



City of Auburn, Maine

Facilities and Energy

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

April 4, 2024

Dear Bidder;

The City of Auburn, a municipal corporation (hereinafter "the City") is accepting written proposals for procurement of Construction Manager at Risk (CMAR) within Guaranteed Maximum Price (GMP) services for a combined fire and police Public Safety Facility at 550 Minot Avenue, in Auburn, Maine.

The City reserves the right to accept or reject any or all proposals in whole or in part and to waive any informality the City may determine is necessary. The City also reserves to itself the exclusive right to accept any proposals when it is deemed by the City to be in its best interest. The City is governed by Title 1 M.R.S.A. § 401-410, otherwise known as the Freedom of Information Act, which considers bid specifications as public documents. In awarding any proposal, the City may consider, but not be limited to, any of the following factors: cost, professional qualifications, experience, and references. The City may hold interviews prior to making a decision. Proposers shall be current on all amounts due to the City prior to the City entering into any contract agreement.

Proposals must be submitted in accordance with the following instructions to bidders. Please mark sealed envelopes plainly: "**2024-036 Public Safety Facility CMAR RFP**"

Bidders must register via email with the subject line "**2024-036 Public Safety Facility CMAR RFP**" to be included on the Bidder's list and be notified of any addenda. Questions regarding this Request for Proposals should be directed to Amanda Denning, Purchasing Analyst, adenning@auburnmaine.gov by **4:00pm on April 30, 2024**. Questions will be answered in the form of an addendum on **Tuesday May 7, 2024**.

Please submit your proposal in a sealed envelope to the City of Auburn **by 2:00 p.m. on Tuesday May 14, 2024**. Please include an electronic copy of your proposal in the sealed envelope. Proposals must be received by **Amanda Denning, Purchasing Analyst, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. Proposals will be opened at 2:00 PM at Auburn City Hall. The City will not accept late bids.

Sincerely,

A handwritten signature in black ink that reads "Amanda Denning".

Amanda Denning
Purchasing Analyst

REQUESTED SCOPE OF SERVICES

The scope of services for this project includes but is not limited to pre-construction and construction services to support the City and its Design Team(s) during final project permitting, design, and construction of the Public Safety Facility. The CMAR will be required to hold contracts with contractors and subcontractors, coordinate the work of this project and any additional work, with City Fire Department, City Police Department, City Administration, and with other City of Auburn business partners. The Design Team for Public Safety Facility will be led by Woodard & Curran and its consultant team of Port City Architecture, Allied Engineering, and S.W. Cole Engineering.

Most current project documents, including specific program information for Public Safety Facility can be found at www.auburnpublicsafety.com.

Pre-Construction Services

City intends to engage the CMAR to provide pre-construction services for project. Without limiting the general nature thereof, the Scope of Services will include the following:

1. Attendance and participation in meetings throughout the pre-construction phase of the project.
2. Participation in team-based value management, to include:
 - Cost estimating throughout pre-construction
 - Value engineering and alternatives analysis
 - Support and participation in life-cycle cost analysis of building systems
3. Construction schedules, logistics and constructability reviews.
4. Permitting support if necessary.
5. Procurement
 - Identification of long lead items and materials
 - Pre-purchasing of long lead items if necessary
 - Subcontractor pre-qualification and availability
 - Competitive bidding and award of subcontracts in support of schedule

Construction Services

The CMAR shall provide a full scope of general contracting/construction management services for the project on an open book basis. The scope of work shall include all services customarily provided by construction managers working on construction projects under a GMP contract for construction including but not limited to:

- Preparation of bid packages
- Procurement, planning, logistics
- Coordination of work around other on-site projects and/or uses

- Coordination and execution of all construction activities
- Project administration
- Scheduling
- Change order administration
- Coordination with owner consultants and equipment vendors
- Installation and/or coordination of City supplied equipment
- Job site safety and cleanliness
- Punch list and closeout
- Work with Design Team to create As-Built Documents
- Monthly submittal of record documents
- Workplace/jobsite harmony

Note that performance of pre-construction services does not guarantee that any proposed GMP will be accepted or that construction of the Project will move forward.

