



CUYAHOGA COUNTY REQUEST FOR PROPOSAL FOR DESIGN-BUILDER

Issue date: **XXXXX, 2015**

RFP # 34337

RFP title: **Design-Build Services for the Pedestrian and Bicycle Bridge from the Malls to the Lakefront in the City of Cleveland (County of Cuyahoga), Ohio**

Issuing department: **Office of Procurement & Diversity**
Address: **County Administration Building
2079 E. 9th Street, 2nd Floor
Cleveland, Ohio 44115**

Using department: **Department of Public Works**
Address: **County Administration Building
2079 E. 9th Street, 5th Floor
Cleveland, Ohio 44115**

Sealed proposals will be received until: XXXXX, 2015 at 11:00 AM @ the Issuing Department, Office of Procurement & Diversity

All inquiries should be directed to: Lori Birschbach-Tober

Email: lbirschbachtober@cuyahogacounty.us

Phone: (216) 443-7650

PROPOSALS ARE TO BE MAILED OR HAND-DELIVERED DIRECTLY TO THE ISSUING DEPARTMENT SHOWN ABOVE. ANY PROPOSAL RECEIVED AFTER THE TIME AND DATE SPECIFIED ABOVE WILL BE RETURNED UNOPENED.

All County contracts are subject to all applicable County ordinances, including, but not limited to, the Cuyahoga County Ethics Ordinance, Cuyahoga County Inspector General Ordinance, and Cuyahoga County Board of Control, Contracting and Purchasing Ordinance, and the successful design-builder shall comply with all such ordinances as an integral part of all County contracts. Copies of all County ordinances are available on the County Council's web site at <http://council.cuyahogacounty.us/>.

Department of Public Works
Instruction to Design-Build Team
For Preparing Proposals

INTRODUCTION; GENERAL BACKGROUND; OBJECTIVES

Cuyahoga County ("County") is issuing this Phase I Request for Proposals ("Phase I RFP") to seek a Design-Build Team ("DBT") capable of providing a full range of design and construction services for the Pedestrian and Bicycle Bridge from the Malls to the Lakefront in the City of Cleveland (County of Cuyahoga), Ohio ("Project"). The Project, the "bridging" design-build project delivery format, and the DBT's responsibilities thereunder are described in the County's RFQ and this Phase I RFP.

From among the firms responding to the County's Request for Qualifications RFQ 32534, (the "RFQ"), your DBT has been selected to submit a proposal for design-build services for the Project. DBTs shall submit written proposals in response to this Phase I RFP no later than 11:00 a.m. on **XXXXXXX, 2015**, to the Issuing Department. DBTs may be interviewed by the Selection Committee. Based on the Statements of Qualifications submitted in connection with the RFQ, the proposals submitted in response to this Phase I RFP, and the possible interviews, the County will score the DBTs based on their qualifications and pricing proposal. The two top ranked DBTs will be issued the Phase II Request for Proposals ("Phase II RFP"). During the approximately four (4) month Phase II RFP stage, the remaining two DBTs shall work with the County to further develop the design of the Project. The Phase II RFP responses submitted by the DBTs shall include more detailed drawings and specifications, a detailed proposed approach to completing the Project, detailed schedule, an open book Guaranteed Maximum Price ("GMP"), and specific construction methodology. The County will negotiate a contract with the top ranked DBT.

PHASE I RFP SUBMISSION REQUIREMENTS

1. Proposed Engineer-of-Record. Provide the name of your proposed Engineer-of-Record ("EOR") and include: (a) the EOR's key personnel (e.g., principal-in-charge, design manager, project manager, and structural engineer) who will be assigned to this Project; (b) not fewer than three (3), but not more than six (6), recent projects most similar to this Project where the proposed EOR was the lead engineer or the EOR; and (c) a copy of the proposed EOR's certificate of insurance showing its current limits of liability for commercial general liability, umbrella/excess liability, business automobile liability and professional liability, as outlined in Insurance Requirements section of the previously issued RFQ 32534. The County reserves the right to reject the EOR proposed by the DBT and require the addition of a different EOR to the DBT.
2. Proposed Design Team. Provide the names of sub-consultants to be used by your proposed EOR, including architect, bridge/pedestrian designer, railroad coordinator, surveyor, structural, site, roadway, lighting, utility, landscaping, and geotechnical

engineers. Include sub-consultants' key personnel and their relevant experience including not fewer than three (3) recent projects most similar to this Project.

