

PUBLIC BUILDING COMMISSION OF CHICAGO

Request for Proposals: Construction Management at Risk Services for **Malcolm X College West Side Learning Center Addition and Renovations**

Public Building Commission of Chicago
Richard J. Daley Center, Room 200
50 W. Washington Street
Chicago, Illinois 60602
www.pbcchicago.com

Mayor Brandon Johnson
Chairman

Ray Giderof
Acting Executive Director

CONTACT INFORMATION

FIRM NAME:	
CONTACT NAME:	
CONTACT TELEPHONE:	
CONTACT EMAIL:	
ADDRESS:	

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FORMS:

- Form A. Technical Competence and Past Performance
- Form B. Proposal Acknowledgment and Execution Page
- Form C. MBE/WBE, EEO, CRO, and CH Participation
- Form D. Joint Venture Affidavit
- Form E. Disclosure Affidavit
- Form F. Disclosure of Retained Parties
- Form G. Affidavit of Non-Collusion
- Form H. Safety Information
- Form I. Legal Actions
- Form J. References

EXHIBITS:

- Exhibit A. Insurance Requirements
- Exhibit B. Performance and Payment Bond Specimen
- Exhibit C. Project Community Area Map
- Exhibit D. Assist Agencies

ATTACHMENTS (Supporting documentation):

- Malcolm X College West Side Learning Center Addition and Renovations – Cost Form
- Malcolm X College West Side Learning Center Addition and Renovations – Specifications
- Malcolm X College West Side Learning Center Addition and Renovations – Drawings
- Malcolm X College West Side Learning Center Addition and Renovations – Reports

Please note all Forms, Exhibits, and Attachment can be found at <https://pbcchicago.com/opportunities/117918/>

SECTION I – INTRODUCTION

A. INTRODUCTION

The Public Building Commission of Chicago (“Commission” or “PBC”) has enhanced education, safety, and recreation across the region by building or renovating hundreds of schools, city colleges, libraries, parks, fire houses, police stations and other public facilities. PBC User Agencies include the City of Chicago, City Colleges of Chicago, Cook County, Chicago Public Library, Chicago Public Schools, Chicago Park District, Forest Preserve District of Cook County, among other agencies. Beginning with land acquisition, the PBC's staff may manage each project through planning, financing, site preparation and remediation, design, construction and furnishing, functioning as a single point of responsibility for "turn-key" development.

The Commission, through this Request for Proposals (“RFP”), solicits construction management firms (including firms proposing to have a controlling interest in Joint Ventures) to perform Construction Management at Risk (“CMAR”) Services for the construction of the new Malcolm X College West Side Learning Center Addition and Renovations project (“Project”) on behalf of the City Colleges of Chicago (“CCC”).

Firms seeking to provide these Services to the Commission (Respondents) are required to submit evidence of successful previous experience, financial capability, and possession of requisite licensing/certifications and otherwise meet all qualifications requirements as outlined herein.

B. PROJECT OVERVIEW

- 1. Objective:** PBC has undertaken the construction of the Malcolm X College West Side Learning Center Addition and Renovations project on behalf of CCC. The Project scope will include but not be limited to: the addition of an existing single-story facility, interior MEP renovations to the existing 1986 facility and exterior renovations to the existing facility. Site improvement work will also be included. Full Scope of Services for can be found in requisite Project Summary found further below and related attachments). The Construction Management firm will be responsible for providing Construction Management at Risk Services as outlined in this RFP.
- 2. Construction Management at Risk Services:** The Construction Manager (“CM”) shall provide Construction Management at Risk Services to assist the PBC, the Architect of Record or Engineer of Record (“AOR/EOR”) and CCC with pre-construction activities, including design-assist, coordination, scheduling, development of a complete budget, estimating and budgeting the probable construction costs for the project and at each design milestone, overall coordination with the design team, and construction planning. The Construction Manager shall advise regarding initial cash flow projections for any and all critical work. The Construction Manager will also be responsible for reviewing the design documents for constructability, identifying possible cost savings, and supporting the PBC and the AOR/EOR to develop a permitting strategy and obtain all necessary permits and approvals, and overall project delivery schedule.

Additional responsibilities may include, but not be limited to:

- Pre-Construction;
- Project Management;
- Planning and coordination of all end user relocations, including without limitation, people, functions, services, utilities, fixtures, furnishings, and equipment, necessary to complete the Project;
- Project Control;
- Change Management;
- Reporting;
- Document Management;
- Acquisition of Furniture, Fixtures, and Equipment;
- Collection, Review, and Approval of Shop Drawings, As-Built Drawings, Project Warranties;
- Commissioning; and
- Close-out.

SECTION I – INTRODUCTION

- 3. Trade Contract Award and Management:** All subcontractor awards will be to trade contractors pursuant to a publicly advertised and PBC-approved process. The Construction Manager will administer the procedures and manage the bid and award process. The pre-qualification (if required), bid and award procedures shall conform with the requirements of the Public Building Commission Act, 50 ILCS 20/1 et seq., (the “Act”) and the PBC’s policies concerning MBE/WBE utilization, minority and female hiring and City of Chicago resident and community hiring. Subcontractor awards may be reported to the PBC Board of Commissioners.