PROJECT SUMMARY

The new Public Safety Facility will be approximately 48,000 +/- gross square feet and includes the Police Department, Fire Department, and Emergency Operations Center with a common public entry, lobby and reception to replace the Central Fire Station; purpose-built to current standards with consideration for personnel safety and changing workforce demographics. The project also involves maintaining the use of the existing Central Station as long as possible during construction, or a phased approach to construction that enables fire, EMS and dispatch to continue operations until new facilities can be occupied. Design efforts as of the issuance of this RFP are limited to space needs analysis, programming and concept plan development for the facility. Funding for the Public Safety Facility project will come from local/municipal bond funds, as approved by voters in November 2023, as well as Federal Grant allocations.

Consideration shall be made for high-performance buildings and energy efficiency including future inclusion of photovoltaics, variable refrigerant flow (VRF) heat pumps and associated Efficiency Maine Rebates, with an intent to target and measure a minimum of 30% increase in performance per IECC 2015 or minimum of IECC 2021, through the use of COMcheck.

CMAR AGREEMENT

For the project, the form of Agreement between the City of Auburn and Construction Manager shall be AIA A133; General Conditions shall be AIA A201 with Supplementary Conditions to be prepared by the City. Draft CMAR Agreement is attached to the RFP.

The Proposer must include in its submission a detailed red-line markup of the Draft CMAR Agreement as an appendix to Section 1 – Qualifications and Experience, setting forth any and all revisions requested by the Proposer. Requested revisions must include a reason for the request. Proposers are discouraged from making extensive markups to the Draft Agreement. Although it is likely the City will undertake negotiations, any requested revisions will be treated as a de facto offer that the City can accept as is, resulting in a binding contract between the Proposer and City without further negotiations or revision. The City also reserves the right to reject any or all requested revisions if determined not in the City's best interest.

SUBMISSION REQUIREMENTS

Interested CMAR shall submit one paper copy and one electronic PDF format copy of the RFP Response Package consisting of a Letter of Interest, a Statement of Qualifications, and Technical Proposal. A separate sealed paper copy of Cost Proposal shall be provided. Each component of the RFP Response Package and Cost Proposal shall respond to the requirements listed in the section below, at least, and shall be submitted to **Amanda Denning, Purchasing Analyst, 60 Court Street, Auburn, Maine 04210 by 2:00 p.m. on Tuesday May 14, 2024.**

- 1. Qualifications and Experience** (limit to 10 pages)
 - a. Describe the qualifications and experience to provide the services required by this RFP. Include details of completed CMAR projects. Examples should focus on public safety, police and fire projects and other similar projects, not necessarily or exclusively CMAR.
 - b. For the Public Safety Facility, describe qualifications and experience developing phasing plans for projects, maintaining safety and operations of existing facilities during construction.
 - c. Describe the qualifications and experience of subconsultants and subcontractors proposed. Provide a list with the name, address, phone number, contact person, and a brief description of the entity's organizational capacity and qualifications.
 - d. Provide an organizational chart of the CMAR. The organizational chart shall identify project staffing in both the pre-construction and construction phases, including if different personnel for each of the project. Cite the name, position title, and responsibilities on this project; provide brief resume and qualifications of team members.

- e. Provide a list of all current litigation in which the CMAR or its members are named, and a list of all closed cases that have closed within the past five years in which the CMAR or its members paid the claimant either as part of a settlement or by decree. For each, list the entity bringing suit, the complaint, the accusation, amount, and outcome.
- f. Provide corporate safety records including brief description of corporate safety program.
 - i. TRIR (Total Recordable Incident Rate)
 - ii. DART (Days Away, Restricted or Transferred)
 - iii. EMR (Experience Modification Rate)
- g. Provide a certificate of insurance on a standard Acord form or equivalent evidencing the CMAR's general liability, professional liability and any other relevant liability insurance policies that might be associated with the proposed services. At a minimum, CMAR shall provide evidence of coverage for the following:
 - i. Workers' Compensation insurance for all employees on the Project Site in accordance with the requirements of the Workers' Compensation law of the State of Maine. Minimum acceptable limits for Employer's Liability are:

