



Westside Community Schools
Request for Qualifications – Construction Manager at Risk (CMR)
Hillside Elementary School
December 4th, 2023

NOTICE

In accordance with Westside Community Schools Policy 3202 Construction Manager at Risk and the Political Subdivisions Construction Act (PSCA), Westside Community Schools is accepting Statements of Qualifications (SOQ's) for Construction Manager at Risk services to construct the new Westside Community Schools (WSC) – Hillside Elementary School building located at 7500 Western Avenue, Omaha, Nebraska. The SOQ's will be accepted at the WCS Administrative Offices (ABC Building) located at 909 South 76th Street, Omaha, Nebraska, until **January 10, 2024 at 3:00 PM (CDT)**.

All responses to the Request for Qualifications for Construction Manager at Risk Services must be submitted to Matt Herzog, WCS representative at the ABC Building, 909 South 76th Street, Omaha Nebraska 68114. Each response shall include six (6) hard copies and one (1) electronic copy of the Proposal.

The SOQ's will be evaluated by the WCS selection committee and follow-up interviews will be scheduled as determined by the selection committee. A recommendation by the Superintendent of Schools will be made to the Board of Education on or around February 5, 2024 at the Westside Community Schools Board of Education Meeting to be held in the Board of Education Meeting Room located in the ABC Building, 909 South 76th Street, Omaha Nebraska 68114.

A Pre-Proposal Meeting will be held December 13, 2023 at 10:00 AM (CDT) at the Westside Community Schools ABC Building; a firms failure to attend the Pre-Proposal meeting will disqualify that firm from consideration. Submitting firms may request information or clarifications to the RFQ at this meeting. Further questions or requests for clarification MUST be submitted in writing to Matt Herzog, Westside Community Schools representative, 909 South 76th Street, Omaha Nebraska 68114, and/or may be e-mailed directly to matt@project-advocates.com on or before 2:00 PM (CDT) on December 27, 2023. All written questions and responses will be communicated to the firms who attend the Pre-Proposal Conference.

REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGER AT RISK

Westside Community Schools (“the District”) is requesting SOQ’s from interested firms to perform Construction Manager at Risk services for the Hillside Elementary School project. Project Advocates has been retained by the District as the Owner Program Manager to implement Phase II of the 2015 Facilities Master Plan, including the Hillside Elementary School project.

The District shall have the right to reject any and all proposals to the RFQ at any time, except for the purpose of evading the provisions of the PSCA and this policy. The District further shall have the right to cancel or amend the RFQ at any time and shall notify all proposers of the action taken. The District may subsequently solicit new proposals using the same or different project performance criteria or cancel the construction manager at risk process.

1 Project Scope

- 1.1 The District is requesting SOQ’s for Construction Manager at Risk Services to construct a new Hillside Elementary School building. Hillside Elementary School is located at 7500 Western Avenue, Omaha, Nebraska.
- 1.2 The new Hillside Elementary School will be approximately 65,885 GSF. Sustainable design and construction practices will be used to optimize the learning environment; however LEED certification will not be pursued. Maintaining project timelines and budget will be of the utmost importance.
- 1.3 While this project is under construction the Students and Educators will remain in the current facility. The current facility will be demolished following the completion of the new school to complete the project sitework. Careful consideration must be made to plan and construct the new building in close proximity to the existing facility.

2 Project Schedule

2.1 Listed below are milestone dates included for this project:

2.1.1	Design Start	July 17, 2023
2.1.2	Design Completion	April 26, 2024
2.1.3	Construction Start	May 27, 2024
2.1.4	Certificate of Occupancy	December 2025
2.1.5	FFE/Move in start	December 2025
2.1.6	Decommission Existing Facility	Spring/Summer 2026
2.1.7	Raze Existing Facility	Summer 2026

3 Project Estimated Costs

3.1 Estimated Construction Costs \$ 21,021,000

4 Request for Qualifications Schedule

4.1	RFQ distributed for responses	December 4, 2023	
4.2	Pre-Proposal meeting	December 13, 2023	10:00 AM
4.3	Project Site Walk	December 14, 2023	4:00 PM
4.4	Request for Clarifications due	December 27, 2023	2:00 PM
4.5	SOQ due	January 10, 2024	3:00 PM
4.6	Notification of Short Listed Firms	January 12, 2024	
4.7	Interviews	January 19, 2024	
4.8	Board Approval of Award	February 5, 2024	

5 Statement of Qualifications Instructions

5.1 Submitting firms are requested to provide the following information as part of their SOQ: Please provide six (6) hard copies (one signed original) and one (1) electronic copy on a flash drive in PDF format. Responses must be in sufficient detail for a thorough evaluation and assessment.

5.2 Information presented in the SOQ should conform to the following:

5.2.1 The SOQ shall be limited to a maximum of forty (40) single-faced pages of information; the Cover Sheet, Table of Contents and divider pages are not counted in the page count.

5.2.2 The SOQ shall conform to the requirements as specified in this RFQ. Include executive summary, and relevant project experience.

