

REQUEST FOR QUALIFICATIONS**Issue Date:** October 26, 2009

RFQ# NVCC-17709-CM

Title: CONSTRUCTION MANAGEMENT SERVICES (AT-RISK)
 Northern Virginia Community College
 Woodbridge Campus
 Phase III Academic Building
 Project Code 260-17709

Commodity Code: Non-Professional Services and Construction Services

NOTE: The Proposer must have registered in eVA prior to the deadline for submission of responses to this Request for Qualifications (RFQ) to be eligible for the award of this contract.

Issuing Agency & Address: Commonwealth of Virginia Attention: Ms. Michelle Morgan
 State Board for Community Colleges
 Virginia Community College System
 Facilities Management Services
 101 North 14th Street, 16th Floor
 Richmond, Virginia 23219

Location of Work: Northern Virginia Community College
 Woodbridge Campus
 15200 Neabsco Mills Road
 Woodbridge, VA 22191

All inquiries for information should be directed to: Mr. William E. Price Telephone: 804-819-4916
 Capital Outlay Program Manager E-mail: bprice@vccs.edu
 Facilities Management Services
 Virginia Community College System
 101 N. 14th Street, 16th Floor
 Richmond, VA 23219

IF STATEMENT OF QUALIFICATIONS (SOQ) IS MAILED, SEND DIRECTLY TO ISSUING AGENCY SHOWN ABOVE. IF SOQ IS HAND DELIVERED, DELIVER TO THE SAME: Attention: Ms. Michelle Morgan

SOQs for furnishing the services described herein will be received until 5:00 p.m. local time on Tuesday, December 1, 2009. All SOQs must reach the above address by the deadline stated.

In compliance with this RFQ, which includes the attached Table of Contents and all provisions and appendices attached and referenced therein, and subject to all the terms and conditions set forth herein, the undersigned offers and agrees to furnish the services in accordance with the attached RFQ. It is understood that this RFQ and the scope of services may be modified, by mutual agreement, in subsequent negotiations.

Name and Address of Proposer:

 _____ Zip: _____
 FEIN/SSN # _____
 Email: _____

Date: _____
 By: _____
 (Signature in Ink)
 Typed Name _____
 Title: _____
 Telephone No. (_____) _____
 DMBE Certification: _____
 eVA Vendor: ☐ Yes ☐ No

Please check one of the following boxes:

☐ Proposer does not wish to request that the information supplied in this response to the RFQ be considered trade secret information in accordance with § 2.2-4342(F) of the *Code of Virginia*.

☐ Proposer does wish to request that the information supplied in this response to the RFQ be considered trade secret information in accordance with § 2.2-4342(F) of the *Code of Virginia*. A written notice is attached hereto, which specifies the data or material for which the Proposer is specifically claiming trade secret protection and provides the reasons why such protection is necessary.

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I. APPLICABILITY OF THE MANUAL

The Commonwealth of Virginia Construction and Professional Services Manual – 2004 Edition, Revision 1, Effective October 1, 2004, Chapters 1 through 10 and applicable appendices shall apply to the contract awarded pursuant to any subsequent RFP and is incorporated by reference as it may apply to the services rendered. Pre-construction period services will be subject to the Terms and Conditions for Non-Professional Services. The CO-7CM, General Conditions of the Construction Manager “at risk” Construction Contract (DGS-30-057) dated 03/09, will apply to construction services. The entire CPSM and all Appendices and forms are available for reading and download at no charge from the BCOM website, <http://bcom.dgs.virginia.gov/>.

Proposers’ attention is directed to Chapter 2, Definitions, for definitions of terms used in this RFQ. The terms "Agency" and "Owner" are used interchangeably in the material referenced in this RFQ and mean the public body issuing this solicitation for services and with which the successful Construction Manager will enter into an agreement.

II. PURPOSE/SCOPE

Purpose: to solicit SOQs from firms with experience in similar projects. The selected firm will provide preconstruction services such as value engineering, cost estimating and constructability analyses, and project tracking. The selected firm may also provide construction period services contingent upon the firm providing a Guaranteed Maximum Price (GMP) agreeable to the Owner.

