REQUEST FOR QUALIFICATIONS

BY
THE GUILFORD COUNTY BOARD OF EDUCATION

FOR
CONSTRUCTION MANAGER AT RISK
AND
PROVIDING A GUARANTEED MAXIMUM PRICE
FOR THE CONSTRUCTION

OF

THE NEW JAMESTOWN MIDDLE SCHOOL TO BE LOCATED OFF HARVEY ROAD IN JAMESTOWN, NORTH CAROLINA

AND/OR

FOR THE RENOVATION AND NEW CONSTRUCTION OF THE RAGSDALE HIGH SCHOOL AND/OR THE NEW AUTISM WING LOCATED AT 602 HIGH POINT ROAD, JAMESTOWN, NORTH CAROLINA

TO PROVIDE PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES DURING PORTIONS OF THE DESIGN PHASE AND, IF THE GMP IS APPROVED, DURING THE CONSTRUCTION OF THE PROJECT THROUGH TRADE CONTRACTS HELD BY CONSTRUCTION MANAGER

ADVERTISEMENT FOR QUALFICATIONS

GUILFORD COUNTY SCHOOLS
CONSTRUCTION MANAGER AT RISK
JAMESTOWN MIDDLE AND/OR RAGSDALE HIGH SCHOOLS

The Guilford County Board of Education is accepting proposals for Construction Manager at Risk for the new construction of the Jamestown Middle School and/or the renovation and new construction of the Ragsdale High School and the new Autism Wing located in Jamestown, NC until 2:00 pm on Thursday, June 9, 2008 at the Guilford County Schools Purchasing Department, 501 West Washington St., Greensboro, NC 27401. The Jamestown Middle School project will be the construction of a new middle school located on 69.10 acres off Harvey Road in Jamestown, North Carolina. The school is estimated to be approximately 161,154 square feet of conditioned space.

Qualified Construction Managers at Risk are also being asked to provide proposals for the demolition and renovation of portions of the existing Ragsdale High School and the new Autism Wing located in Jamestown, North Carolina. The work will include the incorporation of the existing Jamestown Middle School into the campus of the new Ragsdale High School, including new construction and the addition of a new Autism Wing on the new campus. Ragsdale High School is located on High Point Road in Jamestown, North Carolina.

Qualified Construction Managers at Risk firms will be reviewed to determine their ability to provide services for either one or both of these projects. Selection of the Construction Manager at Risk firm for either one or both of these schools will be at the sole discretion of Guilford County Schools.

Qualifications Questionnaire, Instructions to Proposers and other project information is available by contacting John Mann, Purchasing Officer at 336-370-3238.

A mandatory pre-proposal conference will be held at 10:00 am on Tuesday, May 27, 2008, at the Guilford County Schools Purchasing Department, 501 West Washington St., Greensboro, NC 27401.

John Mann, CLGPO
Purchasing Officer

QUALIFICATIONS QUESTIONAIRE

REQUEST FOR PROPOSALS
BY
THE GUILFORD COUNTY BOARD OF EDUCATION

FOR

CONSTRUCTION MANAGER
AT RISK

AND

PROVIDING A GUARANTEED MAXIMUM
PRICE

FOR

THE NEW CONSTRUCTION OF THE JAMESTOWN MIDDLE SCHOOL

AND/OR

THE DEMOLITION AND RENOVATION AND THE NEW CONSTRUCTION
OF THE RAGSDALE HIGH SCHOOL AND/OR NEW AUTISM WING, ALL OF
WHICH ARE LOCATED IN JAMESTOWN, NORTH CAROLINA

Instructions:

THE FOLLOWING QUESTIONNAIRE IS DESIGNED TO ASSIST PROPOSERS IN RESPONDING TO SECTION II.B. RFP. NOTHING IN THIS QUESTIONAIRE SHALL BE CONSTRUED TO PREVENT THE PROPOSER FROM ATTACHING ADDITIONAL INFORMATION NOT REQUESTED HERE BUT WHICH THE PROPOSER BELIEVES RESPONSIVE TO THE RFP. CONVERSELY, NOTHING IN THIS QUESTIONAIRE SHALL BE CONSTRUED AS A WAIVER BY THE OWNER FROM EXPECTING ANY ADDITIONAL INFORMATION FROM THE PROPOSER NOT REQUESTED HERE BUT OTHERWISE REQUESTED IN THE RFP.