5.2.3 Information submitted must be arranged in the same order in which it is requested in Section 5 of this RFQ.

5.2.4 SOQ's are to be bound or stapled in upper left-hand corner.

5.2.5 Font size must be at least 10 point.

6 Statement of Qualification Requirements

- 6.1 To be considered for evaluation the SOQ submittal must contain the following information:
 - 6.1.1 Cover Letter: Acknowledge firm's intent to execute the District's standard contract for CMR services.
 - 6.1.2 Table of Contents (not included in page count): Format Table of Contents to correspond with the Submittal Components listed herein.
 - 6.1.3 Executive Summary: Identify the members of your proposed project team for the scope of the services as described in this RFQ, including:
 - 6.1.3.1 Name of firm, main office address, phone number
 - 6.1.3.2 Number of all employees in firm
 - 6.1.3.3 Brief history of firm and number of years that the firm has provided CMR services for similar projects
- 6.2 Insurance: Provide a copy of current insurance coverage issued by your firm's carrier(s) that meets minimum requirements set forth in Attachment C.
 - 6.2.1 Provide evidence of your firm's insurance limits, limits of liability, and Nebraska workers' compensation multiplier
 - 6.2.2 Provide evidence of your firm's bonding capacity, current total value of bonded projects, and current premium rate for Performance and Labor & Material payment bonds.
 - 6.2.3 Firms current financial statement – Balance sheet to be submitted in a separate sealed envelope marked "Confidential/Proprietary Information."
- 6.3 Claims: Provide a complete listing of the formal (written) claims presented to your firm, joint venture partners, outside consultants, and/or subcontractors in the past three years; include (1) the name of the claimant, (2) a brief description of the claim, (3) dollar value of the claim, and (4) whether the claim was accepted, rejected, or if settlement of any type was made in full or part without admission of guilt or negligence. If handling of the claim is still in process, clearly indicate "resolution pending." For purposes of this subparagraph, the term "claims" shall include lawsuits, administrative adjudications, arbitrations, mediations, and/or claims on bonds or sureties.
- 6.4 Project Staff: Provide detailed information, including duties/roles and time allotment of the firms' Key Project Specific Personnel. Identify the correlation between the firm's experience and the individuals assigned to those projects. Also, cite who will be your firm's primary point of contact on the project. Include an organizational chart and resumes for all key project specific personnel including general experience and responsibilities, K-12 education construction experience, and a summary of CMR delivery experience.
- 6.5 Past Relevant Experience: Provide a listing of similar projects (function, size, and/or scope of work) that your firm has completed within the past five (5) years. Provide the following for each

project:

- 6.5.1 Name and description of project, including size and location (address, city, and state)
 - 6.5.2 Names of all employees from your firm on the project
 - 6.5.3 The construction delivery method used for the project
 - 6.5.4 The proposed budget or guaranteed maximum price and the final cost of the project
 - 6.5.5 The initial and final completion dates
 - 6.5.6 Name, title, and current contact information, including email, of project Owner
- 6.6 Current Relevant Experience: Provide a listing of current similar projects (function, size, and/or scope of work). Provide the following for each project:
- 6.6.1 Name and description of project, including size and location (address, city, and state)
 - 6.6.2 Names of all employees from your firm on the project
 - 6.6.3 The construction delivery method used for the project
 - 6.6.4 The proposed budget or guaranteed maximum price and the projected final cost of the project
 - 6.6.5 The initial and final completion dates
 - 6.6.6 Name, title, and current contact information, including email, of project Owner
- 6.7 References: Include a minimum of three (3) and a maximum of five (5) references with regard to K-12 education or similar projects for which you have provided Construction Manager at Risk services. The list of references should include a contact name, address, telephone number, and email address.
- 6.8 Narrative of Approach to Construction Services:
- 6.8.1 Describe your firm's approach to deliver the construction phase of this project. Include, at a minimum, your approach to the phased construction; site logistics plan; and working adjacent to an occupied learning environment.
 - 6.8.2 Describe the challenges associated with the successful delivery of this project. Identify how your firm will approach these challenges and overcome them to deliver the project on time and within budget.
 - 6.8.3 Provide an initial estimate of probable cost broken down by Level 2 Uniforamt Group Elements. Explain how you will work with the District to assist in validating the budget and then maintaining budget throughout the design, procurement, and construction process.

