

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

In the Matter of the Resolution)
Adopting Findings in Support of)
Exempting the Columbia County Jail)
Expansion Project From Competitive Low) **RESOLUTION NO. 23-2008**
Bid Requirements and Directing Columbia)
County Staff to Issue Request For)
Proposals for the Project)

WHEREAS, Columbia County will be arranging for the construction of the Columbia County Jail Expansion project (the "Project");

WHEREAS, Columbia County wishes to exempt the Project from the low competitive bidding requirements as provided in ORS 279C.335;

WHEREAS, Columbia County wishes to issue a CM/GC (Construction Management/General Contractor) form of contract for delivery of the Project and further wishes to procure such CM/GC via a Request for Proposal ("RFP");

WHEREAS, the Board of County Commissioners ("BOCC"), as the Local Contract Review Board ("Board" or "LCRB"), made certain findings in support of the RFP and CM/GC procurement and delivery process for the Project (the "Findings"), a copy of which is attached hereto as Exhibit A;

WHEREAS, pursuant to ORS 279C.335, the BOCC held a public hearing on the proposed exemption for the purpose of taking comments on the draft Findings, which hearing was held at the County Courthouse building on Wednesday, March 5, 2008; and

WHEREAS, after full consideration of all comments received at the public hearing; now, therefore, be it

RESOLVED that the BOCC, pursuant to its statutory authority, expressly adopts the Findings attached hereto as Exhibit A;


FURTHER RESOLVED that County staff shall initiate the exemption process for the Project as set forth in ORS 279C.335;

FURTHER RESOLVED that the BOCC hereby directs County staff to immediately issue the above-referenced RFP, a copy of which is attached hereto as Exhibit B; and

FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption.

DATED this 19th day of March, 2008.

**BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

By: 
Anthony Hyde, Chair

Approved as to form

By: 
Joe Corsiglia, Commissioner

By: 
Office of County Counsel

By: 
Rita Bernhard, Commissioner

EXHIBIT "A"

FINDINGS IN SUPPORT OF THE USE OF ALTERNATIVE CONTRACTING METHODS FOR THE COLUMBIA COUNTY – JAIL EXPANSION PROJECT (RFP and CM/GC)

The Board of Commissioners ("BCC") is the Local Contract Review Board ("Board" or "LRCB") for Columbia County and herein finds as follows:

Generally: ORS 279C.335(2) empowers the Board, acting as the local contract review board, to adopt rules exempting the public improvement contract for the Columbia County Jail Expansion Project ("Project") from competitive bidding upon approval of the appropriate findings. Relying on the findings set forth below, Columbia County wishes to procure a contractor for the Project by use of a Request for Proposal ("RFP") and further wishes to deliver the Project by use of a Construction Manager/General Contractor ("CM/GC") agreement

FINDINGS

The Board makes the following findings in support of the exemption and in compliance with the statutory requirements described above.

1. Appropriate Alternate Contracting Practice will be used

The qualifications-based RFP process for selecting contractors for the Project and CM/GC method of project delivery fall squarely within the criteria of ORS 279C.335(4) because the process is competitive and contractors will be selected based not only on price but also on their ability to best complete and coordinate appropriate aspects of the Project. The qualifications-based RFP approach with CM/GC is widely used and recognized as one of the preferred alternative approaches where, as here, the Project is large, complex and time-constrained. In addition, large construction and addition projects (which is what we have here) are often targeted for the RFP and CM/GC process (rather than the design-low bidbuild process) because of the intricacies of working with an existing structure, particularly with on-going (and vital) public activities with many staff members and inmates.

2. No Favoritism or Diminished Competition

In order to assure that this exemption does not encourage favoritism or substantially diminish competition, a well-defined, very competitive procedure will be followed. First, the Project will be formally advertised in the Daily Journal of Commerce in order to maximize exposure and interest in the Project. The staff believes the market conditions are good and anticipates that some of the same contractors who would bid the Project under the traditional low competitive bid method will compete in the qualifications-based RFP process. Second,

it is anticipated that current market conditions in the building industry will result in an increased number of very interested and competitive bidders. Third, Columbia County will establish an evaluation committee that will review the contractors' proposals in detail, conduct interviews if desired, and recommend to the Board a qualified contractor based on specific evaluation criteria provided in the RFP. This committee will not include any person with an affiliation or conflict with any proposing contractor. Fourth, the evaluation criteria include considerations of the contractors' background, references, general experience and experience working on jail or prison projects, experience working on projects with ongoing operations, capacity, personnel, client relations, schedule, quality control, problem and solution identification, and overhead rate/fee. Fifth, scoring systems may be utilized to help quantify the committee's review of each criterion on a contractor-by-contractor basis. The staff believes that consideration of these performance and cost criteria is important from a public benefit and public safety perspective.