Project Title and Location:
_____
_____

Proposer's Name:
Address
Phone _____ Fax _____
E-mail _____

List all licenses by name and license number held in the State of North Carolina (including but not limited to contractor's licenses, business licenses, etc.) and provide a copy of your most recent license application.

_____
_____
_____

Profile of Proposer

a. Give corporate history of firm including:

(1) year first organized _____
(2) organizational structure, (e.g. LLC, Corp., Partnership, etc.) _____
(3) state of incorporation_____
(4) years in business _____
(5) corporate officers_____
(6) major shareholders/partners _____
(7) years providing CM at Risk related services_____
(8) number of projects providing CM at Risk related services _____
(9) number of years/projects/type providing other construction related services_____

Attach evidence of authority to do business in North Carolina.

b. Annual dollar workload listed for each of the last five (5) years inclusive of projects per year:

2006	#projects	$	tot.
2005	#projects	$	tot.
2004	#projects	$	tot.
2003	#projects	$	tot.
2002	#projects	$	tot.

c. List projects for which firm is currently committed including:
(1) name & location of each project;
(2) time frame to complete each project; and
(3) $ value of each project.

d. If proposer is joint venture, see Section 11.13. 5.4, RFP and provide requested information below.

_____
_____
_____

e. Attach current audited financial statement.

f. 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.

g. List all construction projects where proposer has performed work for public entities, including but not limited to schools, universities, counties, cities, states, the federal government or any agencies of the state or federal government as a CM@ Risk, general, electrical, mechanical or plumbing contractor, over the past 10 years. Identify role on each project.

_____
_____
_____

h. List by case name and case number all pending litigation in which proposer is involved as a party or proposer's officers are involved as parties in their official capacity. Include cases pending in any Federal or State jurisdiction, court, commission, regulatory body or other authority having the power to determine the rights of parties appearing before it. Also list all arbitrations proposer is involved in as a party and the name, location and owner of the property at issue.

_____
_____
_____

i. Within last five (5) years, has any contract for construction or CM at Risk services of proposer's been considered in default, suspended or terminated for cause? If so, please attach an explanation of the matter including the name and location of the project, the name and address of the owner's representative, and all pertinent details of the default, suspension or termination.

_____
_____
_____

j. Within the last five (5) years, has proposer's contract or any portion of the work connected to the contract been completed by the Owner or proposer's surety? If so, please attach an explanation providing the name and location of the project, the name and address of the owner's representative, and all pertinent details of the matter.

_____
_____
_____

k. Within the last five (5) years, has proposer been debarred or suspended for any reason by any federal, state or local government procurement agency or refrained from bidding on a public project due to an agreement with such procurement agency? If so, please attach a full explanation.

_____
_____
_____

l. Within the last five (5) years, has proposer been named in any action, administrative proceeding, or arbitration in which it was alleged that the proposer failed to comply with N.C. Gen. Stat. Chapter 22C, or any similar state or federal statute requiring the prompt payment of subcontractors? If so, please attach a full explanation.

_____
_____
_____

m. Within the last ten (10) years, has the proposer or any predecessor or related entities, or any officers, shareholders/partners or key personnel of the proposer ever been convicted of or pleaded guilty to any crime (a) related to the bid process for contracts on public or private projects or (b) involving fraud or misrepresentation? If so, please attach a full explanation.

_____
_____
_____

Project Experience - Please review Section II.B, *1. et seq.* and follow the instructions therein. All instructions in the RFP must be followed to the letter. Nothing listed below shall relieve the proposer of the responsibility to follow all instructions in Section II.B, 1. *et seq.* of the RFP.

List three projects of similar size and complexity performed by proposer, (Section II. B, 1.1) in the past seven years:

_____
_____
_____

For each of the three projects, include specific details on the extent to which pre-construction & construction phase services outlined in Section I. B were provided.

_____
_____
_____
_____

If the proposer manages projects from multiple offices, indicate from which office each of the three similar projects were managed Indicate which office will manage this project.