The Construction Manager shall collaborate with the AOR/EOR to assemble bid packages for trade subcontracts to be bid.

The Construction Manager shall schedule and administer a public bid opening for each trade subcontract, with the supervision and participation of the PBC.

The Act requires that any contract for construction be awarded to the responsible bidder submitting the lowest responsive bid. The Construction Manager shall work closely with the PBC to analyze bids received and determine each bidder’s responsiveness. The Commission’s decision as to whether a bid is responsive and/or responsible shall be considered a conclusive and final determination.

MBE/WBE participation in Trade Contracts is an important consideration in determining bidder responsibility and the participation goals must be clearly defined in the Construction Manager’s Invitation for Bid. The PBC will work closely with the Construction Manager to establish protocols for including appropriate aspirational goals in the Invitation for Bid.

C. AGREEMENT OVERVIEW

- 1. Agreement for Construction Management Services:** The PBC anticipates the successful Respondent will enter into an Agreement for Construction Management Services (“Construction Management Agreement”) with the PBC. An example of this agreement can be found at the link below. http://www.pbcchicago.com/wp-content/uploads/2017/09/articleDoc_4546.pdf
- 2. Guaranteed Maximum Price (“GMP”):** It is anticipated that the Construction Manager will assemble a Guaranteed Maximum Price (“GMP”) based on various factors including but not limited to the 100% Construction Drawings. Subject to negotiation with the PBC, the Construction Manager will propose a GMP for its services and all Project work under its management. The GMP will be included in the Construction Management Agreement by amendment at the appropriate time and the Construction Manager will guarantee timely completion of the Project. The GMP and schedule guarantee will be based on the construction documents developed for the Project by the AOR/EOR in collaboration with the Construction Manager and be supported by price proposals received by the Construction Manager from trade contractors.

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SECTION II – KEY INFORMATION

A. KEY INFORMATION RELATED TO THIS PROCUREMENT

- 1. Respondent Contact with the PBC:** The PBC has selected the Contract Officer identified below as the *sole point of contact*. From the date of issuance until selection of the successful Respondent(s), Respondent's communication with the PBC concerning this Procurement must be exclusively with:

Patricia Montenegro, Contract Officer
Public Building Commission of Chicago
50 West Washington, Room 200
Chicago, Illinois 60602
patricia.montenegro@cityofchicago.org

- 2. Submission Deadline and Procurement Timetable:** The following dates are set forth for informational and planning purposes; however, the PBC reserves the right to change the dates.

- Issue RFP **Wednesday, March 20, 2024**
- Pre-Submission Conference Tuesday, April 2, 2024 at 9:30AM
- Site Visit Tuesday, April 2, 2024 11:30AM
- Questions Deadline Thursday, April 11, 2024 at 4:00PM CT
- Submission Deadline Thursday, April 18, 2024 at 11:00AM CT
- Interviews (*tentative*) April 30, 2024 through May 1, 2024
- Recommendation to PBC Board (*tentative*) May 2024

- 3. Pre-Submission Conference:** The PBC will be hosting a Pre-Submission Conference to provide detailed information regarding this prequalification and its submission requirements. The Pre-Submission Conference is not mandatory; however, attendance is highly recommended.

Event Date: Tuesday, April 2, 2024
Pre-Submission Conference: 9:30AM
(Please arrive by 9:00am to sign in)
Event Location: West Side Learning Center
(Lower-Level Cafeteria)
4624 West Madison Street
Chicago, IL 60644

- 4. Submission Instructions:** Submission instructions can be found in Section V. Submission Requirements of this RFP. Failure to submit in the manner prescribed in this RFP may deem your submission non-responsive.
- 5. RFP Availability:** This solicitation, along with related project details and forms, can be found on the Current Opportunities page on PBC's website at: <https://pbcchicago.com/opportunities/117918/>.
- 6. Questions:** Please direct all questions (and requests for American Disabilities Act accommodations), in writing to the attention of Patricia Montenegro, Contract Officer via email to: patricia.montenegro@cityofchicago.org. Questions may be answered at the discretion of the PBC. If answered, they will be answered via an Addenda posted to the Current Opportunities page on PBC's website at: <https://pbcchicago.com/opportunities/117918/>.
- 7. Addenda, Proposal, and Acceptance:** Any addenda that are issued will be posted to the above listed website link. Respondent must acknowledge any addenda issued. Respondent's failure to acknowledge any issued addenda on FORM B – Proposal Acknowledgment and Execution Page or failure to properly execute the document may result in the Commission finding the proposal non-responsive and rejecting the proposal. The Commission is not responsible for a Respondent's failure to obtain or download any addenda issued for an RFP.

Proposals must be submitted with original signatures (Digital signature or in blue ink are acceptable) in the spaces provided on FORM B – Proposal Acknowledgment and Execution Page. If Respondent is a corporation, the President and Secretary must execute the Proposal. In the event that this Proposal is executed by other than the President, attach hereto a certified copy of that section of the Corporate By-Laws

SECTION II – KEY INFORMATION

or other authorization by the Corporation that permits the person to execute the offer for said corporation. If Respondent is a partnership, all partners must execute the Proposal, unless one partner has been authorized to sign for the partnership, in which case, evidence of such authority satisfactory to the Commission must be submitted.

