



**STATE CONSTRUCTION MANAGEMENT SERVICES
REQUEST FOR PROPOSAL
No. RFPcarlson2011-1**

The Iowa Department of Administrative Services (DAS), General Services Enterprise (GSE), Hoover State Office Building, Level A, Des Moines, Iowa 50319-0105 will receive sealed proposals until 12:00 p.m., Local Iowa Time, September 6, 2011, from Construction Management Consulting Firms/Companies for State construction projects.

Late proposals will not be considered.

For information regarding this notice, interested service providers shall contact:

Paul Carlson
Administrator
Iowa Department of Administrative Services
Hoover State Office Building, Level A
1305 East Walnut, Des Moines, IA 50319-0105
Phone: (515) 281-3101
Email: Paul.Carlson@iowa.gov

Section 1—Project Overview

1.1. INTRODUCTION

The Iowa Department of Administrative Services ("DAS") is seeking proposals from qualified and immediately available construction management consulting firms/companies ("Construction Manager(s)") for construction management services on large and small State construction projects at various stages of completion (which may or may not include, and are not necessarily limited to, prisons, healthcare facilities, water/wastewater facilities, MEP, historical renovation/expansion, infrastructure, etc.). The successful proposal must:

1. Identify and describe qualifications and expertise in program management, construction management, scheduling, cost control, and project closeout.
2. Provide a list of clients and past projects (including a brief description).
3. Describe the composition of your team. Identify staff to be assigned. Provide resumes of key individuals and include their education and experience. State number and identify which staff to be assigned are engineers (and discipline e.g. construction, civil, etc.).
4. Describe the cost estimating, status reporting, cost control, and cost reporting procedures you utilize and provide sample reports.
5. Describe computer program/software capabilities and expertise (including BIM, AutoCAD, Primavera, Microsoft Project, Revit, etc.) you utilize.
6. Provide a copy of your organizational chart and identify where team members, per your proposal, are located on the chart.
7. Describe experience and knowledge of public construction processes.
8. Provide information regarding the following: professional licensing, integrity, reliability, past performance relative to the quality and timeliness on similar projects, and past experience with the State.
9. State hourly rates of staff for various phases of construction or professional disciplines.
10. Identify desired reimbursable charges and all other charges.
11. State proposed terms of delivery.

1.2. SCHEDULE

DAS is seeking Construction Managers to provide construction management services immediately.

1.3. SCOPE OF WORK

Construction Managers will enter into construction management contracts with the State for a variety of projects. Scope of work will vary by project but will primarily consist of program and construction management. Contract terms and conditions are primarily set forth in the ConsensusDOCS 801 Standard Owner and Construction Manager Agreement.

Section 2—Administrative Issues

2.1. GENERAL INFORMATION

- 2.1.1. DAS will evaluate the qualifications, experience, and other relevant information from Construction Managers interested in contracting with the State of Iowa to provide the necessary services to complete projects of the types described in this RFP.
- 2.1.2. Construction Managers certified as Targeted Small Businesses are encouraged to submit Proposals. The Iowa Department of Inspections and Appeals (IDIA) administer the Targeted Small Business (TSB) Program. Businesses meeting the requirements of the program are approved and registered with the Department of Inspections and Appeals and are considered Targeted Small Businesses for purposes of this RFP and most other solicitations issued by DAS. Questions concerning the TSB Program and for identification of firms certified as Targeted Small Businesses, contact the TSB administering office in the Department of Inspections and Appeals at Phone: (515) 281-5686 or (515) 281-7250.

2.2. INQUIRIES

- 2.2.1. All inquiries concerning this RFP shall reference the RFP No. and shall be provided to Paul Carlson identified on the cover page of this RFP.
- 2.2.2. Any information provided by prospective Construction Managers orally shall not be considered part of the Construction Manager's Proposal.
- 2.2.3. DAS assumes no responsibility for representations concerning conditions made by its officers or employees prior to the execution of a contract. Oral discussions pertaining to modifications or clarifications of this RFP shall not be considered part of this RFP and are not binding.

2.3. PREPARATION OF THE PROPOSAL

- 2.3.1. Three (3) copies of the "Official Proposal" shall be submitted in hard copy and signed by an authorized agent.
- 2.3.2. Prospective Construction Managers are solely responsible for timely delivery.
- 2.3.3. Proposal Packages comprising the complete submittal shall have the original Proposal clearly labeled "**Official Proposal**" with all copies bearing a "**Copy**" label (i.e. **Copy 1 of 3, Copy 2 of 3** etc.)

2.4. DATE, TIME AND PLACE TO SUBMIT PROPOSALS

- 2.4.1. The "Official Proposal" containing the original signature(s), plus all required copies of the Proposal, shall be delivered in one sealed Proposal package.
- 2.4.2. The exterior of the package shall be clearly labeled with the following information:
- a. Paul Carlson
Administrator
Iowa Department of Administrative Services
Hoover State Office Building – Level A
1305 E. Walnut Street
Des Moines, Iowa 50319
 - b. Construction Manager's Name and Address

- c. Construction Manager's Contact Person and Telephone Number
- d. RFP Number: RFPcarlison2011-1
- e. RFP Title: State Construction Management Services
- f. Proposal Due Date and Time: September 6, 2011 @ 12:00 p.m.

