

CM AT RISK ADVERTISEMENT

The North Carolina Department of Agriculture and Consumer Services (NCDA&CS) is accepting proposals for a Construction Manager at Risk for the NC Agricultural Sciences Center (SCO#16-14380-02A) until 4:00pm, Wednesday, July 5, 2017 in the NCDA&CS office physically located at 2 West Edenton Street, Raleigh, NC 27601. This project is a new, state-of-the-art, co-located laboratory facility, approximately 210,000 sqft, with an estimated construction GMP of \$78,000,000 (cost of work + CM@R Contingency + CM@R Fee + Bonds & insurance).

A Pre-Proposal Conference* will be held on:

Conference Date: Wednesday, June 21, 2017

Conference Time: 1:00 pm

Conference Address: Project Site, NE Corner of Edwards Mill & Reedy Creek Roads

*Pre-Proposal Conference is NOT mandatory. However, future addendums will be shared with those that attend (and sign-in) at conference only.

For purposes of coordination, the primary contact for project information is:

G. Kent Yelverton, P.E., Director

NC Department of Agriculture and Consumer Services

Property and Construction Division

*2 West Edenton Street, Raleigh, NC 27601 (UPS, Fed-Ex, Physical Address)

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Steven W. Troxler
Commissioner

**North Carolina Department of Agriculture
and Consumer Services**
Property and Construction Division

G. Kent Yelverton, P.E.
Director

The \$2 billion dollar Connect NC Bond passed on March 15, 2016 and allowed for \$179 million for North Carolina Agriculture. Of that amount, \$94 million would be used for the construction of a new co-located laboratory facility for the North Carolina Department of Agriculture and Consumer Services.

This new co-located laboratory facility, the NC Agricultural Sciences Center, will replace the following five labs: Veterinary Diagnostic, Food and Drug Protection, Structural Pest Control and Pesticides, Standards and Motor Fuels. The new facility will be located in Raleigh, at the NE corner of Edwards Mill and Reedy Creek Roads.

The average age of the existing labs is more than 40 years. Each of these labs struggle with inadequate ventilation, climate control and limited testing space which hinders their ability to service the needs of the citizens of North Carolina. The aging infrastructure also directly impacts their ability to utilize advanced testing equipment.

A new and modern laboratory design will promote the ability to invest in advanced modern technology and testing equipment, be more energy-efficient, optimize workflows plus expand programs to be in better position for the future testing needs of the citizens and industry of North Carolina.

The Veterinary Diagnostic Laboratory provides tests required for international and domestic shipment of poultry and livestock. It also is the state's first line of defense for identifying a foreign animal disease or bioterrorism agent.

The Food and Drug Protection Laboratory is the sole human food and animal feed safety and defense testing lab in the state. It is one of only 10 state agricultural labs in the country that are internationally accredited for chemical and biological testing (ISO 17025). This benefits our residents because it allows federal partners like the FDA and USDA to more readily accept our data, which can speed up decisions pertaining to the safety of both human food and animal feed.

The Motor Fuels Laboratory provides fuel quality inspections and testing to be sure fuels sold in North Carolina meet minimum and advertised specifications. Space the current 62-year-old lab is limited, which impedes workflow and keeps the program from expanding testing of alternative fuels such as biodiesel, E15 and E85. Infrastructure such as HVAC, fume removal, power and storage are problematic in the current lab due to its age and size.

The Standards Laboratory is NVLAP-accredited to perform mass, thermometry, and volume measurement calibrations that are traceable to national standards. It is also responsible for inspecting grain moisture meters. The lab consistently has one of the highest workloads in the country for state metrology laboratories and is vital in supporting the division's weights and measures program and the commercial business that have their standards calibrated by the lab. These include both scale and fuel-meter service companies as well as business in manufacturing, pharmaceutical and defense sectors.