8. **Confidentiality:** Respondent may designate those portions of the proposal, which contain trade secrets or other information the respondent deems as proprietary or privileged (including financial information) as confidential. If a respondent includes data that is not to be disclosed to the public for any purpose or used by the PBC except for evaluation purposes, the respondent must clearly demarcate the bottom of each page containing confidential information as “Confidential.”
9. **False Statements:** Any false statement(s) made by the respondent(s) will void the response and eliminate the respondent(s) from further consideration.
10. **Debarment:** Any firm debarred by the City of Chicago, and/or other local, state or federal agencies, as applicable, shall have any award issued under this request, revoked. Any firm debarred the City of Chicago, and/or other local, state or federal agencies, as applicable, will not be awarded a contract for this solicitation.
11. **Rejection of Submissions:** Submissions that do not comply with the Submission Requirements of the RFP or that contain omissions, erasures, alterations that are irregular in any way, may be rejected as informal and insufficient. The PBC, however, reserves the right to waive any or all informalities when it considers a waiver to be in its and the public's best interest.
12. **Ownership of Submission:** The PBC owns all submitted materials. Submissions will not be returned to Respondents. During the evaluation and selection period and after the Selected Respondent(s) sign the Agreement(s), all Submittals remain the property of the PBC. The PBC shall not be responsible for expenses incurred in preparing and submitting the submission. Such costs must not be included in the Submission.
13. **Improper Practices:** The Respondent must not offer any gratuities, favors, or anything of monetary value to any member of the Board of Commissioners of the PBC, official, or employee of the PBC for the purpose of influencing consideration of the Submittal. The Respondent must not collude in any manner or engage in any practices with any other Respondent(s) or potential Respondent(s) that may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the Respondents' response to this RFP to be rejected by the PBC. Notwithstanding the foregoing, this prohibition is not intended to preclude joint ventures, licenses or subcontracts.
14. **Compliance with Laws:** The Selected Respondent(s) must comply with all laws, statutes, ordinances and regulations of any and all governmental body, including the PBC and Federal, state, local and city governments. Respondent's attention is directed to the provisions of Article 33E of the Illinois Criminal Code, 720 ILCS 5/33E-1 et seq. (as amended), but Consultants must comply with any other provisions that apply to or in any manner affect any Services performed under the Agreement.
15. **Reservations:** The Commission's approval of a firm pursuant to this RFP does not mean that the Commission approves the firm as qualified to perform a specific project. At the full discretion of the Commission, the Commission holds the following reservations. The right to:
 - request any additional, relevant information determined to be necessary for the proper evaluation of a submission;
 - request interview(s) with the Respondent's team;
 - reject a firm's proposal if the Commission determines that the firm is not qualified to perform the project;
 - require additional information regarding project-specific MBE/WBE Participation Goals, EEO, CRO, and Community Hiring provisions; and,
 - negotiate rates, price, and request best and final costs.
16. **Right to Cancel:** The PBC reserves the right to cancel this procurement process whenever the best interest of the PBC is served. The PBC shall not be liable for costs incurred by respondent(s) associated with this procurement process.

SECTION III – PROJECT SUMMARY AND CONTRACTUAL OBLIGATIONS

A. PROJECT SUMMARY

PROJECT NAME: Malcolm X College West Side Learning Center Addition & Renovations
USER AGENCY: City Colleges of Chicago (CCC)
PROJECT ADDRESS: 4624 W Madison Street, Chicago IL 60644
PROJECT NUMBER: 03720
PROJECT WARD/ALD: 28 – Jason C. Ervin
DESIGN ARCHITECT: Bailey Edward Design Inc. (WBE)
ARCHITECT OF RECORD: Bailey Edward Design Inc. (WBE)
PROCUREMENT: Construction Manager at Risk [CM@R]
CXA COMMISSIONING: Procon Consulting [Per AOR]

PROJECT DESCRIPTION:

Located in the Austin community, the West Side Learning Center (WSLC), is the satellite campus of Malcolm X College, that offers courses for a two-year associate degree as well as basic and advanced certificates in Health Science career pathways. The project scope, identified as Phase-II, is anticipated to include but is not limited to a new approximately +/-7,680 sq. ft., one-story addition to an existing single-story facility intended to add an assembly hall for teaching and learning with site development. The proposed addition will include a large multi-purpose assembly hall with a dividable partition for recreational and meeting purposes, with an ideal capacity for 460 people; chair storage; catering room; men and woman toilet rooms; equipment storage; covered outdoor patio; lobby lounge and adjoining vestibule space with security control; along with a link to the existing facility at grade and basement level.

The new addition project will be designed to achieve minimum target of LEED v4.0/v4.1 Silver Certification as defined by the U.S. Green Building Council (USGBC). The new school building's maximum height is anticipated at +/- 23'-0" to be confirmed by further design development.

