

**REQUEST FOR PROPOSAL
FOR
CONSTRUCTION MANAGEMENT AT RISK SERVICES
FOR THE
NEW CAMPUS GATEWAY PROJECT AT
THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY**

SOLICITATION #BC - 20857- C

ISSUED: 12/21/12

PRE-PROPOSAL MEETING: **MONDAY, JANUARY 14, 2013 at 3:30 p.m.**
Administration Building – Room #101 (Lecture Hall)
University of Maryland, Baltimore County
1000 Hilltop Circle
Baltimore, Maryland 21250

Note: The site visit will be conducted in conjunction with this Pre-Proposal meeting.

**TECHNICAL PROPOSAL
DUE DATE:** **MONDAY, FEBRUARY 4, 2013 on or before 4:00 p.m.**
UMBC PROCUREMENT OFFICE
University of Maryland, Baltimore County
Administration Building #301
1000 Hilltop Circle
Baltimore, Maryland 21250

**PROCUREMENT/ISSUING
OFFICE:** UMBC Procurement Office
University of Maryland, Baltimore County
Administration Building #301
1000 Hilltop Circle
Baltimore, Maryland 21250

PROJECT MANAGEMENT: UMBC Office of Facilities Management
University of Maryland, Baltimore County
1000 Hilltop Circle
Baltimore, Maryland 21250

(See http://www.umbc.edu/aboutumbc/campusmap/pdf/2012Map_Parking.pdf for the locations of visitor parking on campus)

NOTE: All Addenda to this procurement will be posted on the UMBC Procurement website. All potential proposers must notify the Procurement Office of their interest in order to be kept informed of any and all information regarding this procurement. Please contact Janet Maddox via e-mail at jmaddox@umbc.edu and provide the Name of your firm, Address, Phone Number and e-mail contact.

**NEW CAMPUS GATEWAY PROJECT
AT THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY**

RFP #BC- 20857-C

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00800	UNIVERSITY OF MARYLAND, BALTIMORE COUNTY AMENDMENTS TO UMB STANDARD GENERAL CONDITIONS FOR CONSTRUCTION (to be provided by addendum)
ATTACHMENT A	The following forms are to be submitted by each proposer as indicated in the RFP documents herein: -MBE Attachment A -Bid/Proposal Affidavit -Key Personnel Form -Key Personnel/Basis for Selection Form -Working Relationship -Matrix of Anticipated Hours Form -Matrix of Services -CM Experience Form -Annual Sales Volume/Number of Projects Form -Current Workload Form -Acknowledgement of Receipt of Addenda Form (if applicable)

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SECTION 00100

I. INSTRUCTIONS TO PROPOSERS

SECTION 00100

I. INSTRUCTIONS TO PROPOSERS FOR THE CONSTRUCTION MANAGEMENT CONTRACT

A. **SUMMARY:**

1. The objective of this Request For Proposal (RFP) is for the University of Maryland, Baltimore County (herein referred to as "University" or "UMBC") to select a Construction Management (CM) firm (herein referred to as "Construction Manager", Proposer or "CM") to provide professional management and construction services during the design and the construction of the New Campus Gateway Project ("Project") at UMBC in Baltimore, Maryland. (See Project Program for complete details). [See <http://www.umbc.edu/> for a UMBC campus map.]
2. Generally, the Construction Manager will be a member of the Project Team consisting of representatives from the University, the Architect/Engineer, and other consultants as required as more fully set forth below. Generally, it will be the responsibility of the Construction Manager to integrate the design and construction phases, utilizing his skill and knowledge of general contracting to develop schedules; prepare project construction estimates; study labor conditions; and, in any other way deemed necessary, contribute to the development of the project during the pre-construction/design phase. During the construction phase, the CM will be responsible for constructing the project under the Guaranteed Maximum Price inclusive of all construction services therein.
3. Upon selection of the Construction Management firm and approval by the Board of Public Works (BPW), the Contract will be executed for pre-construction phase services only which includes the provision of the Guaranteed Maximum Prices (GMP) for construction of the Project by the CM in accordance with the phased schedule.

Subsequently, and in accordance with the terms and conditions of this RFP, amendments to the CM contract are anticipated to be issued for Construction services upon acceptance by the University and approval by BPW as applicable (as described elsewhere in this document).
4. The Contract will govern all Pre-Construction and Construction phases of this Project (Refer to Articles 1 through 3 of Section 00400 of this document for further detail).
5. All work performed under this contract shall be in accordance with the University of Maryland, Baltimore "Standard General Conditions of Construction Management with GMP Contract", (which is contained in this RFP as Section 00700 "Standard Conditions") as modified or supplemented by any amendments, supplementary conditions, the Contract Documents as listed herein, any addenda, and other components of the Contract.

6. The University anticipates having a contract in place with the successful Construction Management firm on or about 4/5/13.

B. INSTRUCTIONS FOR SUBMITTAL OF PROPOSALS:

For detailed information on preparation and submittal of proposals see Section 00300 "Proposals, Evaluation, Forms".

C. ISSUING OFFICE:

1. The Issuing Office is:

University of Maryland, Baltimore County
Office of Procurement
Administration Building #301
1000 Hilltop Circle
Baltimore, Maryland 21250

Attn: Terry Cook
(410) 455-2939
Fax: (410) 455-1050
[mail to: tcook@umbc.edu](mailto:tcook@umbc.edu)
or

Sharon Quinn
(410) 455-2540 or
Fax: (410) 455-1009
[mail to: squinn@umbc.edu](mailto:squinn@umbc.edu)

2. The Issuing Office shall be the **sole** point of contact with the University for purposes of the preparation and submittal of the RFP proposal.
3. All questions on this procurement are to be directed to the Issuing Office.

D. PRE-PROPOSAL CONFERENCE:

1. A **Pre-Proposal Conference** inclusive of site tour will be held on **Monday, January 14, 2013 at 3:30 p.m. in Room #101 (Lecture Hall) in the Administration Building at UMBC, 1000 Hilltop Circle, Baltimore, MD 21250.**

Note: See UMBC campus map for locations of visitor parking at http://www.umbc.edu/aboutumbc/campusmap/pdf/2012Map_Parking.pdf

A walk through of the Project site will be conducted immediately following the Pre-Proposal Meeting.

2. Attendance is **not mandatory**, but is strongly recommended.

E. DUE DATE AND TIME:

1. The Technical Proposal must arrive at the Issuing Office **by Monday, February 4, 2013 on or before 4:00 p.m.** in order to be considered. Proposers are requested to clearly mark the "original" set of the Technical Proposal.
2. Price Proposals will only be requested from those proposers whose technical proposals achieve the required, minimum or better technical score per the RFP (see Section 00300 for further details). The due date for Price Proposals will be set upon completion of the technical evaluation, however, the University anticipates the price proposal due date to be on or around 3/7/13.
3. Proposers mailing proposals shall allow sufficient mail delivery time to insure timely receipt by the Issuing Office. Proposals or unsolicited amendments to proposals arriving after the due date and time will not be considered.
4. Proposers must allow sufficient time in submitting replies to solicitations to insure timely receipt by the Issuing Office.
5. **LATE PROPOSALS CANNOT BE ACCEPTED.** Proposals are to be delivered to the University's Procurement Office, Administration Building #301, 1000 Hilltop Circle, Baltimore, Maryland 21250. The University recommends against use of mail or delivery services, which will not guarantee delivery directly to Room #301. Proposals delivered to the campus central mail facility or to locations other than Room #301 will not be considered "received" by the University's Procurement Office until they arrive at Room #301 and are clocked in. The University will not waive delay in delivery resulting from need to transport a proposal from another campus location to Room #301, or error or delay on the part of the carrier.

F. MODIFICATIONS AND WITHDRAWAL OF PROPOSALS:

1. Withdrawal of, or modifications to, proposals are effective only if written notice thereof is filed to the Issuing Office prior to the time proposals are due. A notice of withdrawal or modification to a proposal must be signed by an officer with the authority to commit the company.
2. No withdrawal or modifications will be accepted after the time proposals are due.

G. QUESTIONS AND INQUIRIES:

1. Questions and inquiries shall be directed to the individuals referenced with the Issuing Office above. The Issuing Office will be open from 8:00 a.m. to 4:30 p.m., weekdays. The deadline for questions is Tuesday, 1/22/13 by 5:00 p.m.
2. Items affecting the scope of work or conditions of the contract shall be subject to the conditions of Addenda per Section O below.

H. TERMINOLOGY:

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

I. SITE INVESTIGATION:

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

J. COMPETITIVE NEGOTIATION:

1. The University reserves the right to make an award with or without negotiations. Only those proposers who are determined "to be reasonably susceptible of being selected for award shall be offered the opportunity to participate in the process."
2. Minor irregularities in proposals, which are immaterial or inconsequential in nature, may be waived wherever it is determined to be in the best interest of the University.

K. PROPOSAL SECURITY:

With submission of the Price Proposal in accordance with this RFP, all proposers are required to comply with the following proposal security:

1. If the Proposer's Technical Proposal is found responsive and is requested to submit a Price Proposal, and the total Price Proposal is \$100,000.00 or more, each Proposer shall furnish with his price proposal a "bid bond" issued by a surety company licensed to issue bonds in the State of Maryland. The bond must be in an amount not less than five percent (5%) of the total amount of the price proposal (sum of the fees and reimbursables) and shall be in the form specified (see sample in Section 00300 "Proposals, Evaluation, and Forms").
2. Acceptable security shall be limited to: a) a bond in a form satisfactory to the State underwritten by a surety company authorized to do business in the state; b) a bank certified check, bank cashier's check, bank treasurer's check, cash, or trust account; c) pledges of securities backed by full faith and credit of the United States government or bonds issued by the State of Maryland; d) Irrevocable letters of credit in a form satisfactory to the Attorney General and issued by a financial institution approved by the State Treasurer; and e) the grant of a mortgage or deed of trust on real property located in the State when it is satisfactory to the procurement officer, the face amount of the instrument does not exceed 75% of the contractor's equity interest in the property, and the assignment of the mortgage or deed or trust is recorded in the county land records pursuant to Real Property Article, 30193, Annotated Code of Maryland.
3. Assistance in obtaining bid, performance and payment bonds may be available to qualifying small businesses through the Maryland Small Business Development Financing Authority (MSBDFA). MSBDFA can directly issue bid, performance or payment bonds up to \$750,000. MSBDFA may also guaranty up to 90% of a surety's losses as a result of a contractor's breach of contract.

MSBDFA's exposure on any bond guaranteed may not, however, exceed \$900,000. Bonds issued directly by the program will remain in effect for the duration of the contract, and those surety bonds that are guaranteed by the program will remain in effect for the duration of the surety's exposure under the contract. To be eligible for bonding assistance, as business must first be denied bonding by at least one surety in both standard and specialty markets within 90 days of submitting a bonding application to MSBDFA. The applicant must employ fewer than 500 full-time employees or have gross sales of less than \$50 million annually, have its principal place of business in Maryland or be a Maryland resident, must not subcontract more than 75 percent of the work, and the business or its principals must have a reputation of good moral character and financial responsibility.

Finally, it must be demonstrated that the bonding or guarantee will have a

measurable economic impact, through job creation and expansion of the state's tax base. Applicants are required to work through their respective bonding agents in apply for assistance under the program. Questions regarding the bonding assistance program should be referred to:

Maryland Department of Business and Economic Development
Maryland Small Business Development Financing Authority
826 East Baltimore Street
Baltimore, Maryland 21202
Phone: (410)333-4270
Fax: (410)333-6931

4. Should the Proposer to whom the contract is awarded fail or be unable to execute the contract, for any reason, within ten (10) days after notification of award, then an amount equal to the difference between the accepted price, and that of the proposer to whom the award subsequently is made shall be paid to the University as liquidated damages.
5. The Proposer to whom a contract in excess of \$100,000.00 is awarded also must furnish Performance and Payment Bonds, each in the amount of one hundred percent (100%) of the Guaranteed Maximum Price (GMP) including executed Change Orders, in the form specified (see samples in Attachment B). These must be provided at the time of the signing of the contract and prior to the start of any work.
6. Evaluation of a Request for Proposal takes a considerable length of time. Maryland State Law does not permit any information regarding the evaluation to be released prior to the award. The award date is the date of approval by the Board of Public Works.
7. Bid Bonds remain in effect a minimum of **one hundred and twenty (120)** days from the due date of the Price Proposals as all Price Proposals shall remain firm for one hundred twenty calendar days (refer to Section 00100, L. below).
8. Should the Proposer to whom the contract is awarded fail or be unable to execute the contract, for any reason, within ten (10) days after notification of award, then an amount equal to the difference between the accepted price, and that of the proposer to whom the award subsequently is made shall be paid to the University as liquidated damages.
9. Performance and Payment Bonds, each in the amount of one hundred percent (100%) of each contract amendment for construction work, must be furnished, including executed Change Orders, in the form specified (see forms in Attachment B). Please note that as part of the Technical Proposal, a Proposer must indicate its capability of obtaining the necessary bonds.