RFP DATA SHEET

Item	Datum
Short Description of Project	The new NC Agricultural Sciences Center will be a 210,000 sqft vital, state-of-the-art, co-located laboratory facility that will replace the following five labs: Veterinary Diagnostic, Food and Drug Protection, Structural Pest Control and Pesticides, Standards and Motor Fuels. The new laboratory facility will be located in Raleigh at the NE corner of Reedy Creek and Edwards Mill Roads. SCO#16-14380-02A
Issuing Office	NC Department of Agriculture and Consumer Services
Department, Agency/Institution, Location where the Project will be constructed	NC Department of Agriculture and Consumer Services
Project Overview	<p>-The \$94 million, 210,000 sqft, 3-story NC Agricultural Sciences Center will replace the following five labs: Veterinary Diagnostic, Food and Drug Protection, Structural Pest Control and Pesticides, Standards and Motor Fuels. This new facility will sit on an approximately 30-acre site in Raleigh, located at the NE corner of Reedy Creek and Edwards Mill Roads.</p> <p>-The average age of the current lab buildings is more than 40 years. They struggle with inadequate ventilation and climate control. Their availability to service the needs of the citizens of North Carolina is hindered by not having the room to expand testing capability due to limited space. The aging infrastructure also directly impacts their ability to utilize advanced testing equipment.</p> <p>-A new and modern design will promote the ability to invest in advanced modern technology and testing equipment, be more energy-efficient, optimize workflows and expand programs to be in a better position for the future testing needs of the citizens and industry of North Carolina.</p>
Website address (URL) for posting of notices regarding this project (if any)	http://www.ncagr.gov/index.htm
Expected Date of Completion of Design	June 2018
Project Designer & Consultants	HH Architecture (LEAD) Stewart Stanford White

	Integrated Design HERA Lab Planners	
Construction Manager at Risk Selection Schedule	*Pre-Proposal Conference Date: <u>Wednesday, June 21, 2017</u> *RFP Submittal Closing Date: <u>Wednesday, July 5, 2017</u> *Interview Date: <u>Approx. 3 weeks after RFP Closing Date</u>	
Construction Management Fee (Section II Paragraph E.2)	The Construction Management Fee will be a fixed number based on a percentage of the Cost of Work. For this project, the maximum percentage of the Cost of Work has been reasonably determined by the Owner and State Construction Office <u>to be negotiated.</u>	
Project Construction Cost	Project Budget Funds	\$94,000,000
	Soft Costs	- \$15,678,888
	GMP (Cost of Work + CM@R Contingency + CM@R Fee + Bonds & Insurance)	\$ 78,321,112

I. SECTION I – PROPOSALS, EVALUATION, SELECTION AND AWARD

A. SUMMARY

The objective of this Request for Proposal (RFP) is for the Owner to select a Construction Management (CM) firm at risk to provide professional construction management services during the design and the construction of the Project as described in this Request for Proposal (RFP).

1. The work of the Construction Manager-at-Risk will be performed in two phases under separate contracts for each phase. Phase I will include the pre-construction phase services and the preparation and submission of the Preliminary Guaranteed Maximum Price (PGMP) or Guaranteed Maximum Price (GMP). Phase II will include the bidding, award and management of numerous principal and specialty trade contracts for others to provide the actual construction of the Project. Since the Construction Manager-at-Risk will be providing only professional services for the benefit of the Owner based on a fee for such services, this procurement will be made in accordance with provisions of North Carolina General Statute (N.C.G.S) 143-64.31 which require that firms qualified to provide such services be selected on the basis of demonstrated competence and qualification for the type of professional service required without regard to fee and thereafter negotiate a contract for those services at a fair and reasonable fee with the best qualified firm.
2. All work performed under this contract shall be in accordance with the General Conditions of the Contract hereinafter set as modified or supplemented by any Contract Amendments, Special Conditions, or other Contract Documents as listed hereinafter any addenda, and other components of the Contract.

B. PRE-PROPOSAL CONFERENCE

A Pre-proposal Conference inclusive of site tour will be held as set forth on the foregoing RFP Data Sheet.

1. Should a Proposer find discrepancies in the RFP documents, or should he be in doubt as to the meaning or intent of any part thereof, he must, not later than **ten (10) calendar days prior to the proposal due date**, request clarification in writing from the Issuing Office, which may issue a written Addendum to the RFP. Oral explanations or instructions will not be binding; only written Addenda may be relied upon. Any Addenda resulting from these requests, or from questions raised at the mandatory pre-proposal meeting, will be sent to all listed holders of the RFP's no later than **seven (7) calendar days** prior to the proposal due date.
2. Any addenda/amendments to the Request for Proposal must be acknowledged in the submitted Proposal.