Background: Northern Virginia Community College – Woodbridge Campus is constructing a new 84,000 g. s. f., multi story, Academic Building (Phase III) suitable for its high tech program functions. The main campus facilities will remain in use while the new building is under construction.

Scope: This project will provide for the construction of a new three-story, approximately 84,000 g. s. f., stand alone, building on the Woodbridge Campus of Northern Virginia Community College. Exterior materials will include aluminum composite panels, brick veneer masonry, pre-cast concrete, cast stone, with aluminum windows, curtain wall system and tinted glass.

In addition to providing much needed additional academic space (i.e. general classrooms, Computer Labs, and Science Labs for Physics, Chemistry and Geology, this new facility will include administrative & faculty offices. The building will also include food service, a theatre, and a library. The location of this building on the Woodbridge Campus, 15200 Neabsco Mills Road, Woodbridge VA 22191 is consistent with the recently approved Campus Master Plan. This new building will be located on a site immediately south of the original Phase I and II Buildings (Seefeldt) and to the west of the existing Campus Access Road

Floor to floor heights, column spacing, structural design and overall building design will maximize future flexibility of curriculum technologies and be adaptable for various teaching and delivery methods of content. Architectural image, LEED principles, sustainable design, energy management, and campus safety features that are practical and cost effective, will be important components of this state-of-the art facility.

It is anticipated that the Preconstruction Services provided by a Construction Management firm, including the ability to **conduct value engineering, cost estimating and constructability analyses, concurrent with the design process,** will enhance the design process and shorten the overall time for completion.

III. PROPOSAL REQUIREMENTS

GENERAL NOTES

Statements of Qualifications shall consist of one (1) manually signed original and eight (8) copies and shall be delivered to:

Virginia Community College System
Facilities Management Services
Ms. Michelle Morgan
Assistant Program Manager
101 North 14th Street, 16th Floor
Richmond, Virginia 23219
No later than 5:00 PM on Tuesday, December 1, 2009

SOQs should be prepared simply and economically, providing a straightforward, concise description of the firm's capabilities. Emphasis should be on completeness and clarity of content. All documentation submitted with the SOQ shall be included in that single bound volume. Elaborate brochures and other representations beyond those sufficient for presenting a complete and effective SOQ are neither required nor desired.

Information must be provided in the format outlined below and numbered accordingly or, alternatively, may be provided using the Contractor's Statement of Qualification form CO-16 which may be found at <http://bcom.dgs.virginia.gov/>. All questions are to be answered in full, without exception. Do not leave any blanks where information is requested. If the answer is "none" or "not applicable" please indicate accordingly. When attaching other documents, add a reference number on the front page to indicate clearly the specific item to which it is in reference.

The Owner shall be entitled to contact every reference listed and each entity referenced in any response to any question in this RFQ. The Proposer, by submitting this SOQ, including the "Reference Contact Authorization Form," expressly agrees that any information concerning the Proposer in possession of said entities and references will be made available to the Owner if requested.

The Proposer warrants that all responses are true, accurate, and complete. The Proposer acknowledges that the Owner is relying on the truth and accuracy of the responses. If it is later discovered that any information given in this SOQ was false, it shall constitute grounds for immediate termination.

This SOQ, its completion by the firm, and its use by the Owner shall not result in any liability on the part of the Owner, its officers and/or employees to the firm or any third party or person.

NOTE:

Associations such as joint ventures must be legally constituted and authorized to offer the requested services in Virginia at the time of the closing date of the RFQ. The SOQ must describe the nature of each firm's responsibilities to the other and to the Owner, the liability insurance coverage of the Association, its organization and management structure, each firm's financial condition and/or stability with respect to fulfilling its obligations under the proposed contract, and whether the parties to the Association are jointly and severally liable for the proposed work. Prior to selecting an Association for fee negotiation for a possible contract award, the Owner shall request a review of the Association's legal documents, preferably by the Office of the Attorney General. Associations not legally constituted and authorized to offer the requested services in Virginia at the time of the closing date of the RFP will be deemed 'not responsive'.