Renovations within the existing 1986 facility will include systems connections from the new Addition, along with Interior mechanical and plumbing upgrades including air handling units, unit ventilators, along with electrical upgrades. Exterior renovations will include a full roof replacement and all AHU's of the existing facility. Separately, demolition scope at the link exterior wall to provide access from the new Addition at the first floor above grade.

The project will also include site improvements for stormwater management infrastructure and for conformance to the landscaping ordinance. As part of instituting site BMP's [Best Management Practice], the project will retain the stormwater discharge through underground piping beneath the existing parking lot. The existing Full-Time Equivalent (FTE) is 8 and is projected to remain without impact on the project when the addition is completed. Based on the projected FTE, the site minimum parking on the zoning ratio of 3:1 is 2 min spaces, but determined by DPD for the trade school set at twenty-eight (28) automobile parking spaces. However, resurfacing of the current parking lot provides for 70 total spaces, incl. 3 ADA stalls (@ 5%). Additional site development anticipates three (3) EV-Ready stations in the parking lot and the project will include twelve (12) new bicycle racks per requirement.

PROPOSED PROJECT SCHEDULE:

The proposed design and construction schedule as well as any other proposed dates for this procurement are subject to change.

- **Construction Management @ Risk (CM@R) Approval at PBC Board** **May 14, 2024 (Anticipated)**
- **Substantial Completion:** **November 28, 2025**
 - *Scope: New Addition, Site Improvements, Interior Renovations and Associated Work*
 - *Start no sooner than date August 31, 2024*
- **Milestone 1:** **November 28, 2025**
 - *Scope: New Roof and AHU Replacement*
 - *Start no sooner than date April 1, 2025*

The CM is responsible for providing assistance on all design, engineering, permitting tasks, confirming construction costs, Project Schedule and delivery, along with procuring Subcontractors to execute all required construction work.

ANTICIPATED CM@R BUDGET:

\$10,000,000 - \$10,500,000

The budget includes but is not limited to: General Conditions, Insurance, Bond, Pre-Construction, General Requirements, Student Engagement and Hiring, Contingencies, Cost of Construction, and Construction Manager's Fee.

SECTION III – PROJECT SUMMARY AND CONTRACTUAL OBLIGATIONS

STUDENT ENGAGEMENT AND HIRING:

Provide employment opportunities for students currently enrolled in the City Colleges of Chicago to participate on the Project, including but not limited to sponsorship into Local Union(s), along with Pre-Construction, Project Management, Scheduling, Estimating, Procurement, Risk Management, and Compliance services. Promote growth, empower, train, and support student employment, as required, throughout the duration of the Project.

PROJECT CONSIDERATIONS:

Permitting: Standard Plan Review
Occupants: Building will be in use during construction
Environmental: ACM and LBP Abatement anticipated
Project Phasing, as required

PROJECT IMPACTS:

DPD/Zoning: (80,147SF or 1.840 acres),
DPD/Zoning: Parking Determination Ltr, Operations Use Ltr.
DPD/Zoning: N/A, Scope as of right
Building Area: Exstg. School Bldg. (35,426 GSF), Addition 7,680 GSF
Site FAR: Exstg = 1.37, Proposed = 0.375, Max Allowed @ 2.2
Permit: Standard Plan Review (SPR) per Expeditor
Geotechnical Soils: Subtitle-D Soils Haul-Off per Environmental Report

PROJECT DOCUMENTS:

75%CD In-Progress Specifications.....[Dated 3/13/2024]
75%CD In-Progress Drawings.....[Dated 3/13/2024]
Environmental Phase-I ESA Report [Draft Report dated 2/19/24]

SECTION III – PROJECT SUMMARY AND CONTRACTUAL OBLIGATIONS

B. ANTICIPATED CONTRACTUAL OBLIGATIONS

Respondents should take into consideration key PBC contractual obligations (or requirements) in the performance of any work performed for the PBC by a Contractor (or its Subcontractors).

Unless otherwise noted, all Respondents should adhere to the submission requirements following each item listed below. A Submission Checklist is provided further in this document to assist your firm in determining which form is applicable to your firm and required with your submission.

1. **Minority Business Enterprise (MBE)/Women Business Enterprise (WBE) Participation and Joint Venture Participation:** It is the PBC's policy to provide for maximum contracting opportunities for MBE/WBEs on all PBC projects. MBE/WBEs are encouraged to submit. The PBC accepts MBE/WBE certifications from City of Chicago and Cook County only.

- a. MBE/WBE participation requirements will be based on the aggregate value of the construction services.
- b. The MBE/WBE participation goal for this Project is **30% MBE and 8% WBE**.
- c. The PBC will utilize B2GNow for compliance reporting.

For purposes of this RFP, all Respondents shall complete FORM C – MBE/WBE, EEO, CRO, and CH Participation of which demonstrates commitment to meeting PBC's MBE/WBE Participation Goals.

2. **Joint Venture Participation (Only applicable to firms interested in Joint Venture Partnerships):** The PBC accepts Joint Venture Partnerships. Joint Ventures of Contractors with appropriate qualifications, financial capacity and combined construction experience and capacity are eligible to be considered for award.

A completed Disclosure Affidavit (FORM E) must be submitted for the joint venture entity; and Respondent must submit a copy of the entity's joint venture agreement which clearly identifies the resources, capabilities and capacity of each joint venture firm available to be allocated to the performance of the Contract.