C. PROPOSALS

1. All proposals shall include the information requested by the Qualifications Questionnaire. One (1) original plus two (2) copies (for a total of three (3)) of the Proposal must be received at the issuing office as set forth on the foregoing Data Sheet in order to be considered. The proposal shall be signed in accordance with the provisions of Article 2.c. of the General Conditions of the Contract (Section III of the RFP). The Owner reserves the right to reject either all proposals after the opening of the proposals but before award, or any proposal, in whole or part, when it is in the best interest of the Owner. For the same reason, the Owner reserves the right to waive any minor irregularity in a proposal.
2. Proposers must possess all licenses required by North Carolina law, including, at a minimum, an unlimited general contractor's license in the building classification under N.C.G.S. Chapter 87, and shall submit proof of current licensing with their proposal.
3. If the Proposer is a joint venture firm or partnership, the Proposer must provide all identification information for all parties and all requirements for all parties (i.e., licenses, insurance, etc.) as requested. As part of the proposal submission under the category of Project Planning - General, the Proposer must identify the responsibilities of each joint venture or partnership party with respect to the scope of services/work inclusive of the requirements for each entity based on such services as described in this RFP document. All joint venture/partnership parties will be held responsible for the contract obligations jointly and severally.
4. Proposers should give specific attention to the identification of those portions of their proposals which they deem to be confidential, proprietary information or trade secrets, and provide any justification of why such materials, upon request, should not be disclosed by the Owner under North Carolina public records laws. Proposals will be publicly opened. Proposers must clearly indicate each and every section that is deemed to be confidential, proprietary or a trade secret as required by statute. It is NOT sufficient to preface your entire proposal with a proprietary statement.

D. MINORITY BUSINESS ENTERPRISE

Minority business enterprises are encouraged to respond to this RFP. Construction Managers who are not minority business enterprises are encouraged to make a commitment to include a minority business enterprise as part of their management team. The verifiable goal for minority business participation pursuant to N.C.G.S. 143-128.f. is set at not less than ten percent (10%) of the total value of the work, inclusive of all fees. Written guidelines specifying the actions that the Construction Manager-at-Risk must take to ensure a good faith effort in the recruitment and selection of minority businesses for participation in

contracts awarded under this section are set forth in Appendix F and are herein incorporated by reference as if fully set forth herein.

E. PROPOSAL REQUIREMENTS

1. A Proposer, to be considered, must have a minimum of five (5) years of experience as a Construction Manager. Construction management experience gained by key personnel proposed for this project during previous employment in providing Pre-Construction and Construction Phase Services may be considered in meeting this minimum experience requirement.
2. Each proposer shall complete the Qualifications Questionnaire for Construction Manager-at-Risk that is part of this Request for Proposal.
3. In the interest of cost-savings, consistency of submittals and more efficient use of time by the pre-selection committee, the submitted information should not include any extra marketing materials. The format should be in 8-1/2" x11" pages. The package length should not exceed twenty (20) double-sided pages.

F. EVALUATION

1. After the closing date for receipt of Proposals, the Owner shall open the Proposals. An Owner's Pre-selection Committee will evaluate the Proposals that are timely and properly submitted.
2. The Pre-selection Committee will form a shortlist of three to six firms whose proposals, in the judgment of the committee, offer the most desirable plans for the provision of services considering, among other things, the experience, expertise, and reputation of the proposing firm, together with due consideration of proffered quality, performance and the time specified in the proposals for the performance of the contract. The Owner reserves the right to request clarifying information from any and all Proposers at any time during the evaluation process. All proposers will be notified in writing of those firms selected for the shortlist.
3. The Owner will receive an oral presentation from each firm that is short-listed by the Pre-selection Committee. The purposes of the presentation are to allow the Owner to meet the Proposer's key personnel assigned to the project and to allow the Proposer to highlight aspects of selected areas of its technical proposal.
4. The Pre-selection Committee will rank the top three firms in priority order based on the selecting criteria listed below and will recommend this slate of firms to the State Building Commission for Agencies and Departments

(hereinafter: the Appropriate Authority) for their consideration and final approval.

G. SELECTING CRITERIA

In selecting the three firms to be presented to the Appropriate Authority, the Pre-selection Committee should take into consideration in the evaluation of the proposals such factors as:

1. Workload that is fully able to accommodate the addition of this project.
2. Record of successfully completed projects of similar scope without major legal or technical problems.
3. Previous experience with the Owner, a good working relationship with Owner representatives, have completed projects in a timely manner and have performed an acceptable quality of work.
4. Key personnel that have appropriate experience and qualifications.
5. Relevant and easily understood graphic or tabular presentations.
6. Completion of CM-at-Risk projects in which there was little differences between the GMP and final cost.
7. Projects that were completed on or ahead of schedule.
8. Recent experience with project costs and schedules.
9. Construction administration capabilities.
10. Proximity to and familiarity with the area where the project is located.
11. Quality of compliance plan for minority business participation as required by N.C.G.S. 143-128.2.
12. Other factors that may be appropriate for the project.