SECTION A - GENERAL INFORMATION

A.1. Legal name and address of firm:

Telephone and fax number:

Name, title, telephone, fax number and e-mail address of the firm's authorized point of contact concerning this RFQ:

A.2. President, Chief Executive Officer, or Managing Partner's address and phone number (if different from above) and length of time in current position:

A.3. Number of years your firm performed under Construction Management (CM) contracts:

A.4. Number of years your firm performed using "CM At-Risk" type contracts:

A.5. Date authorized to transact business in the Commonwealth of Virginia:

SECTION B - BONDING

The firm's bonding company must be listed in the Federal Register Circular 570 published by the U.S. Department of Treasury, have at least an "A" rating as established by the A.M. Best Company, and be licensed to transact fidelity and surety business in the Commonwealth of Virginia.

B.1. Firm's current bonding capacity for this type of work with an eligible surety company:

B.2. Firm's surety company and the current line of bonding credit that company has extended to the firm:

B.3. Name, address, and telephone numbers of the firm's current surety agent or underwriting contact:

B.4. Have Performance or Payment Bond claims ever been made to a surety for this firm on any project by an owner, subcontractor, or other claimant? If yes, please describe the claim, provide the name, address, and telephone number of the company and person making the claim, and state the resolution of the claim:

B.5. Has any company refused to bond the firm on any project in the last five years? If yes, provide the name and address of the surety company and specify the reasons given for the refusal:

SECTION C - LEGAL PROCEEDINGS/CLAIMS

C.1. Identify any lawsuits, administrative orders, hearings, or proceedings initiated by the Environmental Protection Agency, National Labor Relations Board, Occupational Safety and Health Administration, or the Internal Revenue Service, or similar state or local government agencies, in the last five years, concerning any labor practices, project environmental, health or safety practices, or tax liability, respectively, of the firm. Identify the nature of the proceeding and its ultimate resolution.

C.2. In the last ten years, has your firm, or any officer, director, partner or owner, had judgments entered against it or them for the breach of contracts for construction? If yes, please state the person or entity against whom the judgment was entered, give the location and date of the judgment, describe the project involved, and explain the circumstances relating to the judgment, including the names, addresses and phone numbers of persons who might be contacted for additional information.

- C.3.** If you answer yes to any of the following, please state the person or entity against whom the conviction or debarment was entered, give the location and date of the conviction or debarment, describe the project involved, and explain the circumstances relating to the conviction or debarment, including the names, addresses and phone numbers of persons who might be contacted for additional information.
1. In the last ten years has your firm or any officer, director, partner, owner, project manager, procurement manager or chief financial officer of your firm:
 - a. ever been fined or adjudicated of having failed to abate a citation for building code violations by a court or local building code appeals board?
 - b. ever been found guilty on charges relating to conflicts of interest?
 - c. ever been convicted on criminal charges relating to contracting, construction, bidding, bid rigging or bribery?
 - d. ever been convicted: (i) under § 2.2-4367 et seq. of the *Code of Virginia* (Ethics in Public Contracting Act); (ii) under § 18.2-498.1 et seq. of the *Code of Virginia* (Virginia Governmental Frauds Act); (iii) under §59.1-68.6 et seq. of the *Code of Virginia* (Conspiracy to Rig Bids to Government); (iv) of a criminal violation of § 40.1-49.4 of the *Code of Virginia* (enforcement of occupational safety and health standards); or (v) of violating any substantially similar federal law or law of another state?
 2. Is your firm or any officer, director, partner or owner currently debarred from doing federal, state or local government work for any reason?
- C.4.** If you answer yes to any of the following, please give the date of the termination order, or payment, describe the project involved, and explain the circumstances relating to same, including the names, addresses and phone numbers of persons who might be contacted for additional information.
1. Has your firm:
 - a. ever been terminated on a contract for cause?
 - b. within the last five years, made payment of actual and/or liquidated damages for failure to complete a project by the contracted date?
 2. within the last three years, received a final order for willful and/or repeated violation(s) for failure to abate issued by the United States Occupational Safety and Health Administration or by the Virginia Department of Labor and Industry or any other government agency?
 3. on its behalf ever had any Performance or Payment Bond claims paid by any surety?