- Criteria Architect/Engineer ("CAE") and Sub-Consultants. The County has retained Parsons Brinckerhoff as the Criteria Architect/Engineer for the Project ("CAE"). Note that the DBT's EOR may not be the CAE. Except for the vibration analysis consultant, the EOR's sub-consultants may not include any sub-consultants retained by the CAE for services during construction of the Project, unless pre-approved by the County.
3. Staffing Chart. Provide a Project organization chart containing the names and titles of the proposed staff for the Project. The organization chart should clearly show the name, title and firm for each key staff member and how DBT's will interact with the County. At a minimum, the chart should include at least three (3) officers or senior employees (e.g., Project Executive, Principal-in-Charge, Project Manager or Project Superintendent, Pre-Construction Manager, Project Engineer or similar designation) who will be available for work on the Project. For every person listed on the chart, identify the phase(s) of the Project to which the individual will be assigned and the percentage of that individual's time to be devoted to the Project. If any of the individuals are different from the staff proposed in the response to the RFQ, then provide a current one page resume (including projects within the past ten (10) years for such individuals.
 5. Project Approach. Describe the DBT's approach to managing design-build projects similar to this Project in a highly technical setting. Explain in detail the approach the DBT will take, including the services provided, in the design, pre-construction and construction of the Project. Also describe how the DBT will coordinate the work with all team members during design and construction to insure that everyone is working with the most current design criteria and project information.
 6. Management Plan and Systems. Describe the DBT's management plan for the Project, including controlling costs, schedule, quality, documentation, addressing claims, and any unique systems for record keeping, reporting, monitoring and other information management systems that the DBT would propose to use for the Project.
 7. SBE Goals. The County has established a Small Business Enterprise ("SBE") goal of 30% in value of subcontracts to be awarded to SBEs certified by the County. Please provide the DBT's detailed plan for meeting or exceeding such SBE goals, including the policies and procedures the DBT will establish to meet such goals. The County is in a partnership with the City of Cleveland on this Project and the County feels very strongly about the City of Cleveland's Community Outreach Program. The DBT is encouraged to voluntarily submit a plan as to how they may reach these goals also.
 8. Project Approach. Describe the DBT's approach to managing this design-build project based on the development of the GMP and schedule. Explain in detail the approach the DBT will take, including the services provided in the design, pre-construction and construction of the Project. Also describe how the DBT will coordinate the work with all Project participants during design and construction to insure that everyone is working with the most current design criteria and project information.

8. Suggested Value-Added Ideas, Value Engineering. Provide any cost savings or value-added suggestions, such as, alternate risk management or cost control methods that may differ from traditional insurance or bonding. Specific procurement methods such as early material purchase may also be suggested.
9. Schedule. Provide a proposed schedule to show how the DBT will meet agreed key dates and deadline with the County, including identifying bench marks and deadlines. Include required resources, work force projections, material procurement and other back-up material needed to accurately project the dates and durations of all tasks and to define the critical path.
10. Non-Collusion Affidavit. Include a completed and signed Non-Collusion Affidavit. (attached)
11. Pricing Proposal. In a separate, sealed submission, include the following (include back-up material and assumptions used to estimate the proposed fees):
 - A. Proposed fee for Pre-construction Services. Provide your proposed lump sum fee for pre-construction phase services with appropriate detail of the services that are included in such fee. This lump sum fee should be inclusive of all staff costs and reimbursable expenses for pre-construction phase services.
 - B. Proposed fee for Construction Services. Provide your proposed fee for construction phase services as a percentage of hard construction costs with an explanation of the basis for such fee. This fee should represent your total profit and home office overhead for the Project since all costs of the work, including subcontract costs and General Conditions Items (defined below), shall be reimbursed at cost and without any markup.
 - C. Proposed Fee of EOR. Provide your proposed lump sum fee for the services of the EOR and its design team, including its separate sub-consultants, with appropriate detail of the services that are included in such fee. This lump sum fee should include all EOR staff and sub-consultants providing design, engineering or construction administration services.
 - D. Proposed Fee and Schedule for General Conditions/Overhead Items. Based upon the scope and character of the Project, provide (a) a detailed listing of all General Conditions Items (defined below) to be provided by the DBT and not included in the Construction Services fee, and (b) the costs associated with such General Conditions Items. Such costs should directly correspond with the organizational chart and staffing plan that accompanied the proposal. Please note that all such General Conditions Items are to be provided and paid for on a separate line item basis. All services to be performed or provided by the DBT, with the exception of the services of the EOR and work of subcontractors, shall be fully covered by the Pre-construction Services fee, Construction Services fee and the reimbursement for the General Conditions Items. "General Conditions Items" include all direct personnel expenses and reimbursable expenses of the DBT (including the Project-dedicated staff set forth in the staffing chart required by

