

**Durham Public Schools
Request for Qualifications (RFQ)
For
Construction Management at Risk Services**

Durham School of the Arts

RFQ-179-2223-623-DSA_CMAR

February 7, 2023

STATEMENT OF QUALIFICATIONS

This is an invitation and request for a Statement of Qualifications from interested Construction Management at Risk (CMaR) firms. This Request for Qualification (RFQ) is designed to comply with all applicable laws and regulations – including all Durham Public Schools (DPS) Board of Education policies. A selection committee will review the responses to this RFQ and rank them based upon demonstrated competence and qualifications, determining a list of firms to be interviewed.

Responses to this RFQ will be submitted in the form of a Statement of Qualifications (SOQ). The SOQ must be received at the time and location designated within and shall include the information requested hereafter. Responses received after this time will not be considered.

It is the intent of this solicitation process to fully comply with NCGS § 143-64.31 for the procurement of professional CMaR services, to announce all requirements for said services, to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm. If a contract cannot be negotiated with the best qualified firm, DPS shall terminate negotiations with that firm and initiate negotiations with the next best qualified firm. Selection of a firm shall include the use of good faith efforts by DPS to notify minority firms of the opportunity to submit qualifications for consideration by DPS. DPS reserves the right to waive technicalities and informalities and, at its sole discretion, to reject any and all responses to the RFQ.

PROJECT SCOPE

Durham Public Schools plans to open a new state of the art school for the performing arts. This campus will serve grades sixth through twelve (6-12) with a design capacity of approximately two thousand students (1400 High School and 600 Middle School) for completion before the FY2024/2025. The project is on approximately 54 acres owned by DPS in the northcentral area of Durham County.

The building area is approximately 337,500 GSF and the construction budget is estimated to be \$170 million.

INSTRUCTIONS FOR SUBMISSION – MINIMUM REQUIREMENTS

Submittals shall contain all elements outlined in this section. The submittal shall be simply prepared and contain clear and concise answers to the requested information in the order and format

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prescribed. Failure to do so may result in disqualification from further consideration. Emphasis will be placed upon clarity and completeness of the submitted response.

The Statement of Qualifications shall be organized as follows:

1. Letter of Interest (1 letter page):

This document should be prepared and signed by an authorized officer in your firm. The letter is purposed to allow personal expression to the following:

- a) Firm introduction / history (past names, etc.)
- b) Expertise in project type and CMaR delivery
- c) Other statements the firm desires to convey its unique qualifications.

2. Relevant Experience (40%):

a) General Information:

- Firm name, address, and contact information / contact person.
- Type of company / when established.
- NC License – type, number, level (unlimited, etc.).
- List of services your company provides related to construction.
- If joint venture, explain relationship.
- Number of years the company has performed CMaR services in North Carolina.
- Number of K12 projects the company has delivered via CMaR in North Carolina.

b) Provide project data* for all CMaR projects of similar type, size, complexity, and budget completed by your company in the last 10 years. Highlight both elementary schools and public North Carolina projects. Include the following information for each project:

- Project name and location
- Owner Contact Information (current name, address, phone, email)
- Designer of Record (current name, address, phone, email)
- Project type, note public or private, and capacity (start / core)
- Square footage
- List site amenities provided (stadium, track, field house, fields, #parking, etc.)
- Dates: Notice to Proceed; Substantial Completion at NTP; SC actual; Final Completion
- Dollar value of Construction: at Design Start; pGMP (pre-bid); GMP (post-bid – before VE or scope change); GMP final; Final Completion
- Change orders: quantity and total dollar value
- Contingencies: CM contingency / amount used; Owner contingency / amount used.
- CM's office where project was managed
- Document your actual dollar amount and type of MWBE / HUB participation as percentage of the final GMP.

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**Information can be provided in a table format and / or a templated (max one page / double sided per project) project profile sheet.*

- c) Describe your experience and success in providing cost savings as part of constructability reviews for all trade disciplines of work.
- d) Briefly discuss your history with completing projects while maintaining ongoing school operations on the same site. Include thoughts on scheduling and phasing.
- e) Describe quality control measures you utilize during construction.
- f) Describe methodology for handling project documentation during construction.
- g) Briefly discuss your experience with projects that include measurable energy performance goals.
- h) Briefly discuss your firm's record of on budget and on time performance with CMaR projects.
- i) Describe your firm's familiarity with state and local agencies as it relates to required approvals and inspections. Specifically include your familiarity with working in Durham County.
- j) Briefly discuss your approach and philosophy on "value engineering."
- k) Describe any litigation / settlements or any major technical issues on your projects. Include projects where you functioned as the CM or as the General Contractor.
- l) Has your company ever failed to complete a contract in which it entered? If so, explain.
- m) List and explain any expenditure by a Surety on your company's behalf.
- n) List and explain any liquidated damages paid by your company.