Finally, and upon completion of the initial evaluation process, the committee may in its discretion decide to negotiate certain terms and conditions of the contract (including but not limited to price) with one or more of the best proposers.

3. Substantial Cost Savings

The Board also believes that using the qualifications-based RFP process will result in substantial cost savings on the Project. First, the form of CM/GC contract that will be executed will include a proposed guaranteed maximum price ("GMP") wherein (i) the contractors' overhead rate and fee and (ii) the proposed GMP are two of the most significant evaluation factors. Because the selection process is competitive and price will be a very important factor, proposers will have every incentive to offer the lowest, most competitive rates and GMP possible (as is the case with traditional design-bid-build delivery systems). In addition, the County may negotiate with the successful proposer until an acceptable price is reached. This will help define and contain Project costs. Because there are limited funds available to the County and little (if any) other operational funds that could or would expand the project budget, it is important that contract prices be carefully considered and, if desirable, negotiated up front by the County and the best proposer to avoid excessive change orders and other unanticipated costs or expenses of the work. The additional factors below further indicate that the use of the qualifications-based RFP process and CM/GC contract will help secure the overall best price for the work of the Project.

a. Most Capable Contractor

As discussed in Sections "b" and "c" below, there are a considerable number of uncertainties and complexities associated with the Project work due to its extensive and unique nature, the level of coordination required, completion of the work with ongoing jail operations, and the tight time line for completion. Because of these uncertainties, the opportunity to select the best overall contractor, considering many factors, will help anticipate and avoid Project problems and, as a result, realize substantial cost savings over the traditional low bid procedure where bid price is the

only factor. The qualifications-based RFP process will allow the County to give appropriate weight to the contractors who are not only reasonably priced, but also the most skilled and experienced in performing new construction, an extensive addition and other required improvements, the most capable of performing the Projects in the required construction schedule, and delivering facilities that are functional and secure as demanded by the County and community.

b. Fast Track Project – Time Restrictions

Timely completion and coordination of the Project is essential. Given the size and complexity of the Project (**more than doubling the number of beds to 419 beds, expansion of the Sheriff's administration area, addition of 78 parking spaces, expansion of existing laundry and kitchen facilities, and connection of existing mechanical and security elements**) and the overwhelming pressures posed by the management of the present jail population (and future increases in the jail population), it is essential that the Project be fully completed and operational on the intended and necessary construction schedule (construction is slated to begin in the spring of 2008 with completion in twelve (12) months). This creates a tight time line for completion of the Project, but certainly a manageable one for good contractors who are capable of properly planning and managing the work. It also creates the need for diligent coordination of the work with ongoing operations of the existing jail.

Where, as here, there are many uncertainties and complexities associated with the work, there is potential for delays if good contractors are not selected. Delays could be financially devastating because they could cause costly work interruptions (an unacceptable condition given the limited resources of the County) and upset the scheduling and completion of the Project. Shut down and start up costs would be extensive, and failure to meet the schedule exposes the Project to lengthy delays. Moreover, such delays will result in overcrowding and/or the transfer of inmates outside the County, both of which will increase strains on the County's budget.

Further, the utilization of the CM/GC process provides for the CM/GC to work closely with the Project architect and the County, resulting in the CM/GC being invested in the Project design and providing the opportunity for value engineering.

c. Unique Site Conditions and Construction Challenge

The nature and size of the work, along with the complexities and uncertainties that will be encountered, require the use of a qualifications-based RFP selection process and the use of a CM/GC form of agreement. As stated, negotiated arrangements with the most capable, reasonably-priced contractors will help minimize or eliminate problems before they occur, will help protect the County from unforeseen cost increases, and will allow the County to realize savings from creative solutions and value engineering (key elements of the RFP and CM/GC process) to problems that will be identified up front. The specific site factors that warrant a

qualifications-based RFP and CM/GC process include:

i. Comprehensive coordination and scheduling of construction activities will be vital given the extensive construction activities which will be occurring in a confined area and with ongoing law enforcement and jail operations. Moreover, the selected contractor will have to carry out its work in a unique environment where the County and community all have an interest in ensuring that the work of the Project is well coordinated.

ii. This Project involves the expansion of an existing structure with comprehensive mechanical and security elements and related construction challenges unique to jail and prison facilities. This will require consistency and functionality among all existing security, HVAC, electrical, lighting, fire/life safety, and data/communication infrastructure systems. Having a qualified contractor assisting in the design process and value engineering will be critical to the Projects success and the long-term life of the facility.

iii. The large scope of the work and the nature of the work in expanding (and tying into) existing law enforcement and jail facilities is specialized and the successful completion of the Project work is dependent on the skill and experience of the selected contractor and its team in performing such work. Additionally, this work will require a contractor with sufficient resources and a proven track record.

iv. Finally, and as set forth above, the work carries with it considerable schedule, construction and scope risks. Given the uncertainties and complexities discussed above, in addition to the fact that a good portion of construction will be occurring during the winter months, completing construction on schedule poses challenges. In addition, the scope of the work could be significantly altered if hidden site conditions are encountered as work proceeds. The qualifications-based RFP and CM/GC process will help flush out these risks, understand them up front, and determine a method for handling them when and if they arise. It will also help identify the right contractor who can offer a reasonable price and commit to timely delivery of a quality Project.

EXHIBIT "B"

REQUEST FOR PROPOSALS

FOR

CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES

FOR THE CONSTRUCTION OF AN ADDITION TO

COLUMBIA COUNTY JAIL

COLUMBIA COUNTY, OREGON

MARCH 2008

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SECTION I

REQUEST FOR PROPOSALS (RFP)

Columbia County (County) is soliciting written proposals from qualified general contractors to provide Construction Manager/General Contractor (CM/GC) services for the construction of an addition to the Columbia County Jail Facility located at 901 Port Ave., St. Helens, Oregon. It is the intent of the County to select a CM/GC who will become a member of a team composed of County representatives, the CM/GC and the project's design firm in the design process and the construction phase.

The CM/GC is being selected early in the project to provide the County and the design team with expertise and experience that will assist in project decision making and ensure that procedures are implemented to aggressively manage the construction costs and schedule. The design must allow for economical and efficient methods of construction. The County seeks the CM/GC who can best provide the services needed to achieve these goals.

SECTION II

PROJECT OVERVIEW

This project is a approximately 60,000 square foot addition to the existing jail. It will more than double the capacity of the County Jail. The existing jail was completed and occupied in 2001. It is constructed of concrete tilt-up construction and unit masonry.

The Columbia County Jail Addition expands the existing Justice Facility from one hundred ninety-five (195) beds to four hundred nineteen (419) beds. The Sheriff's administration area will expand with five (5) additional offices, a new shower/locker area and storage. Seventy-eight (78) parking spaces will be added to the site to accommodate additional visitor parking, and secured Sheriff's parking. The Jail Addition adds two hundred twenty-four (224) beds in eight (8) twenty-eight (28) bed-housing units in a floor/mezzanine housing module configuration. Supporting the housing units will be a single story connector between the existing building and the housing module and will include intake functions, visitation, medical suite, program spaces, general building storage and mechanical/electrical spaces. The existing Jail laundry and kitchen will expand with new equipment within their existing footprints.

Construction is slated to begin in the summer of 2008 with a completion in late spring 2009.

The building is designed to have several different vertical elements that compliment the existing structure:

The connector element between the exiting building and the housing module will be located in one story building elements with a limiting height of about 15 feet tall.

The Housing Module is a high volume, one-story housing unit. This unit is comprised of a ground floor plate and a mezzanine level. The housing module story height is twenty-two foot six inches (22'-6") with an additional eighteen inch (18") high parapet.

ESTIMATED PROJECT SCHEDULE

Issue RFP	March 21, 2008
Proposals due to County	April 11, 2008

Proposals Opening & Evaluation	April 15, 2008
Interview of Finalists & Scores Tabulation	Week of April 21, 2008
CM/GC Selection/Notification	Week of April 21, 2008
CM/GC Contract Commencement	May 2, 2008
Arrive at GMP	June 6, 2008
Completion of Construction	April , 2009

The project's construction budget is approximately \$17 million.

SECTION III

SCOPE OF SERVICES

The County's Project Manager will be the Building Services Manager. The CM/GC will report to the Project Manager. The role of the CM/GC is to ensure timely, cost effective construction in partnership with the members of the project team.

A. SCOPE OF PRE-CONSTRUCTION SERVICES.

Pre-construction services will be provided under the terms of the Standard General Conditions contained in Exhibit A. It is anticipated that the specific scope of pre-construction services will be negotiated prior to signing the Pre-construction Services Agreement, based on the Proposer's input as well as County's requirements. In general, services are anticipated to include:

1. Consult with, advise, assist and provide recommendations to County and design team on all aspects of planning and design of the separate phases of the work.
2. Provide information, estimates and participate in decisions regarding construction phasing, temporary facilities and temporary access. Write a Course of Construction Plan, outlining the phases of work to ensure minimal disruptions to the environment.
3. Develop information and participate in decisions regarding value engineering. Provide information on construction materials, methods, systems, phasing and costs to assist in determinations which are aimed at providing County with the highest quality project within the budget and schedule.
4. Provide input to County and the design team regarding current construction industry practices, labor market and materials availability.
5. Review in-progress design documents with the architect and provide input and advice with respect to construction feasibility, alternative materials/methods and long-lead time materials procurement.
6. Review completed design budget, documents and suggest modifications to improve completeness or clarity to County and design team.
7. Recommend division of the work to facilitate bidding and award of trade contracts, considering such factors as improving or accelerating construction completion, minimizing trade jurisdiction disputes and other related issues.

8. Work with County to develop a plan for maximizing minority and women-owned business and opportunities in compliance with the goals and intent of County's Minority and Women-owned Business Program.
9. Continuously monitor and update the project schedule and recommend adjustments in the design documents or construction bid packaging to ensure completion of the project in the most expeditious manner possible. This will include pre-purchasing and expediting recommendations for long-lead time materials in order to meet necessary delivery dates and avoid construction delays.
10. Write comprehensive Commissioning Plan to be implemented during the course of construction. The Plan shall identify major tasks and the individuals or firms responsible for completing each task.
11. Work with County and the design team to maximize energy efficiency, the use of recyclable products to the maximum extent economically feasible and water conservation in the Project. Provide estimating and value engineering support to the County's analysis and application for energy related incentive programs offered by local utilities. Participate with County and the design team to analyze utility options for the service of the buildings.
12. Prepare construction cost estimates for the Project at appropriate times throughout the design phases of the work. County and the design team will participate fully in the preparation of these cost estimates.
13. Furnish a Guaranteed Maximum Price (GMP) in accordance with the Standard General Conditions for each phase of the Project for County's review and approval. It is anticipated that GMP's will be called for at 50% of the Construction Documents. The CM/GC will notify County and the design team immediately if their construction cost estimates appear to be exceeding the construction budget or the GMP, once it is established.

B. CONSTRUCTION SERVICES.

Construction services will generally be provided under the terms of the Standard General Conditions provided herein (Exhibit A). Duties of the CM/GC will include:

1. Solicit and publicly conduct subcontractor bidding for all construction work except that which is specifically exempted by County.
2. Maintain a qualified, full time Superintendent with the needed staff at the job-site to coordinate and provide direction of the work.
3. Prepare and maintain a detailed Critical Path Schedule for monitoring Project progress and managing the work. Keep County and the design team fully advised of the work progress status.
4. Make available all cost and budget estimates, including supporting materials and records, to County and the design team. Provide monthly reports of actual costs and work progress as compared to estimated cost projections and scheduled work progress. Explain significant variations and provide information as requested by County or the design team.

5. Establish an effective quality control plan for all construction and inspect the work as it is being performed to assure that materials furnished and quality of work performed are in accordance with the plan and construction documents.
6. Work with County and the design team to establish and implement procedures for tracking, expediting and processing all shop drawings, catalogs, requests for information and other drawings.
7. Establish effective programs for job-site safety and for maintaining current job-site records.
8. Implement the previously established Minority and Women-Owned Business Program. Report, as requested, the status and results of such Program.
9. Implement the previously prepared Course of Construction Plans. Make adjustments to the plans as requested by County.
10. Prepare and distribute weekly and monthly progress and status reports.
11. Review and process all applications for payment by subcontractors and materials suppliers in accordance with the terms of their contracts. Review and resolve, with County's approval, all subcontractors' and/or materials suppliers' requests for additional costs.
12. Prepare and submit in a timely manner all required State BOLI wage reports.
13. Schedule and conduct, at least weekly, job meetings to ensure orderly progress of the work. Prepare and distribute records of the meetings to meeting attendees, County and the design team.
14. Resolve all disputes that may arise between subcontractors and/or suppliers as a result of construction and report resolutions to the County.
15. As construction is completed, the CM/GC shall provide the following close-out services:
 - a. Coordinate and expedite the submittal of record documents.
 - b. Organize and index operations and maintenance manuals.
 - c. Assist in securing occupancy permits.
 - d. Provide continuing change order review and processing services.
 - e. Prepare a project completion report for assistance in turnover of new facility to the station operator.
 - f. Prepare a final report of all construction costs. Assist County with audit of final cost report and supply all supporting documentation.
 - g. Provide lien waivers from all subcontractors and materials suppliers.
 - h. Implement the previously written Commissioning Plan.

- i. Coordinate production, delivery and archiving of as-built drawings with the County

C. SPECIAL REQUIREMENTS.

1. The CM/GC will publicly conduct the sub-bidding of all construction work in excess of \$2,500 in accordance with all public contracting rules of the State and County which is not specifically exempted by the County. This will include:
 - a. The bid opening process will be observed and reviewed by the County's Project Manager. Upon review of bids received, the CM/GC will make written recommendations for County's approval of the lowest qualified bidders.
 - b. The CM/GC will contact County prior to embarking on solicitations for bids to receive a list of M/WBE subcontractors for each element of the work. The CM/GC will contact all such subcontractors during the course of solicitation.
 - c. Solicitations for bids will be advertised at least ten (10) days in advance of the bid opening. Solicitations will be advertised in the Daily Journal of Commerce and at least one other newspaper specifically targeted to reach MBE and WBE audiences and County identified journals common to some specialty construction trades.
 - d. If the CM/GC or its subsidiary desires to submit a bid on any portion of the work, the CM/GC shall publicly advertise the work at least twenty-one (21) days in advance of the bid opening.
 - e. The CM/GC should attempt to obtain a minimum of three (3) bids for each package of work bid.
2. The award of subcontracts by the CM/GC will be subject to the following:
 - a. County concurrence with the award of subcontracts.
 - b. Advance approval by County for sole-source contract awards.
3. At a minimum, all workers on this Project shall be paid in accordance with BOLI Prevailing Wage Rates for Public Works Contractors in Oregon, Region #1 in affect at the time of the contract.
4. County has a staff person responsible for media relations and contact. Any questions regarding the Project must be directed to that staff person.

SECTION IV

GENERAL INSTRUCTIONS

A. ADMINISTRATIVE INFORMATION.

1. This RFP is issued under the authority of:

Columbia County Board of County Commissioners
Columbia County Courthouse
230 Strand Street
St. Helens, Oregon 97051

All inquiries concerning the intent of this request or contract information shall be directed to Bill Potter, Building Services Manager, Courthouse Room 158, 230 Strand Street, St. Helens, Oregon 97051, telephone (503) 397-7213. Email potterb@co.columbia.or.us

2. This Request For Proposals consists of the following items:

- Section I. Request for Proposals
- Section II. Project Overview
- Section III. Scope of Services
- Section IV. General Instructions
- Section V. Proposal Response
- Section VI. Evaluation and Selection
- Section VII. Contract

It is suggested that this package be checked to insure that all of these items are included. Any missing portions can be obtained from Purchasing Office, Columbia County Department of Finance and Taxation, 230 Strand Street, St. Helens, Oregon 97051, telephone (503) 397-2100.

- 3. It is extremely important that all portions of this Request for Proposals be completed as professionally as possible. An incomplete or uncoordinated submission can only be judged as indicative of the proposer's capability and professionalism. If there are any deviations from the RFP requirements, please indicate so in writing.
- 4. Proposers requiring clarification of or interpretation of this RFP shall contact Bill Potter. Proposers who find any ambiguity, inconsistency or error in the RFP must contact Bill Potter. Any such request or notice shall be made no later than 4:00 p.m., April 4, 2008. Any supplements, interpretations, corrections or changes to the RFP will be made by written addendum and will be mailed or faxed to all who are known to have received the RFP. Supplements, interpretations, corrections or changes of the RFP made in any other manner will not be binding, and proposers shall not rely upon such supplements, interpretations, corrections or changes.
- 5. A list of all solicited proposers will be provided to any proposer upon receipt of a written request.
- 6. All information submitted by proposers shall be public record and subject to disclosure, except as otherwise prohibited by the Oregon Public Records Act.
- 7. County and its contractors will not discriminate against any person based on race, color, national origin, sex, sexual orientation, age, religion, physical disability, political affiliation or marital status.

8. During the performance of the contract, contractor and any subcontractors, shall not discriminate against any employee or applicant for employment based on race, religion, color, sex, disability, national origin, marital status or age, if the individual is eighteen years of age or older, or because of the race, religion, color, sex, national origin, marital status or age of any other person with whom that person associates, or because of a juvenile record that has been expunged, except for bonafide occupational requirements reasonably necessary to the normal operation of the employer's business.