SECTION D - REFERENCES

Provide the company name, address, telephone, and fax numbers, contact person, title, and years of relationship for each reference.

- D.1.** Major Trade References:
Provide a minimum of six (preferably Virginia firms)

- D.2.** Bank References:

SECTION E - FINANCIAL

- E.1.** Provide a copy of a Dun & Bradstreet, Inc., Business Information Report. The Owner reserves the right to independently obtain additional or similar reports when deemed necessary.
- E.2.** Provide a copy of the firm's annual report.

SECTION F - KEY PERSONNEL

The expertise, experience, and qualifications of the firm's personnel will be a major factor in awarding a contract. The information provided should convey the relevant expertise, experience and qualifications relative to professional construction management, general contracting, planning and project control, inspection, value engineering, constructability analysis, procurement, scheduling, estimating methods, design knowledge, accounting or cost analysis, specialized experience and knowledge. Evidence that the proposed personnel have previously worked together as a team should be included where applicable. Please provide the following information on each of the proposed personnel:

- F.1.** Name, title, proposed position:
- F.2.** Education or related experience:
- F.3.** Licenses - List current licenses by type, state and year obtained:
- F.4.** Number of years each proposed staff member has been employed by:
 - F.4.a.** Your firm:
 - F.4.b.** Your firm in the position proposed:
 - F.4.c.** Previous firms in the position proposed:
- F.5.** Identify all the projects of similar nature, scope, and duration performed by the proposed personnel during the past five years (in the same position as being proposed). State for each project the following minimum information:
 - F.5.a.** Name of the firm the individual was employed by, the supervisor's name, and telephone number:
 - F.5.b.** Project name and location:
 - F.5.c.** Project scope (dollar value, square footage etc.):
 - F.5.d.** Indicate whether the project was completed on time and within budget and if not explain:
 - F.5.e.** Type of CM contract:
 - F.5.f.** Project description explaining how it is similar to this project:
 - F.5.g.** List name, title, address, and phone number of the contact person for the following:
 - F.5.g.1.** Architect:
 - F.5.g.2.** Owner:
 - F.5.g.3.** Prime contractors or major subcontractors (list at least three):

SECTION G – FIRM'S EXPERIENCE

- G.1.** Indicate the annual value of construction projects bid and performed by your firm during the past five years:

- G.2.** Indicate the value of construction currently under contract:
- G.3.** Indicate the value of construction currently bid (not yet under contract):
- G.4.** Indicate the annual value, by year, of construction projects for which you performed at-risk CM services for the last five years:

IV. EVALUATION CRITERIA

The Owner shall evaluate SOQs based on the following criteria:

- Proposer's CM Experience
- Key Project Personnel Experience and Qualifications for Similar Projects
- References
- Schedule Performance
- Previous Performance/Experience with similar projects
- Previous Experience with Projects for the Commonwealth of Virginia
- Legal Proceedings or Claims
- Bonding Capacity
- Financial Responsibility

V. PREQUALIFICATION AND NOTIFICATION

An Evaluation Committee will evaluate each Proposer's submittal and any other relevant information and determine those deemed fully qualified and best suited with respect to the criteria established for the project. The agency shall notify, in writing, each Proposer that submitted an SOQ whether that Proposer has been prequalified. If a Proposer is denied prequalification, the written notice to that Proposer shall state the reason(s) for denial of prequalification and the factual basis of such reasons(s). The written notice to each Proposer shall be delivered by U. S. mail. A Proposer denied prequalification shall have ten (10) calendar days from the postmark date of the written notice from the agency in which to appeal the denial of prequalification. The Proposer shall submit the written appeal with any additional information which may support the appeal to the agency's designated appeal officer ("Appeal Officer").

