements provided below. Statements of Qualifications that do not contain the required documentation will be deemed nonresponsive to this RFQ requirement and will be rejected on that basis. Only firms that satisfy the required qualifications as determined by the County selection committee will be able to propose further by having their RFP opened and reviewed by the County. To be eligible and have their proposal reviewed by the County, Proposers must meet certain minimum Qualification Conditions.

The County has identified the following pass/fail Qualification Conditions in order to establish eligibility (qualified) to advance further as part of this RFQ. The scoring questions that follow these Qualification Conditions, will establish the qualified firms and said firms will be invited to provide a Proposal.

### **Qualification Conditions (pass/fail)**

#### **1. General Contractor/Construction Manager Firm Information:**

a. Proposer must demonstrate successful experience and capacity to act as a GC/CM on projects of similar size, type and complexity. Specifically, the County will be looking for successful experience constructing medium security detention facilities for public agencies.

b. Firm Background: Describe your firm's history. Include information identifying the firm's annual volume of business, financial/bonding capacities, and speak to the firm's stability in the marketplace. Information identifying the firm's strengths and weaknesses along with special capabilities that may be appropriate to this Project will assist in the evaluation.

c. Provide complete information on your bonding company and agent.

i. Provide contact name, phone and email information for this project.

ii. If less than 5 years, or not your exclusive surety source, list others used in the last 5 years

d. In the last five (5) years, have you (for each "yes" response provide an explanation):

i. had a settled or pending claim against your payment or performance bond?

ii. had a contract terminated for default on a project?

iii. been assessed liquidated damages for late delivery of a project?

iv. taken legal action or dispute resolution proceedings against an Owner other than for an Owner's failure to pay?

#### **2. Bonding Capacity:**

Provide proof of bonding capacity. The Proposer must be capable of providing a 100% performance bond and 100% payment bond for a project valued up to \$15 million in construction costs, as documented by a letter or binder from the Surety, this letter will be an absolute guarantee not a favorable response from the surety and submitted with the RFQ response.

#### **3. Construction Contractor Registration:**

Proposer must include evidence of valid current Montana construction contractor registration submitted with the RFQ response.

#### **4. Safety**

a) Provide incidence rate, experience modification rate, AND loss ratio. An incidence rate greater than the latest average for non-residential building construction as established by the federal Bureau of Labor Statistics (BLS) for the prior year or an experience modification rating (EMR) greater than 1.0 or a loss ratio of more than 100% may result in immediate disqualification on this item.

- b) Provide your firm's number of employees for BLS's most recent reporting period and your firm's applicable NAICS code.
- c) Proposer may submit an explanation for incident rate, EMR, and/or loss ratio greater than those listed here for further consideration by the Owner. The Owner reserves the sole right to waive the pass/fail requirement if, in the Owner's sole judgment, sufficient justification exists for any explanation provided. The Owner also reserves the right to request additional information and/or clarification on this item but is not obligated to do so prior to making its determination on whether or not to waive the requirement.

Firms that meet the aforementioned pass/fail requirements will be further evaluated by the County selection committee, to determine reasonableness of meeting the following minimum qualification standards specific to this type of project.

**1. Specific Project Requirements:**

- a. Proposer should provide evidence of successful experience and capacity to act as a GC/CM on similar projects (i.e. alternative delivery methodology, pre-construction services, phased construction and critical timelines), and on occupied detention facilities. Provide a list of county detention centers, and state correctional facilities, currently under construction, or completed, in the last five years, including size and cost. Provide all pertinent contact information for the agencies and designers familiar with your work on each project.
- b. Proposers' project manager and superintendent should demonstrate that they have:
  - i. Successfully completed projects of this type individually; and,
  - ii. Successfully completed projects of this type together.
- c. Proposers should provide evidence of their success in maintaining project schedules for projects specific to detention facilities, and specifically occupied detention facilities.
- d. Proposers should provide their current and projected workload, specifically projects under construction and projects under contract. Provide a specific total dollar value for projects under contract.
- e. Proposers should provide a general description of their experience in the preparation and execution of a Subcontracting Plan as pertains to public bidding requirements.
- f. Proposers should provide evidence and knowledge of common cost estimating practices, and ability to maintain established budgets for projects of similar size and scope.
- g. Proposers should provide evidence of successfully completing work on public detention facilities.

In addition to the above, responders are asked to provide the following:

- 1. Cover letter / Statement of interest;

2. List the firm's name and complete address. List both street and mailing address;
3. Provide the address of the specific office which will have responsibility for performing the work;
4. Provide résumé's of proposed staff and relevant experience.

This RFQ shall not commit the County to enter into any agreement, to pay any expenses incurred in preparation of any response to this request, or to procure or contract for any supplies, goods or services. The County reserves the right to accept or reject any and all responses received as a result of this RFQ if it is in the County's best interest to do so. By offering to perform services under this procurement, proposers agree to be bound by the laws of the State of Montana, including but not limited to: applicable wage rates, gross receipts taxes, building codes, Equal Opportunity Employment practices, and safety.

Only the RFP responses of those firms which are adjudged, by the determination of the selection committee, as qualified, will be opened and reviewed following this RFQ process.

- END OF THIS RFQ -