The PBC also strongly encourages the participation of MBEs and WBEs as joint venture partners. Joint ventures of MBE/WBE contractors and non-MBE/WBE contractors are also invited to submit a Proposal in response to this RFP.

For purposes of this RFP, all Respondents must include with their submission, a copy of the entity's joint venture agreement as described above, Form E – Disclosure Affidavit and Form D – Joint Venture Affidavit. Each Joint Venture partner will also be required to submit all applicable forms requested in this RFP.

3. **Local Business Subcontracting Participation:** In order to ensure that local businesses that provide subcontracting work to General Contractors on Commission projects and residents of the project communities are provided with the opportunity to benefit from Commission contracts, the Commission requires the following:

- a. Local Subcontracting Requirement
 - i. General Contractors that are Local Businesses (as defined below) are required to award 25% of the Work under their contract with the Commission to subcontractors that are Local Businesses.
 - ii. General Contractors that are not Local Businesses are required to award 35% of the Work under their contract with the Commission to subcontractors that are Local Businesses.
 - iii. A Local Business is one that: 1) owns or leases a functioning business office and/or operations facilities within the City of Chicago (for City-funded projects) or the County of Cook (for Non-City-funded projects); 2) is registered and licensed to do business in the City of Chicago (for City-funded projects) or the County of Cook (for Non-City-funded projects); 3) employs City of Chicago residents (for City-funded projects) or Cook County residents (for Non-City-funded projects); and 4) is subject to City of Chicago taxes (for City-funded projects) or Cook County taxes (for Non-City-funded projects). In the event that the Commission performs a project for a unit of local government that operates in multiple municipalities, such as the Metropolitan Water Reclamation District, "Local Business" shall be defined in the solicitation documents for that project.

SECTION III – PROJECT SUMMARY AND CONTRACTUAL OBLIGATIONS

4. City Residency, and Community Hiring, and Equal Employment Opportunity (EEO) Requirements:

- a. City of Chicago Residency Requirements. The Contractor agrees to ensure that the aggregated hours of Work to be performed under this Contract will be performed such that at least 50% of the aggregated hours of Work is performed by City of Chicago Residents.
- b. Community Hiring Requirement. At least 7.5% of the project labor must be performed by “Project Community Residents” and included on a “Project Community Area Map”. The aggregate hours of Work to be performed by the Contractor and Subcontractors under this Contract may be complied through residents who are trade or non-trade workers.

For purposes of the community hiring requirement, “Project Community Residents” shall mean persons domiciled within the Project Community Areas. Refer to sample “Exhibit C – Project Community Area Map”.

- c. EEO Requirements. Contractors will be required to comply with all laws with respect to the employment of labor and payment of local prevailing wage rates.

Minority Journeyworker Project employment goal:	40% or more of total Journeyworker hours
Minority Laborer Project employment goal:	60% or more of total Laborer hours
Minority Apprentice Project employment goal:	50% or more of total Apprentice hours

Female Journeyworker Project employment goal:	2% or more of total Journeyworker hours
Female Laborer Project employment goal:	2% or more of total Laborer hours
Female Apprentice Project employment goal:	1% or more of total Apprentice hours

City of Chicago Resident employment goal:	50% of construction work hours to be performed by City Residents
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Community Resident employment goal:	7.5% of construction work hours to be performed by residents of the "Project Community"
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- d. The PBC will utilize LCP Tracker for compliance reporting.

For purposes of this RFP, all Respondents shall complete FORM C – MBE/WBE, EEO, CRO, and CH Participation which demonstrates commitment to meeting PBC’s EEO, CRO, and CH requirements and requests the Respondents to provide evidence of past experience achieving commitments to utilize minority and women journeymen, apprentices, and laborers. Additionally, Respondents must provide history of meeting city of Chicago (CRO) requirements and community hiring (CH) requirements.

5. **Student Engagement and Hiring Requirements:** The Construction Manager will be required to employ a minimum of two (2) students currently enrolled in CCC within thirty (30) Calendar Days (“Days”) of issuance of the Notice to Proceed (“NTP”) through Substantial Completion (“SC”), as determined by the Commission and pursuant to the CMs contract.

If the CM is signatory with Local Union(s), it will be responsible for sponsorship. If the CM isn’t signatory with any Local Union(s), one of its designated Trade Contractors that is signatory with the Local Union(s) will be responsible for sponsorship. The CM will be required to provide onsite apprenticeship training and coordinate any off offsite training with the applicable Local Union(s).

- a. Mission:

Promote growth, empower, train, and support student employment, as required, throughout the duration of the Malcolm X College West Side Learning Center Addition and Renovations Project.

- b. Goal:

Provide employment opportunities for students currently enrolled in the City Colleges of Chicago to participate on the Project, including but not limited to sponsorship into Local Union(s), along with Pre-Construction, Project Management, Scheduling, Estimating, Procurement, Risk Management, and Compliance services.