_____
_____
_____

For the projects listed above where CM at Risk services were provided, list

(a) the Guaranteed Maximum Price (if given), or if not given, the estimated cost provided by you, and
(b) the total cost of the project at completion.

_____
_____
_____

Please attach an explanation for each project where total project cost exceeded GMP or estimated project cost by greater than 10 per cent (10%).

For the three (3) projects listed above where CM at Risk services were provided, list per project:

(a) number of days allocated to complete work in original schedule;
(b) number of days added by change order; and
(c) number of days taken for actual completion.

_____
_____
_____

Please attach explanation for any project completion date greater than 30 days beyond the original schedule as adjusted by change order.

For the three (3) 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, Section II.B.2. RFP.

1. List of key personnel who will be assigned to the project (specifying project phase, if applicable) (Section II.B.2.1).

_____
_____
_____
_____
_____

Attach sworn statement that the above persons will be exclusively assigned to this project for its duration (or until completion of the present phase to which they will be assigned).

2. 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, please indicate what percentage of their time will be devoted to each phase. Please also specifically designate the names of persons providing constructability services during preconstruction.

_____
_____
_____
_____
_____

3. For each person listed in response to No. 1 & 2 above, list his/her experience with proposer firm, other prior and relevant experience in construction/design, and the person's location. For each project that the person was involved in identify dollar value of the project, delivery method used and that persons role on the project.

   _____
   _____
   _____
   _____
   _____

4. Attach corporate organization chart indicating the placement of each of the persons listed in response to No.'s I & 2 above.

5. Attach the resumes of each person listed in response to No.'s 1 & 2 above.

Project Planning, Section 11.B.4, RFP

1. Attach a written description of the proposer's organization and management as a CM at Risk.

2. In the attachment requested above, indicate how the proposer as CM at Risk will perform services on the project in both the pre-construction and construction phases.

3. Following the instructions set forth in Section II.B.4.2 *et seq.* please attach your responses to the information requested in the following paragraphs of the RFP:

   (a) Value Engineering (para. 4.2.1);
   (b) Constructability Issues (para. 4.2.2);
   (c) Cost Model/Estimates (para. 4.2.3);
   (d) Project Tracking/Reporting (para. 4.2.4);
   (e) Request for Information (RFI) and shop drawings (para. 4.2.5);
   (f) Quality Control (para. 4.2.6);
   (g) Schedule and Staffing Plan (para. 4.2.8).

4. Minority Participation (Section II. B, 4.2.7): In addition to the information requested in Section II. B, 4.2.7 of the RFP, please attach your proposed plan to meet or exceed MWBE and HUB participation levels on this project. Please also attach at least three past MWBE and HUB plans prepared by your firm and utilized on other public construction projects where you were the CM at Risk or general contractor, and provide information indicating whether MBE and HUB goals were met or exceeded on those projects.

This the ____ day of _____ , 2008.

Proposer Company Name

By: _____

Title: _____

Attest:

(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 _____ , 2008.

By: _____
Title: _____

APPENDIX F

STATE OF _____
COUNTY OF _____

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

IN WITTESS WHEREOF, I have hereunto set my hand and Notarial Seal this the day of _____, 200_.

_____
Notary Public

My commission expires: _____

I. SECTION 1-- INSTRUCTIONS TO PROPOSERS

A. DEFINITIONS

1. **CONSTRUCTION MANAGER** means an entity properly licensed as a general contractor under the law of the State of North Carolina to provide the services provided for in this RFP, and for the purposes of this contract also means a Construction Manager At Risk.

2. **CONSTRUCTION MANAGER AT RISK** (Hereinafter sometimes referred to as: the CM) means a Construction Manager that has contracted to give a Guaranteed Maximum Price for the construction of the Project, and has assumed the risk of the actual cost of the construction exceeding that Guaranteed Maximum Price.

3. **OWNER** means the Guilford County Board of Education

4. **PROJECT** means all structures, buildings, site work, landscaping, or other improvement to real property of every kind and nature provided for or reasonably inferable from the Construction Documents published at the end of the design phase of the project by the Project Designer.