3. Project Team (40%):

- a) Comment on any collaboration with design firms on previous K12 / high school projects. Include comments on those design firms with which you believed produced the best project outcomes (these can be both CMaR and Design-Bid-Build projects).
- b) Provide resumes for the key personnel / rolls proposed for this project. Resumes should include professional qualifications and relevant project experience. Include both pre-design and construction team members.
- c) Highlight your abilities and experience regarding building information modeling as part of cost analysis and constructability. Include software programs regularly shared with design firms in conjunction with this pre-construction effort.
- d) Describe your program to maximize contractor and sub-contractor bidding. Include discussion on your outreach efforts to increase both MWBE and local work force participation.
- e) Describe any partnerships with Certified / Qualified DBE / MBE / WBE subs or vendors, including those with local ties to the Durham County region.
- f) CM's are encouraged to include qualified MWBE firms on your team, preferably those within the Durham community. It is the policy of the DPS Board of Education to provide businesses owned by minorities' equal opportunity to participate in all aspects of the school system's contracting and purchasing programs, including but not limited to participation in

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procurement contracts for services, materials, supplies and equipment, and contracts for the construction, renovation or repair of school facilities and equipment. Please refer to Attachment 'A' that outlines the objectives of this policy.

4. Capacity / Schedule / Proximity / SOQ organization (20%):

- a) List your current CMaR projects in North Carolina. Include anticipated complete month/year and dollar value. Discuss your proposed key personnel's ability to begin this project in earnest and with a sustained effort upon receiving a contract.
- b) Discuss staffing and project backlog in the office from which the project will be managed. For staffing, include quantity of staff by position. For projects, include name start month/year and complete month/year and dollar value.
- c) Provide comment on the following proposed schedule:
 - Bid / construction start (new building) Fall 2023.*
 - Expected completion, December 2025.

**An early site package for the building will be occur*

- d) Provide information as to the location of the CM's office from which this project will be managed.
- e) DPS recognizes and appreciates the time it takes firms to develop a clear and thorough SOQ response. Thus, we will consider completeness, organization, clarity, and the thoroughness / content of the responses as part of our evaluation.

5. Evaluation Criteria:

The Review Committee will use a qualifications-based process to select the most qualified Respondent using a weighted scoring system to evaluate proposals on the following criteria:

- a) Relevant Experience (40%).
- b) Project Team (40%).
- c) Capacity / Schedule / Proximity / overall SOQ submission (20%)

Upon completion of the committees review, a list of shortlisted firms will be developed for interviews. We anticipate interviewing a minimum of (4) firms, but no more than (6).

6. Supplemental Information:

It is unnecessary to provide supplemental information on the first submittal. However, if the respondent so chooses, additional information may be provided in the form of project profiles, firm brochures or similar material. Please keep to a minimum. DPS reserves the right to request additional information it deems necessary to evaluate firms for selection.

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7. Submission Materials:

The physical size of all submission materials shall be in 8 ½ by 11 formats, bound securely (only table in item 2.a. may be 11 x 17 landscape). Please avoid redundant and repetitious materials, limit the overall submittal packet to approximately 20 pages (if printed on both sides = 40 pages total).

8. Submittal Deadline:

Provide three (3) hard copies of your submittal, packaged, and marked as:

Statement of Qualifications
Durham School of the Arts Project - CMaR Services

and deliver to:

Durham Public Schools
Construction and Capital Planning
2011 Hamlin Rd.
Durham, North Carolina, 27704

To be received no later than 2:00 p.m., Friday, February 28, 2023.

In addition, a PDF of the submittal should be emailed to Kimberly Williams at kimberly_williams494@dpsnc.net by the hard copy submission deadline.

9. Firm Selection Schedule:

The following schedule is anticipated to select a CMaR firm for this project:

RFQ Issued/Advertised:	February 7, 2023
Qualifications Package due:	February 28, 2023
CM firms notified for interview:	March 7, 2023
CM Interviews:	TBD
Notice of Intent to Award:	March 2023
Contract Approval by Board of Education:	March 2023

10. Other Requirements / Information:

- a. Interested firms should familiarize themselves with Board Policies relating to construction. Board policies can be viewed on the DPS website at www.dpsnc.net.
- b. Any firm responding to this RFQ must hold a current license in good standing with the appropriate North Carolina licensure board.
- c. The selected firm will provide evidence of capacity and capability from a surety licensed to do business in North Carolina. Surety company bond rating shall be 'A' or better under the A.M. Best rating system or the Federal Treasury list.