1. Bodily Injury by Accident	\$500,000
2. Bodily Injury by Disease (Each Employee)	\$500,000
3. Bodily Injury by Disease (Policy)	\$500,000
- h. Limit Commercial General Liability insurance providing coverage for bodily injury and property damage liability for all hazards of the Project including premise and operations, products and completed operations, contractual, and personal injury liabilities. The policy shall include collapse and underground coverage as well as explosion coverage if explosion hazards exist. Aggregate limits shall apply on a location or project basis. Minimum acceptable limits are:

1. General aggregate limit	\$2,000,000
2. Products and completed operations aggregate	\$1,000,000
3. Each occurrence limit	\$1,000,000
4. Personal injury aggregate	\$1,000,000
- i. Automobile Liability insurance against claims for bodily injury, death or property damage resulting from the maintenance, ownership, or use of all owned, non-owned and hired automobiles, trucks and trailers. Minimum acceptable limit is:

1. Any one accident or loss	\$500,000
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- j. Professional Liability insurance against claims arising out of negligent acts, errors or omissions of the Consultant in rendering or failing to render professional services related to the Project. Minimum acceptable limits are:

1. Each claim	\$1,000,000
2. Aggregate limit	\$2,000,000

- k. Provide a letter from a surety evidencing the ability to provide Payment and Performance Bonds for the proposed project.
- l. Provide a list of three (3) Project References including CMAR role on the project, contact name, telephone, and email address.

2. Technical Proposal (limit to 10 pages)

- a. Describe the proposed strategy, methodology, and resources for this project, and how this plan will efficiently and effectively accomplish the tasks involved. Also, describe how the CMAR will ensure expectations and desired outcomes as a result of these services. Describe the level of effort proposed for subconsultants and subcontractors. Describe your estimating, value engineering and value management, reporting, change management and construction operating process in the best interest of the City including budget control process during pre-construction; project reporting and frequency during construction; approach to risk management relative to schedule and cost; preferred approach(es) for any early procurement and/or design-assist trade partnerships to minimize market and design risk and any risks that may compromise competitive bidding; approach to minimizing construction impact on the surrounding community; approach on the use of local subcontractors and material vendors; and approach to safety of all personnel on and around the sites.
- b. Provide a single comprehensive and detailed Project Schedule which shows a realistic sequence of milestones, with interim and final dates proposed, based on information available to CMAR at this time. Concisely describe each task in the timeline, and the person or position primarily responsible for its implementation. Show all permitting review and approval dates.

3. Cost Proposal

Submit a cost proposal that covers all the services and the entire period of the proposed project. The cost proposal shall include all costs necessary for the CMAR to fully comply with the RFP requirements, and the contract terms and conditions. Costs related to the preparation of this RFP proposal, or the negotiation of a contract, or any such related expenses shall not be included in the proposal, or the final approved contract. Only costs incurred after the contract effective date, and specified in the final approved contract, and that are specifically related to the implementation or operation of contracted services may be included. The cost proposal shall include a matrix summarizing all anticipated cost items and should indicate whether each item is included in Pre-Construction Services, Construction Services, General Conditions, General Requirements, Cost of Work, or by Owner.

Pre-Construction Services: Provide a fee proposal for pre-construction services, stated as a not-to-exceed monthly amount from the start of pre-construction services (date to

be agreed upon) through the issuance of a Notice to Proceed with full construction based on a GMP, or as otherwise agreed upon. Indicate how any out-of-pocket expenses (if any) will be reimbursed. Identify the consideration, if any, which will be given to fees paid for pre-construction services in the event that the CMAR is ultimately retained to build the project.

Cost proposal should clearly define a mechanism for termination which may be exercised at any time during the pre-construction period by City upon reasonable notice.

Construction Services: Provide a proposed construction services fee and anticipated construction contingency for the Project. The fee and contingency shall be stated as a percentage of the cost of work. Provide the proposed fee and overhead for approved change orders.

General Conditions and General Requirements: Based on the Project Schedule proposed within your response to this RFP and the Final Total Cost as described herein, provide detailed budgets relating to any and all costs not included in CMAR proposal for above Pre-Construction Services or Construction Services, including office/corporate expenses, project personnel, temporary construction and office facilities, health and safety, and other project expenses. The detailed budget should include total cost, unit of measurement, and rate for each item (e.g., indicate basis of cost, whether by lump sum, cost per week or month, percentage of total cost, etc.).