Item No. 3), jobsite trailers, temporary utilities, temporary facilities and other reimbursable expenses (e.g., office supplies, equipment, furniture, reproduction costs, progress Project photos, computer software and other items required specifically for the Project but that cannot be allocated to any particular trade).

- E. Contingencies. Indicate the anticipated level of both design and construction contingencies to be contained within the Guaranteed Maximum Price (“GMP”). Indicate your willingness to accept contingency reductions at pre-established levels for both design and construction.
- F. Billing Rates. Include hourly individual billing rates that correspond to the staffing chart provided in Item No. 3.

DESCRIPTION OF SELECTION PROCESS; TERMS AND CONDITIONS

1. Submittal. DBTs shall submit their proposals, including the requirements of the Phase I RFP, as defined above.
2. Interviews. DBTs responding to this Phase I RFP may be interviewed by the County. The purpose of the interview will be to meet the proposed Project team, become familiar with key personnel, and understand the firm's Project approach and ability to meet the County's objectives described in this Phase I RFP, including the budget and schedule. Please be prepared to discuss with specificity the DBT's capacity to conduct this work in compliance with the County's timetable, budget, and SBE expectations. The County will contact each DBT to schedule times for the interviews.
3. Selection of Two Top Ranked DBTs. The Selection Committee shall evaluate the proposals and the two top ranked DBTs will be asked to submit a final proposal in response to the Phase II RFP.
4. Phase II RFP; Stipend. The DBTs that receive the Phase II RFP shall be required to sign a Stipend Agreement. If such DBTs submit responses to the Phase II RFP, then they will be provided a stipend as further described in the Stipend Agreement. During the approximately four (4) month Phase II RFP stage, the two remaining DBTs shall work with the County to further develop the design of the Project. Each DBT will provide all design services necessary to advance the Criteria Documents. The DBTs shall develop the design in collaboration with the County and CAE, provide cost estimates, scheduling and constructability reviews as design concepts and details progress. Based upon the design documents submitted by each DBT and approved by the County, each DBT shall submit its proposed GMP to the County and CAE, which proposal shall include, at a minimum, the following: (a) a detailed breakdown of the GMP including the cost of the work (detailed by each subcontract, trade, or bid division), the DBT's contingency for the Work, the DBT's staffing cost (detailed by expense category), general conditions cost (including bond and insurance costs and detailed by expense category), and DBT's overhead and profit (i.e., fee); (b) schedule of values that allocates the GMP among the various categories of Work and services being provided under Design-Build Agreement; (c) construction schedule; and (d) a list of any qualifications and assumptions relating to the GMP (the foregoing are collectively referred to herein as the "GMP Documents").

The parties shall meet to reconcile any questions, discrepancies or disagreements relating to GMP Documents. The reconciliation shall be documented by an addendum to the GMP Documents that shall be approved in writing by the County, CAE and the DBT. The DBT shall then submit, in response to the Phase II RFP, the DBT's proposed final GMP based upon the amended GMP Documents.

5. Negotiation. After the final decision is made, the County will negotiate a Design-Build Agreement, on terms and conditions acceptable to the County, with the selected DBT deemed to provide the best value to perform the design and construction services and work required of the DBT.
6. Selection Schedule. The County's schedule for selection of the DBT is as follows, this schedule may be revised by the County, at their discretion:
 - A. Phase I RFP Proposals Due XXXXX, 2015
 - B. Interviews (if any) XXXXX, 2015
 - C. Selection of the two top ranked DBT XXXXX. 2015
 - D. Issue Phase II RFP XXXXX. 2015
 - E. Individual Workshops TBD
 - F. Selection/Notification of DBT TBD