5. **PROJECT DESIGNER** means the firm or firms of architects *or* engineers or both (and their consultants) which have undertaken to design the Project pursuant to a contract with the Owner (Hereinafter: the Design Contract).

6. **PROJECT BUDGET** is set forth in the RFP data sheet and outlines various fees and reserves retained by the owner which must be deducted from the project budget to arrive at an Amount Available for Construction. All costs included in the Guaranteed Maximum Price must be within the Amount Available for Construction.

B. SUMMARY

1. The object 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).

2. The CM contract will be performed in at least two phases. Phase I will include the pre-construction phase services and the preparation and submission of the Guaranteed Maximum Price (GMP). Phase II will include the award and management of numerous principal and specialty trade contracts for others to provide the actual construction of the Project. Because the CM 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 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.

3. The Construction Manager will be an integral member of the Project Team, consisting of representatives from the Owner, the Project Designer, and other consultants, as required. Generally, it will be the responsibility of the Construction Manager to integrate the design and construction phases, utilizing his skills and knowledge of the general contracting, to develop schedules; prepare detailed project construction estimates; study labor conditions; and, in any other way deemed necessary, to contribute to the development of the project during the pre-construction / design phase. During the construction phase, the CM will be responsible for effecting the construction of the project within the Guaranteed Maximum Price (GMP) and providing all necessary construction services through Trade Contractors selected as hereinafter provided.

4. Upon selection of the construction management firm by the Owner, the resulting contract will authorize the CM to provide pre-construction phase services only, including without limitation the provision of a Guaranteed Maximum Price for the final completion of the Project by the CM.

5. Subsequently, at the end of the pre-construction phase, and in accordance with the terms and conditions of this RFP, the CM will ordinarily execute a contract to include the accepted Guaranteed Maximum Price and to authorize the CM to receive bids and award Trade Contracts to accomplish the construction of the Project. The owner may require that the bid process occur prior to development of the GMP.

6. 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.

7. The Owner anticipates award of a contract with the successful construction management firm upon completion of fee negotiations.

C. ISSUING OFFICE

1. The Issuing Office is the Guilford County Schools Purchasing Department located at 501 West Washington Street, Greensboro, North Carolina 27401. All inquiries about the proposal or otherwise relating to forms should be directed to John Mann, Purchasing Officer.
2. Inquiries related to the technical site or construction should be directed to Dennis A. Cole, 617 W. Market Street, Greensboro, North Carolina, 27401. This is NOT the Issuing Office.
3. The Issuing Office shall be the sole point of receipt of responses, proposals and forms.

D. PRE-PROPOSAL CONFERENCE

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

2. A walk through of the Ragsdale High School Project site area will be conducted immediately following the Pre-Proposal Conference. The new Jamestown MS site is currently in a natural state and a walk-thru will be allowed upon request.

3. ATTENDANCE AT THE PRE-PROPOSAL CONFERENCE *IS* MANDATORY.

E. DUE DATE AND TIME

1. One (1) original plus ten (10) copies (for a total of 11) of the Proposal must be received at the Issuing Office as set forth on the foregoing Data Sheet in order to be considered. Submission of three (3) electronic copies of the proposal either on a CD or a flash drive are also strongly encouraged, but does not substitute for the required written copies. Proposers are requested to clearly mark the "Original" set of the Proposal.

2. Each proposal shall be properly labeled with the date and time the proposals are due, the title of the project, and the name of the person, firm, or corporation making the proposal.

3. The Owner will evaluate the proposals as hereinafter provided.

4. Proposers mailing proposals shall allow sufficient mail delivery time to insure timely receipt by the Issuing Office. Proposals or unsolicited amendments to proposals arriving after the due date and time will not be considered.

5. **LATE PROPOSALS CANNOT BE ACCEPTED.** Proposals are to be delivered to the Issuing Office addressed to the Issuing Office and clearly designated as Proposal for this RFP. The Owner recommends against use of mail or delivery services that will not guarantee delivery directly to this office. Proposals delivered to any other location will not be considered "received" until they arrive at the location specified above. This Owner will not waive delay in delivery resulting from need to transport a proposal from another location, or error or delay on the part of the carrier.