SECTION III – PROJECT SUMMARY AND CONTRACTUAL OBLIGATIONS

- 6. Payment and Performance Bond:** A payment and performance bond (PPB) will be required for this Project. *For purposes of this RFP, all Respondents must submit a letter from Respondent's Surety identifying the Respondent's current Bonding Capacity. The letter must include: 1) Your Bonding Capacity (single and aggregate amounts), 2) The current amount of bonding outstanding; and 3) how long the bonding company has been providing bonds. Please note: a specimen of the PPB is included as an attachment for review.*
- 7. Insurance:** Contractors must provide and maintain at Contractor's own expense, the minimum insurance coverage and requirements on PBC projects on a project-by-project basis, insuring all operations related to the Contract. The insurance must remain in effect for the duration of the Contract. *For purposes of this RFP, all Respondents must submit a Certificate of Insurance showcasing their current coverage limits.*
- 8. Safety Program Manual:** Respondents should be able to demonstrate the quality of their overall safety program as evidenced by their history of citations, OSHA incident rate and Experience Modification Rate (EMR). *For purposes of this RFP, Respondents must complete FORM H – Safety Information and submit a copy of the Table of Contents of the Safety Program Manual.*
- 9. Quality Assurance and Quality Control Plan (QA/QC):** Respondents should be able to demonstrate their experience with implementation of QA/QC processes. *For purposes of this RFP, Respondents must submit a copy of their Quality Assurance and Quality Control Plan.*
- 10. Project Scheduling:** The PBC may require Contractors to submit schedules electronically or utilize scheduling software for project management purposes. *For purposes of this RFP, Respondents must submit a sample of a project schedule.*
- 11. Liquidated Damages:** The Contractor agrees that the Work must be executed regularly and diligently to ensure completion within the time specified in the Contract. The Contractor and the Commission understand and agree that the time for the completion of the Work described is a reasonable time. If the Contractor neglects, fails or refuses to complete the Work within the time specified, or any proper extension granted by the Commission, then the Contractor and its surety do hereby agree to pay to the Commission the amount of **\$1,500.00** per day for each day Milestones and Substantial Completion dates are not achieved, not as a penalty, but as liquidated damages for the breach of contract occurring each and every Day that the Contractor after the time stipulated in the Contract for completing the Work.

The Commission may recover liquidated damages by deducting the amount out of any monies due or that may become due the Contractor. Liquidated damages, if any, will be calculated on completion of the Work and submission of the Contractor's final pay request.
- 12. Prevailing Wage Rates:** Not less than the prevailing rate of wages as determined by the Illinois Department of Labor shall be paid to all laborers, workers and mechanics performing work under this contract. Prevailing wage rates in effect at the time of issuance of Contract Documents will be identified in bid documents. One resource for determining the current prevailing wage rate is the internet site <https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/current-prevailing-rates.aspx>, maintained by the State of Illinois Department of Labor.
- 13. Online Collaboration and Documentation Management System Requirements:** The Contractor shall use PBC's designated On-line Collaboration and Document Management system to track the Work, manage the Project, and follow the Commission's procedures for electronic submission and receipt of documents as directed by the Commission Representative.

SECTION IV – EVALUATION CRITERIA

A. EVALUATION PROCESS

An Evaluation Committee (EC) will review the Respondent's qualifications and price in accordance with submission requirements and evaluation criteria set forth in this document. The EC will render a recommendation for final determination and request approval from PBC Board of Commissioners.

The PBC reserves the right to seek clarification of information submitted in response to this RFP and/or request additional information during the evaluation process. The PBC reserves the right to accept or reject any or all qualifications and selections when it is determined, at the sole discretion of the PBC.

After submissions are evaluated based on the Criteria described below, selected firms may be invited to interview. Firms selected to interview will receive specific instructions as to the time, place, and guidelines of the interview.

B. EVALUATION CRITERIA

The PBC shall review and evaluate the submissions of each Respondent in accordance with the criteria listed below. The PBC will rely upon the Contractor to verify that all prospective vendor(s) and subcontractor(s) are appropriately licensed, insured, bonded and meet all other requirements specified by the construction contract pursuant to procedures and policies of the Commission.

The Commission reserves the right to add, delete or modify any requirements at its discretion.

1. Technical Competence and Past Performance of the Firm – WEIGHT 25%

a) Construction Management at Risk Experience

Respondents shall demonstrate CMAR experience on projects completed within the last five (5) years on the three (3) projects identified and selected by the Respondent as relevant and comparable based on complexity, size and type.

Respondent's role on each project must have been as a Construction Manager at Risk where Respondent provided pre-construction and construction services. Limit description of each project to three (3) pages.

Respondents are to provide information required for the three (3) projects submitted as representative examples of Respondent's CM at Risk experience as follows:

- (i) A brief description of the project including but not limited location, schedule, square footage, construction type, and foundation system;
- (ii) A brief description of the pre-construction services provided on the project specifically addressing:
 - (a) building systems analysis and selection (structural, mechanical, electrical, plumbing, fire protection, building envelope);
 - (b) value engineering analyses performed, and cost savings recommendations made;
 - (c) cost estimating and budget management services provided;
 - (d) constructability reviews performed;
 - (e) bidding and procurement activities;
 - (f) if the building was occupied, please provide approach to phasing/logistics and
 - (g) construction scheduling services.
- (iii) Original forecast completion date and actual completion date;
- (iv) Original budget/GMP and actual cost of project at completion;
- (v) Amount of construction manager contingency included in the GMP and amount remaining at project completion; and
- (vi) Contact information from each project owner/developer and Architect of Record.