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- d. The selected firm will be required to provide certification documenting compliance with the Lunsford Act / Criminal Background Check and requirements as outlined in the NCGS Chapter 14 for personnel who will be on school sites as part of the performance of the work.
- e. The selected firm is required to comply with all applicable laws when providing services for Durham Public Schools, including E-Verify and requirements of the Affordable Care Act.
- f. The selected firm will be required to provide certification documenting compliance with the Iran Divestment Act pursuant to NCGS 147 Article 6E by documenting they are not listed on the Final Divestment List created by the North Carolina State Treasurer.
- g. Trade Secrets and Proprietary Information:

Proposal documents submitted to the Board of Education by private entities in response to this RFQ are subject to the North Carolina Public Records Laws (“NCPRL”, see N.C.G.S. Chapter 132). In accordance with N.C.G.S. 132-1.2(1), however, such documents may not be subject to disclosure under the NCPRL if they meet all of the following conditions:

- 1. Constitute a “trade secret” as defined in G.S. 66-152(3).
- 2. Are the property of a private “person” as defined in G.S. 66-152(2).
- 3. Are disclosed or furnished to the public agency in connection with the owner’s performance of a public contract or in connection with a bid, application, proposal, industrial development, or in with laws, regulations, rules, or ordinances of the United States, the State, or political subdivisions of the State.
- 4. Are designated or indicated as “confidential” or as a “trade secret” at the time of its initial disclosure to the public agency.

In order for proposers to exclude confidential proprietary information from public release in response to a public records request, proposers must (i) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary, (iv) mark each page of the information for which protection is sought with the legend- “Confidential Proprietary Information-Exempt from NCPRL Release,” (v) provide an Opinion of Counsel letter from an attorney stating that the attorney has reviewed the documents designated as “Confidential Proprietary Information” and that in his or her professional opinion the information so designated meets the statutory standards set out in N.C.G.S. 132-1.2(1), (vi) agree in writing to fully indemnify the Board of Education in the event a claim is filed against the Board of Education seeking disclosure under the NCPRL of any information designated as “Confidential Propriety Information” by the proposer, and (vii) agree in writing to reimburse the Board of Education for costs of defending any claim filed against the Board of Education seeking disclosure under the NCPRL of any information designated as “Confidential Propriety Information” by the proposer.

- h. Durham Public Schools requires the following minimum insurance for this project:

• Workman’s Compensation	Statutory
• Public Liability	Combined Limit
Bodily Injury: Each Person	\$1,000,000.00
Bodily Injury: Each Accident	\$1,000,000.00
Property Damage: Each Accident	\$1,000,000.00
• Public Liability	Combined Limit

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Bodily Injury: Each Person	\$1,000,000.00
Bodily Injury: Each Accident	\$1,000,000.00
Property Damage: Each Accident	\$1,000,000.00
• Professional Liability	\$1,000,000.00

11. Submittal Questions:

Address any questions via email to:

Kimberly Williams
Project Manager
kimberly_williams494@dpsnc.net

12. Contact Policy:

Until a contract resulting from this RFQ process is executed, no employee, agent or representative of any professional services provider shall make available or discuss it's proposal with the media in any form, electronic or printed, or with any elected or appointed official or officer of DPS, or any employee, agent or other representative of the DPS.

ATTACHMENT A – REVISED 2/20/17
Durham Public Schools
Minority Business Enterprise Participation in Construction and Purchase Contracts

Durham Public Schools Board of Education Policy Number 6070

It is the policy of the Board to provide minorities equal opportunity to participate in all aspects of the school system's contracting and purchasing programs, including but not limited to participation in procurement contracts for materials, supplies and equipment, and contracts for the construction, renovation or repair of school facilities and equipment.

It is further the policy of the Board to prohibit discrimination against any person or business enterprise on the basis of race, color, ethnic origin, sex, handicapping condition, or religion and to conduct its contracting and purchasing programs so as to prevent such discrimination.

It is the policy of the Board in concert with other local, state and federal agencies and with the assistance of minority groups and agencies, actively to seek and identify qualified minority business enterprises (MBEs) and to offer them the opportunity to participate and to encourage them to participate, in the school system's contracting and purchasing programs. Under this policy, the Board adopts the definition of MBEs contained in N.C. Gen. Stat. § 143-128.2.

It is not the policy of this Board to provide information or other opportunities to minority business enterprises that will not be available to all other business enterprises. It is the intent of this policy to establish procedures designed to assure MBEs access to information and opportunities available to other business enterprises.

It is not the intent of this policy to establish procedures that will increase the cost of the school system's construction and purchasing programs. It is the intent of this policy to widen opportunities for participation, to increase competition, and to reduce costs.

The Board will award public building contracts without regard to race, religion, color, creed, national origin, sex, age, or handicapping condition, as defined in N.C. Gen. Stat. § 168A-3. The Board will award contracts to the lowest responsible, responsive bid.

These projects shall be bid strictly in accordance with N.C. Gen. Stat. § 143-128 and -129. The school system shall require bidders on school construction and renovation projects to provide documentation demonstrating that they have met the verifiable goal for participation by minority business or that they have made good faith efforts to do so as specified in the accompanying regulations and in N.C. Gen. Stat. § 143-128.2. Data generated pursuant to this section shall be reported to the Department of Administration, Office of Historically Underutilized Business, as required by N.C. Gen. Stat. § 143-128.3(a).