13. Virtual Design Coordination: Experience with successful integration of virtual construction coordination using Building Information Modeling (BIM) software for pre-construction and construction coordination. Previous experience with successful application and aggressive use of 3D BIM during pre-construction (Phase I) constructability reviews, as well as integrated virtual construction coordination throughout the construction process (Phase II).

H. CONTRACT NEGOTIATION AND AWARD

1. After the three firms have been notified of the selection action by the constituent agency or institution of the Appropriate Authority, a representative from the State Construction Office, the capital projects coordinator, and a representative from the using agency will discuss with the selected Construction Manager-at-Risk appropriate services and information about the project.

2. The State Construction Office will request in writing a detailed fee proposal for Pre-construction Services from the selected Construction Manager-at-Risk. The State Construction Office in coordination with appropriate representatives from the Owner will attempt to negotiate a fair and equitable fee consistent with the project program and the professional services required for the specific project. In the event a fee cannot be agreed upon, the State Construction Office shall terminate the negotiations and shall repeat the notification and negotiation process with the next ranked firm on the selection list. In the event a fee cannot be agreed upon with the second-ranked Construction Manager-at-Risk, the process will be repeated with the third-ranked Construction Manager-at-Risk . If a fee still cannot be agreed upon, the Owner shall review the history of negotiations and make appropriate determinations including program adjustments so as to lead to a negotiated contract with one of the original three firms selected. Such renegotiation with the firms shall be carried out in the original selection order, or a call will be made for the Pre-selection Committee to submit another list of three firms in priority order to the Appropriate Authority for consideration and final approval. The negotiation process will continue until a fee has been determined that is agreed to by the State Construction Office, the Owner and the Construction Manager-at-Risk.

3. Following successful negotiation, the Owner, by and through the State Construction Office as the final awarding authority shall award the Pre-Construction Services contract to authorize the Construction Manager-at-Risk to provide the services outlined in Section II, Paragraph G of this Request for Proposals.

At the end of the Pre-construction Phase, and in accordance with the terms and conditions of this Request for Proposal, the Construction Manager-at-Risk will ordinarily negotiate a Guaranteed Maximum Price to include Cost of the Work, Construction Manager-at-Risk Construction Management Fee, Construction Manager-at-Risk Contingency, and the cost of Bonds and Insurance. Following successful negotiation, the Owner, by and through the State Construction Office as the final awarding authority will award the Guaranteed Maximum Price contract.

STATE OF NORTH CAROLINA

Qualifications Questionnaire for Construction Manager at Risk

Due Date: July 5, 2017, 4:00 pm

Submitted to: G. Kent Yelverton, P.E., Director
NC Department of Agriculture and Consumer Services
Property and Construction Division
2 West Edenton Street, Raleigh, NC 27601 (UPS, Fed-Ex, Physical)
1001 Mail Service Center, Raleigh, NC 27699-1001 (USPS)
Phone: (919) 807-4366
E-mail: kent.yelverton@ncagr.gov

Project Title: NC Agricultural Sciences Center (SCO#16-14380-02A)

Proposer's Name and Principal Office serving this project:

Same as Submittal Recipient Above

Profile of Proposer:

- A. Give corporate history of the company including organizational structure, years in business and evidence of authority to do business in North Carolina.
- B. Provide annual workload for each of the last five (5) years; number of projects and total dollar value.
- C. List projects for which the company is currently committed including name & location of each project, time frame to complete & dollar volume of each project.
- D. Financials – Attach latest balance sheet and income statement if available, based on company type. Audited statements preferred. If not available, attach a copy of the latest annual renewal submission to the relevant licensing board. Indicate Dunn & Bradstreet rating if one exists. (Firms must submit financial data and may clearly indicate a request for confidentiality to avoid this item becoming part of a public record.)
- E. Attach letter from Surety Company or its agent licensed to do business in North Carolina verifying proposer's capability of providing adequate performance and payment bonds for this project.
- F. List all construction projects performed by the proposer for agencies and institutions of the State of North Carolina during the past 10 years.
- G. Litigation/Claims. If yes to any of the questions below, list the project(s), dollar value, contact information for owner and designer and provide a full explanation with relevant documentation.