Note: It is essential that any item for which the CMAR eventually expects payment (other than the trade contracts and construction contingency) are to be included and described within one of the elements of the proposal. There will be no payment made by City to the CMAR for items or categories not included in the response.

SUBMISSION FORMAT AND CONTENT

The Proposal must conform to the format and content requirements set forth herein, including the requirement that the Proposal be divided into three separate sections:

- **Section 1 - Qualifications and Experience**
 - Executive Summary
 - Qualifications and Experience of CMAR and Subcontractors
 - Project Organization Chart
 - Litigation
 - Safety
 - References
 - Appendices
 - Resumes
 - Financial Condition
 - Licenses and Certifications
 - Insurance
 - Payment and Performance Bonds
 - CMAR Agreement Markup
- **Section 2 - Technical Proposal**
 - Executive Summary
 - Strategy/Methodology/Resources
 - Pre-Construction Budget Controls
 - Construction Budget Controls
 - Schedule and Cost Risk Management
 - Market and Design Risk Management
 - Construction Coordination
 - Local Subcontractor and Material Suppliers
 - Site Safety
 - Detailed Project Schedule
 - Bid Form
- **Section 3 - Cost Proposal (Separate Sealed Envelope)**
 - Cost Proposal Form

Proposers are encouraged to be concise and to respond as directly as possible to the requirements set forth in the RFP. Not including appendices as noted above, Qualifications and Experience shall not exceed 10 pages and Technical Proposal shall not exceed 10 pages. It is proposers' responsibility to include information in its proposal to present all relevant information.

EVALUATION AND SELECTION PROCESS

1. Scoring will be based on a 100-point scale and will measure the degree to which each proposal satisfies the following criteria:
 - a. Qualifications and Experience (35 points)
 - b. Technical Proposal (30 points)
 - c. Cost Proposal (35 points)
2. Preference will be given to those CMAR who demonstrate a capacity to meet the City of Auburn target schedule and budget with a feasible construction start date prior to **December 2025 and an anticipated construction duration of 24 months**, with final total cost at or below **\$36,000,000**.
3. The evaluation of the Qualifications and Experience, and Technical Proposal shall be completed prior to opening the cost proposal.
4. The selection committee will review and rank all submissions, conduct interviews as needed, contact references and notify all proposers regarding the results of the selection process.
5. The selection committee will invite the highest ranked CMAR to negotiate final terms, conditions, and costs. In the event of failure to negotiate a mutually agreed upon contract, the selection committee may terminate negotiation with the first CMAR, and negotiate with the next highest ranked CMAR, and so on.

BID PROPOSAL FORM

(Please do not submit in the sealed Cost Proposal)

Due: Tuesday May 14, 2024

To: City of Auburn
Amanda Denning
Purchasing Analyst
60 Court Street
Auburn, ME 04210

The undersigned individual/firm/business guarantees this price for thirty days (30) from the proposal due date. The undersigned submits this proposal without collusion with any other person, individual, or firm or agency. The undersigned ensures the authority to act on behalf of the corporation, partnership or individual they represent; and has read and agreed to all of the terms, requests, or conditions written herein by the City of Auburn, Maine.

By signing this form, the firm listed below hereby affirms that its bid meets the minimum specifications and standards as listed above.

Signature _____ Company _____

Name (print) _____ Title _____

Phone Number _____

Address _____

Email Address _____

STATE OF MAINE

_____, SS.

Date: _____

Personally, appeared _____ and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

Notary Public

Print Name

Commission Expires _____

Addendum Acknowledged:

_____ Date: _____ Initials: _____

_____ Date: _____ Initials: _____

**PUBLIC SAFETY FACILITY
COST PROPOSAL**

Company Name:	Cost	Additional information What is included:
Pre-Construction (Dollar amount)		
Construction Services Fee (Percentage)		
Change Order Fee (Percentage)		
General Conditions and General Requirements (Dollar amount)		
Construction Contingency (Percentage)		
<p>Will there be any costs or fees that will be incurred by the City that are not captured above? If yes, please explain:</p>		