F. QUESTIONS AND INQUIRIES

Questions and inquiries shall be directed to the individual(s) referenced with the Issuing Office above. The Issuing Office will be open during normal business hours and business days.

G. TERMINOLOGY

All references in this RFP to the Construction Manager, Proposer, Project Designer/Engineer, and other person or persons are made relative to the singular person, male gender (e.g "he", "him", "his", etc.) These are intended only as generic terms relative to number and gender and are employed solely to simplify text and to conform with commonly used construction specifications language.

H. SITE INVESTIGATION

By submitting a proposal the Proposer acknowledges that he has investigated and satisfied himself as to the conditions affecting the work, including but not restricted to those bearing upon transportation, disposal, handling and storage of materials, availability of labor, water, and electric power. Any failure by the Proposer to acquaint himself with the available information will not relieve him from responsibility for estimating properly the cost of successfully providing the services required. The Owner shall not be responsible for any conclusions or interpretations made by the Proposer of the information made available by the Owner.

I. EVALUATION PROCEDURE

1. After the closing date for receipt of Proposals, the Owner shall open the Proposals and initially classify the Proposals as:

   1.1 Complete and acceptable.

   1.2 Incomplete or otherwise unacceptable.

2. Offerers whose proposals are unacceptable shall be so notified.

3. An Owner's "Pre-selection Committee" will evaluate the complete and acceptable Proposals (including required Qualification Material) that are timely and properly submitted.

4. The Pre-selection Committee will include membership as outlined in Appendix G.

5. The Pre-selection Committee will form a shortlist of three 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.

6. The Pre-selection Committee will ordinarily receive oral presentations from each of the shortlisted firms. NOTE: The Owner reserves the right to make an award based on initial offers without receiving oral presentations. The Owner reserves the right to request clarifying information from any and all Proposers at any time during the evaluation process.

7. The Pre-selection Committee will rank the top three shortlisted firms in priority order based on the criteria outlined in Section II of this RFP and will recommend this slate of firms to the Board of Education for their consideration and approval.

J. RIGHT TO REJECT PROPOSALS AND WAIVE INFORMALITIES

1. The Owner reserves the right to cancel this RFP at any time before the date set for the receipt of proposals.

2. 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.

K. LICENSES AND QUALIFICATION

1. 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. Gen. Stat. Chapter 87, and shall submit proof of current licensing with their proposal.

2. The Owner reserves the right to require that the Construction Manager demonstrates that it has the skills, equipment and other resources to satisfactorily perform the nature and magnitude of work necessary to complete the project within the proposed contract schedule.

L. CLARIFICATIONS AND ADDENDA

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 **seven** (7) **working days prior to the proposal due date,** request clarification in writing from the Issuing Office, which may issue a written Addendum to the RFP. Requests shall include the RFP name.

2. Oral explanations or instructions with respect to the RFP 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 mailed to all listed holders of the RFP's no later than **five (5) calendar days** prior to the proposal due date.

3. Any addendum amendments to the RFP must be acknowledged with submission of the proposal.

M. ECONOMY OF PREPARATION

Proposals should be prepared simply and economically, providing a straight forward, concise description of the Proposer's offer to meet the requirements of the RFP.

N. CONFIDENTIAL PROPRIETARY INFORMATION

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.

O. MINORITY WOMEN BUSINESS ENTERPRISE BUSINESS

1. Minority business enterprises are encouraged to respond to this RFP.

2. The verifiable goal for minority business participation pursuant to N.C. Gen. Sta. § 143-128 f is set at not less than **12.46%** of the total value of the work, inclusive of all fees. Written guidelines specifying the actions that the CM must take to ensure a good faith effort in the recruitment and selection of minority/women businesses for participation in contracts awarded under this section are set forth in Appendix C and are herein incorporated by reference as if fully set forth herein.

3. The Owner encourages Proposers to exceed this minimum MWBE participation level wherever possible.

P. PROPOSAL AFFIDAVIT

The Proposal Affidavit included in Appendix F must be executed by each responding Proposer and submitted with the Proposal.

Q. MULTIPLE / ALTERNATIVE PROPOSALS

Proposers may not submit more than one (1) proposal nor may Proposers submit an alternate to this RFP.

R. JOINT VENTURE PROPOSERS

If the Proposer is a joint venture firm, 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 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 parties will be held responsible for the contract obligations jointly and severally.

S. INCURRED EXPENSES

The Owner will not be responsible for any costs incurred by any Proposer in preparation and submittal of a proposal.

END OF SECTION I

II. PROPOSALS AND EVALUATION

A. PROPOSAL SUBMITTALS

Responses to the RFP are to consist of the following:

1. **Verification of Minimum RFP Requirements**: All Proposers will be required to submit evidence of compliance with the Minimum Requirements of this RFP.

2. **Proposal Submittal**: All Proposers will be required to submit one (1) original and ten (10) copies (for a total of 11) of the Proposal. Submission of three (3) electronic copies of the proposal either on a CD or a flash drive are also strongly encouraged, but does not substitute for the required written copies.

3. **Transmittal Letter**: A transmittal letter prepared on the Proposer's business stationery must accompany the Proposal Submittal. The purpose of this letter is to transmit the Proposal. Therefore, it should be brief, but shall list all items contained within the Proposal. The letter must be signed by an individual who is authorized to bind the Proposer to all statements contained in the Proposals.

4. **Signing of Forms**: The Proposal, if submitted by an individual, shall be signed by the individual; if submitted by a partnership or joint venture, shall be signed by such member or members of the partnership or joint venture as have authority to bind the partnership or joint venture; if submitted by a corporation, shall be signed by an officer, and attested by the corporate secretary or an assistant corporate secretary. If not signed by an officer, there must be attached a copy of that portion of the by-laws or a copy of a board resolution, duly certified by the corporate secretary, showing the authority of the person so signing on behalf of the corporation. Signatures shall be under seal, i.e.: indicated by the word "(Seal)" following signature of individual and partner bidders, and indicated by affixing the Corporate Seal at corporate signatures.

B. PROPOSAL REQUIREMENTS

Minimum Requirements: The following information **must** be furnished in the proposal. Failure to include any of the items listed below *may* disqualify response. Criteria are listed in order of importance; however, no point value is assigned to any criterion by the Owner, rather all criteria will be considered together with greater weight given to first-listed criteria. Proposer should describe in detail and provide evidence supporting the qualifications below. **All Proposers are to compile their Proposals in the order listed below.**

1. A Proposer, to be considered, must have a minimum of five (5) years of experience as a Construction Manager or General Contractor in providing the Pre-Construction and Construction Phase Services outlined in Section V. This is a minimum requirement and firms with additional experience will receive additional consideration. If a Proposer is a joint venture firm, at least one joint venture party must have a minimum of five years of said experience and the other joint venture party or parties must have a minimum of three years of said experience.

   1.1 Each proposer is to submit information on three projects of similar scope and complexity that have been completed by the proposer within the past seven years or be substantially complete (available for use for its intended purpose). The information for each project shall include specific details on the extent to which preconstruction and construction phase services were provided. Experience with a wide variety of building types and building clients is acceptable.

   1.2 If the proposer manages projects from multiple offices, indicate From which office each of the three similar projects was managed. Indicate which office will manage this project.

   1.3 Proposers shall clearly indicate the type of contract under which the pre-construction and construction phase services were provided for the three similar projects (e.g general contract, CM agency, CM at risk, design-build, etc.).

2. Key Personnel

   2.1 Provide a detailed but concise resume (inclusive of educational background and all prior work experience) on each of the key personnel **only** to be assigned to this project. Such personnel should include, but are not be limited to, the Project Manager, Field Superintendent(s) and other key personnel who may be required. A Project Executive (by whatever name called) must also be named in Key Personnel but need not be exclusively assigned to this Project.

   2.2 Within your description include the following on each individual:

   2.3 Experience with your firm (preferably on one or more of the three (3) projects noted in Section II B. 1. above) as well as other prior experience, noting the role played by the person.

2.4 Specify percentage of time to be committed to this project during both the pre-construction and construction phases.

2.5 Note where these key personnel are located (e.g., local office in what geographic location, main headquarters in what geographic location, etc.).