Prequalification will be denied to any Proposer that does not have the requisite Virginia license issued by the Virginia Board of Contractors to perform work in Virginia pursuant to §54.1-1100 et seq. of the *Code of Virginia*.

Upon receipt of an appeal from a Proposer that is denied prequalification, the Appeal Officer shall notify the Proposer, in writing, of his/her decision within fifteen (15) calendar days of receipt of the appeal. The decision of the Appeal Officer shall be the final agency decision. There is no further administrative appeal procedure pursuant to § 2.2-4357 and §2.2-4365 of the *Code of Virginia*; however, the Proposer may initiate legal action pursuant to §2.2-4364 and §2.2-4365 of the *Code of Virginia*.

The Evaluation Committee will send an RFP to the prequalified firms, requesting submission of a formal proposal from each.

After evaluation of the proposals, the Owner shall engage in negotiations with two or more Proposers deemed fully qualified and best suited to provide the required services. After the Owner conducts negotiations with each Proposer so selected, the Owner shall select the firm that, in its opinion, has submitted the best proposal.

Should the Owner determine in writing, and in its sole discretion that one Proposer is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that Proposer.

Ownership of all data, materials and documentation originated and prepared for the Owner pursuant to the RFQ and subsequent RFP shall belong exclusively to the Owner and be subject to public inspection according to the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by Proposers in response to an RFQ or RFP shall not be subject to public disclosure under the Virginia Freedom of Information Act if the Proposer invokes the protections of § 2.2-4342 of the *Code of Virginia*, in writing, either before or at the time the Proposer submits the data. The written notice must specifically identify the data or materials for the Owner to protect and state the reasons why protection is necessary. The Proposer must identify the proprietary or trade secret material submitted by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information.

Vendor eVA Registration Requirements

eVA Vendor Registration: *The eVA Internet electronic procurement solution, www.eVA.virginia.gov, streamlines and automates government purchasing activities for the Commonwealth. The eVA portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide construction and/or professional services to the Commonwealth shall participate in the eVA electronic procurement solution whether through the eVA Basic Vendor Registration Service or through the eVA Premium Vendor Registration Service. All bidders or offerors must register in eVA; failure to register will result in their bid/proposal being rejected.*

- a. *eVA Basic Vendor Registration Service: \$0.00 annual registration fee* plus the appropriate order Transaction Fee specified below.*
- b. *eVA Premium Vendor Registration Service: \$0.00 annual registration fee* plus the appropriate order Transaction Fee specified below. eVA Premium Vendor Registration Service includes all benefits of the eVA Basic Vendor Registration Service plus electronic notification of business opportunities that match the vendor's registered commodities.*
- c. *For orders issued August 16, 2006 and after, the Vendor Transaction Fee shall be:*
 - (i) *DMBE-certified Small Businesses: 1%, capped at \$500 per order.*
 - (ii) *Businesses that are not DMBE-certified Small Businesses: 1%, capped at \$1,500 per order.*

eVA Contracts and Orders: *The solicitation/contract will result in (_____) purchase order(s) with the eVA transaction fee specified below assessed for each order.*

- a. *For orders issued August 16, 2006 and after the Vendor Transaction Fee shall be:*
 - (i) *DMBE-certified Small Businesses: 1%, capped at \$500 per order.*
 - (ii) *Businesses that are not DMBE-certified Small Businesses: 1%, capped at \$1,500 per order.*

The eVA transaction fee will be assessed approximately 30 days after each purchase order is issued. Any adjustments (increases/decreases) will be handled through eVA change orders.

** Per eVA Fee Schedule, revised 7/1/2009.*

REFERENCE CONTACT AUTHORIZATION FORM

The undersigned hereby authorizes the State Board for Community Colleges to obtain, and the recipient of this form to release, any information regarding our firm in relation to business and services we conducted with the recipient's organization.

Dated at _____ this _____ day of _____ 200_

By: _____

Title: _____

Commonwealth (or State) of _____

County/City of _____

_____ being duly sworn deposes and says that this signature is authorization for the above statement.

Subscribed and sworn before me this _____ day of _____ 200_

Notary Public: _____

My Commission Expires: _____