For purposes of this RFP, all Respondents must identify three (3) projects, completed within the last 5 years, as well as, complete FORM A – Technical Competence and Past Performance. Please note that one sample project must demonstrate an construction activity at an occupied facility.

2. Project Approach and Methodology – WEIGHT 20%

Respondents shall demonstrate their approach and methodology for providing pre-construction services, bidding and procurement services and construction management services on the Project.

SECTION IV – EVALUATION CRITERIA

Submittals must demonstrate Respondent's thorough understanding of the requirements for Trade Subcontractor pre-qualification and public bidding and must demonstrate Respondent's ability to manage a Trade Subcontractor procurement process that will ensure that the project goals for MBE/WBE participation are met or exceeded and that employment opportunities are maximized for minorities, women, city and community residents.

Respondents are to describe the proposed approach and methodology as follows:

- a) Pre-Construction. Discuss your cost estimating, cost control and change management processes; Describe your value engineering approach; Describe your constructability and building systems evaluation process; Describe your bid and procurement management processes: Describe your Scheduling Compliance and Control systems; Describe your approach to regulatory, environmental and permitting management.
- b) Bidding/Procurement. Describe your approach to managing Trade Subcontractor bidding process: Describe your current and proposed processes for pre-qualifying Trade Subcontractors; Describe your philosophy and methods for ensuring maximum participation by MBE/WBE firms; maximizing opportunities for minority and female employment; and maximizing City of Chicago Resident and Community Resident employment including compliance with minimum 50% City of Chicago Resident employment and 7.5% Community Resident employment.
- c) Construction. Describe your proposed schedule and budget/cost control approach, including initial cash flow projections for any and all critical work; Describe your construction site safety and security programs: Complete Safety Questionnaire (Attached); Describe your Quality Control Plan: Submit a table of contents and a copy of one of the firm's recent Quality Control Programs.
- d) Student Engagement and Hiring: Detail your commitment to Student Engagement and Hiring Requirements as described in this RFP under Section III(B)(5).

For purposes of this RFP, all Respondents shall provide a narrative incorporating the requirements noted above.

3. Price – WEIGHT 20%

Respondents must complete the Cost Form by populating *Line 4. Construction Manager's Fee, Date and Signature* fields.

For purposes of this RFP, all Respondents must complete Cost Form which is an attachment to this RFP.

4. MBE/WBE Past Participation – WEIGHT 15%

Respondent must identify and report compliance history for at least three (3) projects from the previous three (3) years.

Respondent must describe its commitment to achieve meaningful MBE and WBE participation as identified in this RFP.

If Respondent is seeking favorable consideration for including MBE/WBE participation through a joint venture or equity participant, submittal must include a completed (FORM D – Joint Venture Affidavit), and the corresponding Joint Venture Agreement.

For purposes of this RFP, all Respondents shall complete FORM C – MBE/WBE, EEO, CRO, and CH Participation. If Joint Venture is a MBE or WBE firm, please include City of Chicago or Cook County certification letter.

SECTION IV – EVALUATION CRITERIA

5. Qualifications and Relevant Experience of Key Staff – WEIGHT 10%

Respondents shall demonstrate the experience and past performance of the firm and individuals identified on the Project Team in providing pre-construction, bidding and procurement, and construction management services.

a) Resumes: Respondents must submit resumes evidencing project experience of the following proposed Key Staff Members:

1. Project Executive
2. Project Manager/Estimator
3. Quality Control Manager
4. Safety Manager
5. Construction Superintendent
6. Estimator (this may be the PM as well)
7. MEP/Technical Coordinator
8. Scheduler
9. Procurement/Bidding Manger
10. Compliance/Diversity Manager

b) Organizational Chart: Respondents must submit proposed organizational chart indicating who Key Staff Member's potential roles and responsibilities on the Project at each stage: Pre-Construction, Bidding/Procurement, and Construction.

For purposes of this RFP, all Respondents shall submit resumes for each Key Staff Member. Resumes should be limited to two (2) pages, and Organizational Chart.

6. Financial Capacity – WEIGHT 5%

Respondents should demonstrate they have the financial resources necessary to successfully deliver projects and pay sub-contractors as necessary.

Respondents shall furnish an audited financial statement including notes, such as, but not limited to, balance sheets and/or profit and loss statements, for the last three (3) years demonstrating that the Respondent has the financial viability and ability to perform the Services. If a joint venture, submit financial statements for the joint venture name and each joint venture partner. Independent accountant may provide a copy of a complete financial statement. All notes and schedules must be provided. The Respondent shall also submit annual reports and a written disclosure advising of any pending litigation against the Respondent that may have a material effect in Respondent's ability to provide the Services.

In the event Respondent does not have an audited financial statement, Respondent may submit a review or compilation prepared by an outside accountant with notes. The PBC will consider other financial documents (ie Tax Returns) in lieu of financial statements and/or review/compilation.