1. Has your company ever failed to complete work awarded to it? ___Yes ___No
2. Has your company ever failed to substantially complete a project in a timely manner (i.e. more than 20% beyond the original contracted, scheduled completion date)? ___Yes ___No
3. Has your company filed any claims with the North Carolina State Construction Office within the last five years? ___Yes ___No
4. Has your company been involved in any suits or arbitration within the last five years? ___Yes ___No
5. Are there currently any judgments, claims, arbitration proceedings or suits pending or outstanding against your company, its officers, owners, or agents? ___Yes ___No
6. Has your present company, its officers, owners, or agents ever been convicted of charges relating to conflicts of interest, bribery, or bid-rigging? ___Yes ___No
7. Has your present company, its officers, owners, or agents ever been barred from bidding public work in North Carolina? ___Yes ___No

Project Experience

- A. List three projects of similar size, scope and complexity performed by the proposer.
- B. For each of the three projects, include specific details on the extent to which pre-construction & construction phase services were provided.
- C. For the three projects listed above where CM services were provided, list the Guaranteed Maximum Price (if given), or if not given, the estimated cost provided by you, and the total cost of the project at completion.
- D. For each of the three projects above where CM services were provided, compare the number of days in the original schedule with the number of days taken for actual completion.
- E. For each of the three projects listed above, attach project owner references including the name, address, telephone and fax numbers, and e-mail address of the project owner representative.

Key Personnel

- A. List of key personnel who will be assigned to the project. Attach sworn statement that the above persons will be exclusively assigned to this project for its duration.

- B. For each person listed above, list what aspects of pre-construction or construction the person will handle. For those persons who will divide their time between pre-construction and construction phases, indicate what percentage of their time will be devoted to each phase.
- C. For each person listed in response to A & B above, list his/her experience with firm, other prior and relevant experience with projects of similar size and scope in construction/design, and the person's location. Attach the resumes and references for each person listed.
- D. Attach project organizational chart indicating the placement of each of the persons listed in response to A & B above.

Project Planning

- A. Provide a brief, overall description of how the project will be organized and managed, and how the services will be performed in both Pre-Construction and Construction Phases. Project planning that offers the same project manager for pre-construction and construction phases shall be given preference.
 - a. Value Engineering
 - b. Constructability Issues
 - c. Cost Model/Estimates
 - d. Project Tracking/Reporting
 - e. Request for Information (RFI) and Shop Drawings
 - f. Quality Control
 - g. Schedule and Staffing Plan
- B. Minority Participation: Describe the program (plan) that your company has developed to encourage participation by Minority and other HUB firms to meet or exceed the goals set by North Carolina General Statute 143-128.2. Attach a copy of that plan to this proposal. Provide documentation of the Minority and other HUB participation that you have achieved over the past two years on both public and private construction projects. Outline specific efforts that your company takes to notify Minority and other HUB firms of opportunities for participation. Indicate the minority participation goal that you expect to achieve on this project.

This the _____ day of _____, 20_____

****COMPANY NAME****

By: _____

Title: _____

Attest:

(Corporate Seal)

VERIFICATION

I HEREBY CERTIFY THAT THE RESPONSES OF _____
ARE CORRECT AND TRUTHFUL TO THE BEST OF MY KNOWLEDGE AND FOR THOSE
RESPONSES GIVEN WHICH ARE BASED ON INFORMATION AND BELIEF, THOSE
RESPONSES ARE TRUE AND CORRECT BASED ON MY PRESENT BELIEF AND
INFORMATION.

This the _____ day of _____, 20_____

COMPANY NAME

(Corporate Seal)

By: _____
President

Attested: _____
Secretary

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public in and for the County and State aforesaid,
hereby certify that _____ personally came before me this day and
acknowledged that he/she is secretary of _____ and that by authority duly given and as the
act of the corporation, the foregoing instrument was signed in its name by its president, sealed with its
corporate seal, and attested by him/herself as is secretary.

Witness my hand and official seal, this the ____ day of _____, 20_____.

Official Signature of Notary

_____, Notary Public
Notary's Printed or Typed Name

My Commission Expires: