II. SECTION 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 two (2) copies (for a total of 3) of the Proposal.

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 pre-construction 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 Pre-Construction 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. 1. 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. 1. 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 Participation: The University of North Carolina has developed a plan to meet the goals set by G.S. 143-128 for participation in projects by minority 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 through advertisements, workshops, brochures & availability of plans;

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

IDENTIFICATION & RECRUITMENT – A commitment to coordinate efforts with the State HUB Office in the development of potential minority contractor interest.

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 University 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 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, 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 Dun & Bradstreet report including a Dun & Bradstreet rating or other evidence of financial stability.

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. SELECTING CRITERIA

1. In selecting the three firms to be presented to the Board of Trustees, 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 graphic or tabular 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 Recent experience with project costs and schedules.

1.9 Construction administration capabilities.

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

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

1.12 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. (NOT USED)

F. CONTRACT NEGOTIATION AND AWARD

1. After the three firms have been notified of the selection action by the constituent institution of the University of North Carolina, a representative from the State Construction Office, the capital projects coordinator, and a representative from the using agency will discuss with the selected construction manager-at-risk appropriate services and information about the project.

2. The State Construction Office will request in writing a detailed fee proposal from the selected Construction Manager-at-Risk. The State Construction Office in coordination with the capital projects coordinator and the using agency 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 State Construction Office shall terminate the negotiations and shall repeat the notification and negotiation process with the next ranked firm on the selection list. In the event a fee cannot be agreed upon with the second-ranked designer, the process will be repeated with the third-ranked designer. If a fee still cannot be agreed upon, the University of North Carolina shall review the history of negotiations and make appropriate determinations including program adjustments so as to lead to a negotiated contract with one of the original three firms selected. Such renegotiation
with the firms shall be carried out in the original selection order, or call will be made for the capital projects coordinator to submit another list of three firms in priority order to the Board of Trustees of the institution. The negotiation process will continue until a fee has been determined that is agreed to by the State Construction Office, the using agency and the Construction Manager.

3. Following successful negotiation, the owner, by and through the Office of State Construction as the final awarding authority shall award the contract in the exercise of its discretion as by law provided.

4. Following execution of the contract, the State Construction Office will publish in the State Construction Office website the list of three firms selected in priority order, the firm to be contracted with, and the fee negotiated.

G. 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