2.4.3. The "Official Proposal" package shall be received by the DAS/GSE – Procurement Services on or before 12:00 p.m., Local Iowa Time on the Proposal due date.

2.5. ECONOMY OF PRESENTATION

Proposals shall address the specific RFP requirements. All questions posed by the RFP shall be answered clearly and concisely.

2.6. RFP CHANGES AND ADDENDA

Written Addenda will serve to amend the RFP documents accordingly.

2.7. CERTIFICATION OF INDEPENDENT PRICE DETERMINATION

By submission of a response to this Proposal, the Construction Manager certifies, and in the case of a joint Proposal, each party thereto certifies as to its own organization, that in connection with this procurement:

- A. Any prices or hourly rates in this Proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any competitor.
- B. Unless otherwise required by law, any prices or hourly rates which have been provided in this Proposal shall not knowingly be disclosed by the Construction Manager, directly or indirectly, to any competitor prior to the notice of intent to award a contract for services.
- C. No attempt has been made or shall be made by the Construction Manager to induce any other person or firm to submit or not to submit a Proposal for the purpose of restricting competition.
- D. Each person signing this Proposal certifies that:
 - 1. He/she is the person in the Construction Manager's organization responsible within that organization for the decision as to any prices being offered herein, or
 - 2. He/she is not the person in the Construction Manager's organization responsible within that organization for the decision as to any prices being offered herein, but that he/she has been authorized in writing to act as agent for the persons responsible for such decision, and
 - 3. Any offer made by the submitted Proposal and any clarifications to that Proposal shall be signed by an officer of the offering firm or a designated agent empowered to bind the firm in a contract.

2.8. NOTICE OF INTENT TO AWARD

After the successful Construction Managers have been selected, a copy of the *Notice of Intent to Award* will be issued to all Construction Managers who submitted Proposals in response to this RFP.

2.9. WITHDRAWAL OF PROPOSALS

Prospective Construction Managers may withdraw, modify, and/or resubmit at any time prior to the date and time set for the receipt of Proposals. Once the time set for receipt of Proposals has passed, a Construction Manager shall not withdraw a Proposal for a period of sixty (60) days following the issuance of the Notice of Intent to Award a contract. Proposals shall remain open and valid for consideration by DAS throughout this period of sixty days, and until such time thereafter that written request to withdraw a Proposal is received by DAS.

2.10. DISPOSITION OF PROPOSALS

All Proposals become the property of DAS and disposition of the Proposals shall be at the sole discretion of DAS.

2.11. DISCLOSURE OF PROPOSAL CONTENT

Proposals will be placed in the public domain and be available for examination by interested parties. No Proposals shall be disclosed until after a *Notice of Intent to Award* has been issued. DAS reserves the right to destroy all Proposals if the RFP is withdrawn or otherwise in the normal course of business. Trade secrets or proprietary information legally recognized as such and protected by law may be withheld if they are clearly labeled "Proprietary" in the margin of each individual page where they appear in the Proposal. Pricing information is not normally considered proprietary.

2.12. PROPOSAL EVALUATION AND AWARD

The contract shall be awarded to the Construction Manager(s) determined to be the best qualified to provide the services required under this RFP and the best value to the State.

2.13. GRATUITIES

The laws of Iowa provide that it is a felony to offer, promise, or give anything of value or benefit to a State employee with the intent to influence that employee's acts, opinions and judgment or exercise the discretion with respect to that employee's duties. Evidence of violations of this statute will be turned over to the proper prosecuting attorney.

Note: The State provides reimbursement to its employees for their transportation, lodging, meals, and miscellaneous expenses that are deemed necessary.

2.14. CONFLICTS BETWEEN TERMS

DAS reserves the right to accept or reject any exception taken by a prospective Construction Manager to the terms and conditions of this RFP. Should a prospective Construction Manager take exception to the terms and conditions required by DAS, the Construction Manager's exceptions may be rejected and the entire Proposal declared non-responsive. DAS may elect to negotiate with the Construction Manager regarding contract terms or the contents of the Construction Manager's Proposal.

2.15. IOWA STATUTES AND RULES

The terms and conditions of this RFP, the resulting contract, or activities based upon this RFP shall be construed in accordance with the laws of Iowa.

2.16. COSTS FOR PREPARATION OF PROPOSALS

No payments will be made to cover costs incurred by any Construction Manager in the preparation or the submission of this RFP, nor for any other associated costs.

2.17. NEWS RELEASES

News releases or other materials made available to the public, the Construction Manager's clients, or potential clients pertaining to this procurement or any part of the Proposal shall not be made without prior written approval from DAS.