TERMS AND CONDITIONS

1. Communication. DBTs considering responding to this Phase I RFP are strictly prohibited from communicating with any member of the County's staff or CAE staff or sub-consultants, as all questions should be directed to Lori Birschbach-Tober at (216) 443-7650 or lbirschbachtober@cuyahogacounty.us.
2. Deadline for Questions. All questions pertaining to this Phase I RFP shall be submitted to Lori Birschbach-Tober at (216) 443-7650 or lbirschbachtober@cuyahogacounty.us no later than _____, 2015 at 11:00 a.m.
3. Cancellation and Rejection. The County reserves the right to cancel at any time for any reason this solicitation and to reject any and all proposals. The County shall have no liability to any DBT arising out of such cancellation or rejection. The County reserves the right to waive minor variations in the selection process.
4. Amendments. This Phase I RFP shall be modified only by a written amendment issued by the County. It is the responsibility of the DBTs to verify that they have received and incorporated into their proposals all changes due to amendments issued to this Phase I RFP.
5. Preparation Costs. The County assumes no responsibility for costs incurred in the

preparation, presentation or submission of the proposals in response to this Phase I RFP.

6. Ownership of Proposals. The proposals and any information made a part of the proposals will not be returned to the DBTs. The County reserves the right to retain all proposals and to retain any ideas in proposals regardless of whether such DBT is selected. Submittal of a proposal indicates acceptance by the DBT of the conditions contained within this Phase I RFP.
7. Improper Practices. DBTs shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the County, the County's appointed evaluation committee, or any other organization that may have an interest in the outcome of the selection process. DBTs shall not collude in any manner or engage in any practices with any other DBT that may restrict or eliminate competition or otherwise restrain trade. Violation of this section will cause the applicable proposal to be rejected by the County. The prohibition is not intended to preclude joint ventures or subcontracts.
8. Interpretation. Should any question arise as to the proper interpretation of the terms and conditions contained in this Phase I RFP, the County's decision shall be final.
9. Evaluation Sheet. The Selection Committee will evaluate proposals based on the Proposed Evaluation Form attached.
10. Confidentiality. Except with the County's approval, DBT's shall not, directly or indirectly, disclose, divulge or communicate to any person, firm or corporation, other than the County or its designated representatives, or as required by law, any nonpublic information that it may have obtained during the selection process concerning any matter relating to the work or regular business of the County or this Project.



NON-COLLUSION AFFIDAVIT

(THIS AFFIDAVIT MUST BE EXECUTED FOR THIS BID TO BE CONSIDERED)

RFP # 34337

_____ being first duly sworn, deposes and says that he/she is

_____ (sole owner, partner, president, etc.)

making the foregoing proposal or bid; that such bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person to put in a sham bid, or that such other person shall refrain from bidding and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the County of Cuyahoga or any persons interested in the proposed contract; and that all statements contained in said proposal or bid are true; and further that such bidder has not, directly or indirectly submitted this bid; or contents thereof, or divulged information relative thereto to any association or to any member or agent thereof.

AFFIANT

Sworn to and subscribed before me this _____ day of _____, 20_____, in

_____ (City/Village/Township), County of _____, State of

_____.

NOTARY PUBLIC

(SEAL)

My commission expires: _____



Proposal Evaluation Form

Project Name	<u>Pedestrian and Bicycle Bridge Services Contract</u>	Committee Members:
Project Type	<u>Design Build Contract</u>	<u>Director of Public Works</u>
Submission Date	<u>XXXXX, 2015</u>	<u>County Engineer</u>
Selection Meeting Date	_____	<u>Director of Planning</u>
Facilitator	<u>Lori Birschbach-Tober</u>	<u>City of Cleveland (s)</u>
		<u>Technical Member (s)</u>
		<u>Consultant (s)</u>
		<u>Planning Group (s)</u>

EVALUATION CRITERIA	Max Points			
Firm's Experience	20	x	x	x
Available Staff's Experience				
Project Manager	25	x	x	x
Support Staff	15	x	x	x
Project Methodology	30	x	x	x
Previous Work	10	x	x	x
Proposal, RFP Phase I				
Quantitative	10	x	x	x
Approach	10	x	x	x
Schedule	10	x	x	x
Proposal, RFP, Phase II				
Submittal Package	40			
TOTAL	170	0	0	0