The Commission, reserves the right to request additional information from Contractors.

For purposes of this RFP, all Respondents must provide documents as described above.

7. References – WEIGHT 3%

Provide, at minimum, three (3) references of the Clients identified in Technical Competence and Past Performance. References cannot be current PBC employees.

For purposes of this RFP, all Respondents shall complete FORM J – References.

8. Responsiveness to the Solicitation – WEIGHT 2%

The PBC will review the quality, completeness, and comprehensiveness of response to this RFP and its compliance with each of the submittal requirements.

Respondents are to adhere to the Submission Requirements noted in this RFP.

SECTION IV – EVALUATION CRITERIA

C. OTHER CRITERIA

1. **General Information:** The following items are prerequisites the Commission requires of Contractors in the performance of any work requested by the Commission. They are not weighted in the Evaluation Criterion; however, submission of these documents is required and will be considered when determining award.

a) Licensing

Contractors must possess the licenses listed below and meet all license requirements in order to perform the type of work solicited by the PBC.

- i. State business license(s)
- ii. City of Chicago business license
- iii. Contractor license, specific to your capacity
- iv. Applicable certifications

Should a firm’s license change during the procurement or performance of the Services, it is the responsibility of the Respondent to submit proof of change to the Commission.

For purposes of the RFP, all Respondents must include copies of all current, applicable licenses.

b) Affidavits, Certifications, and Other

Contractors must include the following Affidavits with their submission.

- i. Disclosure Affidavit
- ii. Disclosure of Retained Parties
- iii. Affidavit of Non-Collusion

For purposes of this RFP, all Respondents shall complete FORM E – Disclosure Affidavit, FORM F – Disclosure of Retained Parties, and FORM G. Affidavit of Non-Collusion.

c) Legal Actions

Eligible Contractors must demonstrate a performance history without an indication of recurring defaults or terminations on projects, failures to complete projects on schedule, litigation history, including judgments and outstanding lawsuits, and violation of laws relevant to the evaluation of this criterion.

For purposes of this RFP, all Respondents shall complete FORM I – Legal Actions.

D. EVALUATION SCORING CHART

Evaluation Criteria	Weighted Percentage
Technical Competence and Past Performance	25%
Project Approach and Methodology	20%
Price	20%
MBE/WBE Past Participation	15%
Qualifications and Relevant Experience of Key Staff	10%
Financial Capacity	5%
References	3%
Responsiveness to the Solicitation	2%
Total	100%

SECTION V – SUBMISSION REQUIREMENTS AND CHECKLIST

A. SUBMISSION REQUIREMENTS

These instructions describe the format and content of the submission. These directions are designed to facilitate a fair and uniform review process. Failure to adhere to this format will affect evaluation and may result in disqualification of your submission. The PBC expressly reserves the right to reject or accept submissions at the discretion of the Commission.

1. Number of Submissions

- Submit 1 electronic copy of your proposal
- Submit 1 electronic copy of your financial statements

2. Submission Format

a. Electronic Submissions must:

- i. Be a single, searchable PDF file, with the exception of copies of any applicable licenses and/or documents that are only available as a scanned copy.
- ii. Be submitted to: Patricia Montenegro, Contract Officer, at: patricia.montenegro@cityofchicago.org
- iii. Include 'Response to RFP for CMAR Services for MXC West Side Learning Center' In the Subject Line of the email,
- iv. Shall be organized in accordance with the Submission Checklist described in this RFP.
Note: Copies of the Exhibits and Attachments are not required as part of the submission.
- v. Financial Statements as requested in this RFP must be submitted as a separate document.

b. Hard Copy Submissions

- i. No hard copy submissions will be accepted for this solicitation.
- ii. Respondents who are unable to submit electronically may request instructions for submitting a "hard copy" of their submission in writing to Patricia Montenegro, Deputy Director of Procurement at: patricia.montenegro@cityofchicago.org.

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SECTION V – SUBMISSION REQUIREMENTS AND CHECKLIST

A. SUBMISSION CHECKLIST REFERENCE TABLE

The table below has been created to help facilitate the submission process. Submissions are to be organized and labeled in the following order:

TAB 1

Contact Information Page
Cover Letter
Proposal Acknowledgment and Acceptance (Form B)
Table of Contents

TAB 2

Technical Competence and Past Performance (Form A)
References (Form J)

TAB 3

Project Approach and Methodology

TAB 4

Qualifications and Experience of Key Staff
Resume
Organizational Chart
Licenses and General Information

TAB 5

Disclosure Affidavit (Form E)
Disclosure of Retained Parties (Form F)
Affidavit of Non-Collusion (Form G)
Legal Actions (Form I)

TAB 6

Insurance Certificate
Payment and Performance Bonding Capacity Letter

TAB 7

Safety (Form H)
QA/QC Plan
Sample Project Schedule

TAB 8

MBE/WBE, EEO, CRO, and CH Participation (Form C)
Joint Venture Affidavit (Form D)
Joint Venture Agreement

TAB 9

Cost Form for the West Side Learning Center

SEPARATE DOCUMENT

Financial Statements, as a separate document