2.18. MISCELLANEOUS

- 2.18.1. DAS reserves the right to accept or reject any part of any Proposal, and to accept or reject any or all Proposals without penalty.
- 2.18.2. DAS reserves the right to waive minor deficiencies and informalities if, in the judgment of DAS, the best interests of the State of Iowa will be served.
- 2.18.3. DAS reserves the right to make a written request for additional information from a Construction Manager to assist in understanding or clarifying a Proposal. Any information received shall not be considered in the evaluation of the Construction Manager's Proposal if it materially alters the content of said Proposal.

Section 3—Contractual Terms and Conditions

3.1. ELEMENTS OF CONTRACT

- 3.1.1. No contract relationship is created or implied by DAS from the acceptance of a proposal or an interview with a firm in response to this RFP.
- 3.1.2. DAS will contract with the successful Construction Management Services by utilizing ConsensusDOCS 801 Standard Form Agreement Between Owner and Construction Manager, modified to meet the requirements of the State of Iowa and DAS. The modifications will include the following:
 - a. Incorporation, by reference, of this Request for Proposal and subsequent addenda and the Proposal submitted by the successful Construction Manager in response to this RFP.
 - b. Professional liability insurance in the amount of \$2 million will be required.
 - c. The proposed project fee, start dates, and scheduling of the selected Construction Managers' services shall be determined at the time of negotiation of specific project agreements.
 - d. *Iowa Code* Section 8.47, The Accountable Government Act, requires that the terms and conditions of service contracts shall include the following:
 - (1) The amount or basis for paying consideration to the party based on the party's performance under the service contract.
 - (2) Methods to effectively oversee the party's compliance with the service contract.
 - (3) Methods to effectively review performance of a service contract.
 - e. Other terms, mutually agreeable to the State and the Construction Manager, will be developed during negotiations with the selected Construction Manager.

Other contract forms, as mutually agreeable, may be utilized as appropriate for additional services directly associated with this project.

- 3.1.2. This RFP does NOT establish a statewide contract. In no case shall the term of this agreement or any agreements resulting from this RFP process exceed six (6) years.

Section 4—Proposal Requirements

All services to be provided by the Construction Manager shall take into account the following assumptions:

4.1. MINIMUM CONSTRUCTION MANAGER QUALIFICATIONS

- 4.1.1. Construction Managers, other than Sole Proprietorships and General Partnerships, shall be registered with the Office of the Iowa Secretary of State.
- 4.1.2. The selected Construction Manager(s) shall have sufficient, qualified staff and/or Construction Managers to deliver the services needed.
- 4.1.3. The selected Construction Manager(s) shall have the resources and capabilities and the commitment to complete the required work in an efficient and timely manner, within the time period specified.
- 4.1.4. DAS reserves the right to require proof of a submitting Construction Manager's financial security.
- 4.1.5. Failure to adhere to these instructions may be grounds for a Construction Manager's Proposal to be found non-compliant with requirements of this RFP, and may be cause for rejection of the Proposal.

4.2. PROPOSAL CONTENT

The Proposal shall consist of the following elements in the order given below, and shall be limited to twenty (30) single pages or less, not including dividers or cover page:

- A. Letter of Transmittal/Statement of Interest
- B. Executive Summary of the Proposal
- C. Brief Overview of Project Team
- D. Additional Firm Information Regarding Organizational Stability and Financial Strength
- E. Overview and Discussion of Offered Services
- F. Fee Proposal

Section 5—Proposal Evaluation, Selection, and Award

5.1. EVALUATION PROCEDURES

- 5.1.1. Proposal packages will be opened by Paul Carlson and the names of all Construction Managers who submitted Proposals will be released to all submitting Construction Managers via E-Mail.
- 5.1.2. Paul Carlson will review the proposals for compliance with the Proposal format instructions.
- 5.1.3. Paul Carlson will retain non-compliant Proposals.
- 5.1.4. Copies of proposals determined by Paul Carlson to be compliant will be evaluated.
- 5.1.5. Construction Managers may be interviewed by DAS personnel as a part of the evaluation.
- 5.1.6. Evaluation will include a review of each prospective Construction Manager's qualifications, capabilities, resources, and availability.
- 5.1.7. All answers provided to the questions asked in this RFP are subject to verification. Misleading and/or inaccurate answers shall be grounds for disqualification at any stage in the procurement process.

5.1.8. DAS reserves the right to make a written request for additional information from a prospective Construction Manager to assist in understanding or clarifying a Proposal.

5.2. AWARD OF CONTRACTS

5.2.1. After selection, DAS will meet with the Construction Manager for the purpose of negotiating an Agreement that is acceptable to both parties. In the event that the parties do not achieve an acceptable agreement, DAS reserves the right, at its sole discretion, to negotiate with other RFP respondents.

5.2.2. Should the above process not result in a contract, DAS will re-evaluate relevant issues and take appropriate follow-up action.

**** END OF RFP ****