B. PRE-PROPOSAL MEETING.

There is no mandatory pre-proposal meeting required for this Project.

C. PROPOSAL SUBMITTAL.

Six (6) copies of the complete proposal, including all other documents required to be submitted with the proposal, shall be enclosed in a sealed envelope or container clearly marked on the outside:

“PROPOSAL - CONSTRUCTION MANAGER/GENERAL
CONTRACTOR SERVICES - JAIL ADDITION”

or equivalent and be submitted to the County. No responsibility or liability will be attached to any County official, employee or agent for the premature opening or failure to open any proposal not marked according to this instruction.

D. SUBMITTAL DEADLINE.

Proposals must be received by 4:00, April 11, 2008 at the following address/location in order to be considered for purposes of evaluation and contract award:

Columbia County Department of Land Development Services
Courthouse Room 158
230 Strand Street
St. Helens, Oregon 97051

Submittals will be returned and not considered if received after the above stated date and time. Postmarks are not acceptable. Facsimiles will not be accepted.

E. PROPOSAL OPENING.

All proposals received in compliance with the instructions of this RFP will be opened on April 14, 2008, after which the proposals will be reviewed by the Building Services Manager as to their completeness and form. Proposals found to be in compliance with the requirements set forth in this Request for Proposals will be reviewed and scored by the Evaluation Committee the week of April 14th, 2008. The time and place of the Selection Committee meeting is yet to be determined. Proposals received after the date and time specified in Section IV, D and/or proposals which are not prepared and filed in substantial compliance with the terms and conditions of this RFP will not be considered for evaluation or award of a contract.

F. MODIFICATION OR WITHDRAWAL OF PROPOSAL.

A proposal may not be modified, withdrawn or canceled by the proposer for a ninety (90) day period following the time and date for receipt of proposals and proposer so agrees in submitting

the proposal.

Prior to the time and date designated for receipt of proposals, proposals submitted early may be modified or withdrawn only by written notice to the County at the place designated for receipt of proposals. Such notice shall be in writing and signed by the proposer, and it shall be so worded as not to reveal the amount of the original proposal.

Withdrawn proposals may be resubmitted up to the time designated for the receipt of proposals, provided that they are then fully in compliance with the RFP.

G. PROTEST PROCEDURES.

Paragraph 17 of the Columbia County Personal Services Contracting Rules provides as follows:

“All protests of solicitation or selection processes are limited to the following issues and filing times:

1. Solicitation protest: Unless a different deadline is specified in the RFQ, RFP, or other solicitation documents, prospective personal service contractors may file a written protest, or request of change of particular solicitation provisions, specifications, or contract terms and conditions with the Department no later than seven (7) calendar days prior to the close of the RFQ, RFP, or other solicitation. Such protest or request for change shall include the reasons for the protest or request, and any proposed changes to the solicitation provision, specifications, or contract terms and conditions. No protest against a selection of a personal services contractor or award of a personal services contract, because of the content of solicitation provisions, specifications, or contract terms and conditions, shall be considered after the deadline established for submitting such protest.
2. Selection protest: Every personal services contractor who submits a proposal in response to an RFP shall be mailed a copy of the selection notice sent to the highest ranked personal services contractor. Unless a different deadline is specified in the RFP, a personal services contractor who has submitted a proposal and claims to have been adversely affected or aggrieved by the selection of a competing personal services contractor, shall have seven (7) calendar days after receiving the notice of selection to file a written protest of the selection with the Department. To be adversely affected or aggrieved, a protester must claim that the protester was the highest ranked personal services contractor eligible for selection, i.e., the protester must claim that all higher ranked personal services contractors were ineligible for selection because their proposals were non-responsive or the personal services contractors non-responsive. The Department shall not consider a selection protest submitted after the time period established in the subparagraph, or in the RFP if a different deadline is provided in the RFP.
3. The Director, or designee, shall have the authority to settle or resolve a written protest submitted in accordance with subparagraphs (1) and (2) of paragraph 17 of this Rule. The Director, or Director's designee, shall promptly issue a written decision on the protest.

4. Review of the Department's disposition of a written protest submitted in accordance with subparagraph's (1) and (2) of paragraph 17 of this Rule shall be available by filing a written request for review of the Department's disposition with the Board of County Commissioners within seven (7) calendar days."

As used above, "Department" means the Columbia County Department of General Services. "Director" means the Director of the Department of General Services.