2.6 Note which of the following items (under headings of Preconstruction and Construction) will be handled by which key person; in addition, please identify person who will handle overall management of this project:

2.6.1 Pre-Construction: Design review, constructability issues, cost model estimates, schedule, value analysis, and procurement.

2.6.2 Construction: Coordination of subcontractors, trades people, vendors, suppliers, Safety, Quality control/ inspections, shop drawing review, change order review, claims resolution, schedule control, commissioning, and payment approval.

2.7 On the page opposite to the resume / background of each individual, please show the corporate organizational chart for this project and where this person is positioned.

2.8 Name and Qualifications of the firm/personnel providing interdisciplinary coordination/constructability review of Contract Drawings and Specifications. Provide detailed description of the process to be used.

2.9 Include a statement from your firm committing to assigning these proposed personnel if your firm is the selected CM firm.

3. References:

Provide three (3) references per the experience list in Section II B. I. above. The references must be project owners or project owner representatives. Provide a contact name, address, telephone number and project name and location for each reference. Such references are to be from different projects; that is, only one reference per project is allowed. The Owner reserves the right to contact references given as well as the others associated with the other projects listed in Section II B. 1. above or any other source available. Such references will be held in the strictest confidence.

4. Project Planning:

4.1 General: Provide a brief, overall description of how the CM will be organized and managed, and how the services will be performed in both the Pre-Construction and Construction Phases. Include organizational charts of pre-construction and construction services. Project planning that offers the same project manager for pre-construction and construction phases shall be given preference.

4.2 Specific: Provide a descriptive summary, developed in response to the RFP, as to your firm's approach to the following items including, but not limited to, all information noted below:

4.2.1 **Value Analysis**: Describe the process by which your firm performs value analysis so as to achieve an appropriate balance between costs, aesthetics, sustainable design and function. Provide a sample value analysis report from one (1) of the projects listed under the Experience category (Section II B. 1. above). In addition, provide a summary as to this value analysis effort inclusive of total number of items studied, total dollar value, total number of accepted items and total corresponding value of the accepted items.

4.2.2 **Constructability Issues**: Identify four (4) constructability issues in regard to each of these projects and provide a brief description of your firm's approach to reviewing each.

4.2.3 **Cost Model / Estimates**: Provide the cost model format used on one of the completed projects provided under the Experience Section (Section II 1. above) and describe how this cost model was developed and the timing of its updates during design, and summarize how the final construction cost related to this cost model. Provide the cost model to be used on this project.

4.2.4 **Project Tracking / Reporting**: Describe your firm's approach and procedures for project tracking and reporting, including scheduling, accounting, etc. Describe the software used. Provide examples of a progress report including schedule tracking, cost control and reporting, and show how the cost model estimates track to the accounting and invoicing.

4.2.5 **Request for Information (RFI), and shop drawings**: Describe your firm's approach to handling these documents to insure accuracy and timeliness. Provide examples of applicable logs (preferably on a project noted in the Experience category in Section II B. I. above).

4.2.6 **Quality Control**: Describe how your firm implements quality control throughout construction. Provide samples / examples of your quality control program inclusive of applicable documentation.

4.2.7 **Minority Women Participation**: The Guilford County Board of Education has developed a plan to meet the goals set by G.S. 143-128 for participation in projects by minority women businesses, attached as Appendix D. This plan includes the following elements:

OUTREACH - A commitment to make every effort to inform contractors of pending contract opportunities;

GOOD FAITH EFFORT - A commitment to verify contractor solicitations to ensure that sufficient time and information are available to make a responsible reply;

MONITORING & REPORTING - A commitment to measure and report anticipated and actual HUB participation. Including requirements of Section V.B.4 below, describe the program (plan) that your firm has developed to encourage participation by Minority and other HUB firms. How does this plan relate to the elements of the Board plan stated above (include how you define a good faith effort)? Provide documentation of the minority and other HUB participation that you have achieved over the past two years (either as a construction manager or general contractor). Outline specific efforts that your firm takes to notify minority and other HUB firms of opportunities for participation. Indicate the minority participation goal which you expect to achieve on this project. What innovative methods do you plan to employ to achieve your targeted participation? Outline the provisions which you have in place for monitoring actual minority and other HUB participation. Be advised that your HUB plan will become a contractual obligation.