H. CONFLICT OF INTEREST.

A proposer submitting a proposal thereby certifies that no officer, agent or employee of the County has a pecuniary interest in the submittal; that the submittal is made in good faith without fraud, collusion or connection of any kind with any other proposer; the proposer is competing solely on its behalf without connection with, or obligation to, any undisclosed person or firm.

I. PUBLICITY.

II.

No proposer shall issue any news release or otherwise seek publicity regarding this request unless or until prior approval in writing is obtained from the County.

J. SUBMITTAL COSTS.

The cost of submittals and any other expenses related to this RFP, including travel for interviews or inspections, shall be entirely the responsibility of the proposer.

K. RECYCLABLE PRODUCTS.

Vendors shall use recyclable products to the maximum extent economically feasible in the performance of the contract work set forth in this document. All materials used in assembling the proposals should be easy to disassemble for recycling.

SECTION V

PROPOSAL RESPONSE

The submitted written proposal must utilize the following format and content detail: all proposals are to be typed in 8 1/2" x 11" format, each of the required sections are to begin a new page and be separately tabbed and each page shall be numbered in sequence. Six (6) copies of the proposal will be initially required.

A. TITLE PAGE.

The name and signature of the proposing company's authorized representative, as well as his/her address and telephone number, must be provided. The proposal must be dated on this page.

The authorized representative will state that the proposal is in compliance with all requirements set forth in the RFP and, in addition, must certify in writing, acceptance of and responsibility for the following:

1. All data presented in the proposal is accurate and complete.

2. Acknowledgment that the proposer has read and understood the RFP and the proposal is made in accordance with the contents of the RFP, unless otherwise noted in the proposal.
3. The proposal and prices contained in the proposal shall be valid for ninety (90) days after submission of the proposal.
4. The cost of submittals and any related expenses, including travel for interviews or inspections, shall be entirely the responsibility of the proposer.

The discovery of any significant inaccuracy in information submitted by the proposer shall constitute good and sufficient cause for rejection of the proposal.

B. TABLE OF CONTENTS.

A listing of all major and sub-major topics and associated page numbers must be included.

C. STATEMENT OF QUALIFICATIONS AND COMPANY BACKGROUND.

For each firm participating in the proposal, the Proposer shall provide a brief narrative description of the firm's history and capabilities. Include relevant construction and CM/GC experience, annual volume figures for the last five (5) years, current firm commitments and current bonding capacity.

D. STAFFING.

1. Provide a project organization chart showing proposed staff for each element of the Project (pre-construction, construction and commissioning), including all professional or contracted staff involved in project management, corporate administration, engineering and estimating, construction management, commissioning and supervision. Clearly identify field staff versus off-site staff and indicate the approximate percentage of time each individual will work on the Project. Include resumes and references for all individuals on the chart, listing their relevant past experience with similar projects and the CM/GC method.
2. Describe the duties and responsibilities for all key staff positions.

E. PROJECT APPROACH AND MANAGEMENT OF THE WORK.

In detail, describe the overall plan to complete the Project. At a minimum, include the following:

1. Discuss a plan for providing services in the pre-construction, construction and commissioning phases. Include information on management of project costs and schedule, work quality and safety.
2. Explain the preliminary approach/ideas on work phasing.
3. Explain how you will approach the cost estimating and value engineering work. Comment on the balance between the Project's scope and estimated budget, identifying areas of concern and opportunity.
4. Discuss your experience with promoting participation on the part of local businesses as contractors, subcontractors and suppliers. Explain your approach to obtain maximum participation on this Project.

5. Explain how you intend to establish and maintain good relations and foster open and productive communications with County, its Project Manager, the design team, County's staff and subcontractors.
6. Identify key issues and constraints you foresee on the Project. Propose means of resolution of each.
7. Describe what your experience has been and what your expectations are for labor and materials availability for this Project.

F. FEE PROPOSAL

1. Submit a fee proposal for the CM/GC services in two (2) parts:
 - a. Pre-Construction Services: Identify a not-to-exceed cost for services to be provided during the planning and design phases of each of the major project phases. Identify labor hours and cost per hour. Identify and estimate expenses included in the not-to-exceed cost.
 - b. Construction Services: Identify the fee for construction services in two parts:
 - (1). Fixed Fee: state the fixed fee, as a percentage of the direct construction costs, for which your firm would contract to perform the required construction services. Identify what costs you would propose are included in the Fixed Fee. Note if proposed cost items are different than what is stated in the Standard General Conditions, included as Exhibit A. Identify all proposed project staff that would be included as a part of the Fixed Fee.
 - (2). Reimbursables: Based on the staffing shown on the project organization chart and the individuals identified above, provide a detailed estimate of staffing costs which are not in the Fixed Fee, but will be included within the GMP as a cost of the work for performing construction services. Identify and estimate the cost expenses, other than sub-contract labor and materials cost, which will be included in the General Conditions costs. A cost range may be used, describing the parameters which would affect the high and low ends of the range. Note if proposed cost items are different from the Standard General Conditions, which are attached as Exhibit A.
2. Describe your proposed method of documenting the line item components of the GMP and the method of determining whether project changes are inside or outside the scope of the GMP.

SECTION VI

EVALUATION AND SELECTION

A. EVALUATION PROCEDURE.

Only submittals received that conform to the requirements of this RFP will be evaluated. The

evaluation will be based on the criteria identified in the following section and will be performed by a Selection Committee appointed by the County. After review of the written submittals, the Selection Committee will rank the proposals. The highest ranking proposers will be interviewed. Upon completion of the interviews, the Selection Committee will rank the candidates, based both on their written proposal and their interview. The Selection Committee may request clarifying information from any proposer during the evaluation process, which must be provided in a timely manner.

B. EVALUATION CRITERIA.

The Selection Committee will evaluate information provided in the written proposals and the interviews to rank the candidates in order of suitability to meet the County's needs. Criteria to be used for evaluation are as follows, listed in order of importance with the most important criteria listed first:

1.	Project approach and management plan	30
2.	Past experience of the firm	20
3.	Fee Proposal	20
4.	Project cost, schedule and quality controls	10
5.	Plan for utilizing local suppliers and subcontractors	20
Total Points		100

The County reserves the right to seek clarification of each proposal it sees fit to evaluate.

C. REFERENCES.

Based on the initial evaluation and ranking, references will be contacted for the top ranked firms.

D. INTERVIEWS.

The top ranking firms will be interviewed by the Selection Committee.

Based on the initial evaluation and ranking, the top ranking firms will be invited to attend interviews on a date to be announced. Firms selected for interviews will be notified as soon as possible. It is anticipated that interviews will be scheduled the week of April 21, 2008. Based on the interviews and references, the Selection Committee will make a final evaluation and ranking, and make recommendations to the Board of County Commissioners.

E. NEGOTIATIONS.

The Columbia County Board of Commissioners will select a firm with which to negotiate a contract. The final contract will be negotiated with and prepared by the Building Services Manager with consultation from County Counsel for Columbia County.

F. SELECTION.

The County reserves the right, in its sole discretion, to:

1. Reject any proposal not in compliance with all prescribed RFP procedures and requirements.

2. For good cause, reject any or all proposals upon a finding that it is in the public interest to do so.
3. Waive minor irregularities in the proposals received.
4. Accept all or any part of a proposal in principle, subject to negotiation of the final details. In particular, the County reserves the right to negotiate fee proposals.
5. Negotiate a final contract which is in the best interest of the County, considering cost effectiveness.

SECTION VI

CONTRACT

The County intends to award a contract to a proposer who, after considering the recommendation of the Selection Committee, the County finds best fits the needs of the County to perform the work in accordance with the requirements set out in this RFP.

The County will use the Construction Manager/General Contractor Agreement for Pre-Construction Services and the Standard General Conditions herein (Exhibit A) as a basis for this Contract. The contract provisions may change prior to execution. Any concerns or recommendations for changes should be included in the proposal submittal, including an explanation of why it is in the best interests of the County to accept recommended changes. Proposed modifications will not be included in scoring, but will be considered. Requests for changes in contract language submitted after selection of the successful proposer may be treated as a withdrawal of the proposal. In the event the County and the successful proposer do not agree on the terms of a contract, County may, at its option, begin negotiations with the proposer ranked next highest by the Selection Committee.

It is the intent of the County to enter into a contract with the selected CM/GC for pre-construction services only. These activities will include design, scheduling and estimating for the Project. Upon completion of the pre-construction activities, the CM/GC will submit a GMP for County's review and approval. Acceptance of the GMP will constitute completion of the pre-construction services by phase. Change Orders to the CM/GC agreement may be issued for each construction phase of the Project. At the time of the execution of the construction phase agreement, the CM/GC will be required to submit a 100% Performance Bond for the completion of the Project.

A professional services contract, a copy of which is attached, will be used, and may be supplemented by the following exhibits:

Exhibit "A" - This Request for Proposals.

Exhibit "B" - The selected firm's proposal.

Exhibit "C" - Special provisions as may be negotiated by the parties.