4.2.8 Schedule and Staffing Plan: Provide a schedule and staffing plan for the value analysis and constructability sections of the pre-construction services.

5. Profile of Proposer: Provide the following on your firm (if joint venture, this information is to be provided on all parties):

5.1 Brief history of your firm inclusive of the year in which your firm commenced providing the Construction Management at Risk services.

5.2 Provide annual dollar workload volume inclusive of number of projects on a per year basis for the last five (5) years and indicate what percentage of such work is CM at Risk, GC or other (name).

5.3 Provide list of current projects on which your firm is committed, the dollar volume of each and the time frame for each.

5.4 If joint venture, provide history of joint venture experience for all parties and specifically history of this joint venture relationship.

Note: If the selected Proposer is a joint venture firm, a copy of the signed joint venture agreement must be submitted with the Technical Proposal. No changes may be made to the joint venture agreement without the approval of the Owner.

6. Financial Stability: Provide current audited financial statement.

7. Bonding Capability: Provide a letter from a surety company licensed to issue bonds in the State of North Carolina or that has an agent licensed to do business in the State of North Carolina indicating the Proposer's capability to provide adequate performance and payment bonds for this Project.

C. ORAL PRESENTATION

The Owner will ordinarily receive an oral presentation from each firm shortlisted by the Pre-selection Committee.

1. The Owner will determine what weight to be accorded to information received at the oral presentation. Information regarding the date, time, and location, of the oral presentations will be provided upon completion of the shortlist.

2. The purposes of the presentation are as follows:

   2.1 To allow the Owner to meet the Proposer's key personnel.

   2.2 To allow the Proposer to highlight aspects of the selected areas of its Technical Proposal; i.e. Key Personnel, Project Planning and Profile of Proposer.

   2.3 To provide an opportunity to highlight the CM scope of services for this Project.

D. SELECTION CRITERIA

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

1.1 Workload that is fully able to accommodate the addition of this project.

1.2 Record of successfully completed projects of similar scope without major legal or technical problems.

1.3 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.

1.4 Key personnel that have appropriate experience and qualifications.

1.5 Relevant and easily understood presentations.

1.6 Completion of CM-at-Risk projects in which there was little differences between the GMP and final cost.

1.7 Projects that were completed on or ahead of schedule.

1.8 Construction administration capabilities, including technology systems to manage construction and payment progress.

1.9 Proximity to and familiarity with the area where the project is located.

1.10 Quality of compliance plan for minority business participation as required by G.S. 143-128.2.

1.11 Other factors that may be appropriate for the project.

2. All proposers will be notified in writing of the identity of the proposers selected for consideration on the shortlist.

E. CONTRACT NEGOTIATION AND AWARD

1. After the three firms have been notified of the selection action by the Board of Education, representatives from the Guilford County Schools construction office and finance office, along with an attorney for the Board of Education, will discuss with the selected construction manager-at-risk appropriate services and information about the project.

2. The Board of Education will request in writing a detailed fee proposal from the selected Construction Manager. School system representatives, in coordination with the Owner's Attorney, 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 Owner shall terminate the negotiations and shall repeat the notification and negotiation process with the next ranked Construction Manager on the selection list. In the event a fee cannot be agreed upon with the second-ranked Construction Manager, the process will be repeated with the third-ranked Construction Manager. If a fee still cannot be agreed upon, the Board of Education shall review the history of negotiations and make appropriate determinations including program adjustments so as to lead to a negotiated contract with one original three firms selected. Such renegotiation

with the firms shall be carried out in the original selection order. The negotiation process will continue until a fee has been determined that is agreed to by the Board of Education and the Construction Manager.

3. Following successful negotiation, the Owner shall award the contract in the exercise of its discretion as by law provided.

F. CONSTRUCTION MANAGER FEE AND CONTRACT

The Construction Manager will submit a fee proposal in two parts; part one will cover pre-construction services; part two will cover construction services. The entire fee will be negotiated at one time, however, the initial CM contract will be for pre-construction services. The construction services fee will be a part of the GMP contract.

END OF SECTION II