- 6.8.4 Identify any self-perform capabilities that may be utilized, and the approach to maintain cost competitiveness to the District.
- 6.8.5 Include a schedule including critical milestones for the District and Design Team.
- 6.9 Construction Manager's compliance with laws relating to the contract:
 - 6.9.1 Construction Manager to provide current contractor licensing information including standing with City of Omaha
 - 6.9.2 Construction Manager to provide letter of good standing from CMR's bonding company
 - 6.9.3 Construction Manager to (10) ten-year history of any violations/fines received for:
 - 6.9.3.1 Storm Water management
 - 6.9.3.2 OSHA
- 6.10 Safety: Describe your firm's approach to project safety. Include project control measures; staffing theology; training including sub contractors; hazard analysis; distribution of information; public, student, educator and visitor safety; and other items deemed critical by firm. Additionally, include firm's safety record; EMR and other safety statistics.
- 6.11 Contract and Fee Proposal: Provide the following information as listed below:
 - 6.11.1 The proposal shall state a proposed Overhead and Profit fee percentage, which shall include all of the CMR's expenses associated with the implementing and managing the Project pursuant to the contract. During the overall Project, the CMR shall not request from the Owner any compensation for any additional costs or expenses related to implementing or managing the work, unless allowed by contract.
 - 6.11.1.1 Include a separate line item for the following items:
 - 6.11.1.1.1 Staff Supervision
 - 6.11.1.1.2 General Conditions
 - 6.11.1.1.3 Recommended Construction Contingency
 - 6.11.1.1.4 Payment and Performance Bond
 - 6.11.1.1.5 General Liability
 - 6.11.1.1.6 Builders Risk to be provided by the District
 - 6.11.2 The proposal shall state hourly rates including all labor burdens identified for all trades under your employment that may be used on this project.
 - 6.11.3 Construction Managers at Risk will be performing services and assuming project

responsibilities as generally described in AIA A133-2019 and AIA A201-2017 with appropriate modifications and additions to ensure that the District fully discharges its responsibility in providing for facilities and the expenditure of public funds. A copy of the proposed contract modifications and additions is attached hereto as Attachment "B", "C" and "D".

6.11.4 If the construction manager takes exception to any part of the AIA A133-2019 or AIA A201-2017 as amended, these modifications shall be noted and submitted with this proposal. If no exceptions are noted the contract will be deemed acceptable by the proposer as final contract if awarded the project.

7 Selection Criteria and Process

7.1 The Selection committee will evaluate each SOQ taking into consideration the following criteria. The total points for evaluation of this RFQ are set forth below.

7.1.1 The financial resources of the construction manager to complete the project. (5 points)

7.1.2 The ability of the proposed personnel of the construction manager to perform (20 points)

7.1.3 The character, integrity, reputation, judgment, experience and efficiency of the construction manager (10 points)

7.1.4 The quality of performance of previous projects (10 points)

7.1.5 The ability of the construction manager to perform within the time specified (25 points)

7.1.6 The previous and existing compliance of the construction manager with laws realign to the contract (5 points)

7.1.7 The Construction Manager's approach to project safety (10 Points)

7.1.8 The proposed fee presented by the Construction Manager at Risk (15 Points)

7.2 The District will create a short list of firms to interview based on the written SOQ's. Selections ultimately will be based on the selection committee's determination of which CMR firms will best delivery the project and provide the best value to the District. Additionally, the selection committee will evaluate firms' experience delivering K-12 facilities with additions and extensive renovations at an occupied school under demanding schedules.

7.3 The District will select a firm for final approval by the Board of Education.

8 General Terms and Conditions

8.1 The District will be requiring the utilization of One Source background check/verification for all personnel on the project including sub trades and vendors. The cost for verification checks shall be on the CMR.

8.2 Any SOQ submitted after the time specified for receipt will not be considered and will be returned unopened.

8.3 No SOQ may be altered, amended or withdrawn after the specified time for opening proposals.

8.4 By submitting a response to the RFQ, the Construction Manager agree to follow and comply with all District policies, regulations, written staff directives, and practices, as well as information management, purchasing, and accounting requirements.

8.5 Certification of Valid Licensure: To be considered responsive to the requirements of this RFQ, the Construction Manager shall provide verifiable evidence of the following:

8.5.1 Terminations: The Construction Manager, and their employees, shall certify that neither the firm nor its principals have been terminated during the performance of a contract or withdrew from a contract to avoid termination. If the firm cannot certify these two statements, the firm shall submit a written explanation of the circumstances for review by the School District. Construction Manager's responding are to submit these certifications with their SOQ responses.

8.5.2 Release of References: Construction Manager, for the firm and their employees, must affirmatively agree to the following:

“By submitting this response to the RFQ, our firm, and all employees thereof, individually and corporately, hereby release, discharge and agree to hold harmless the Westside Community School District, its board members, administrators, officers, employees, agents and contractors, and any third-parties who provide any information to the Westside Community School District, as well as any assignees, from any and all claims for damages for libel, slander, defamation, invasion of privacy, false light, tortious interference with business expectancy or any other claim based on any investigation of the background, references, credentials, history, experience and abilities of the submitting Construction Manager at Risk and any statements, comments, records, documents, or publications, not maliciously made, in any form, made by or received by the Westside Community School District, and any third-parties providing requested information about the Construction Manager's background, history, credentials and/or abilities to provide the services identified in this RFQ.”

8.6 Communications Between the District and the Firms

8.6.1 Informal Communications

8.6.1.1 From the date of receipt of this RFQ by each Firm, until a binding contractual agreement exists with the Selected Firm and all other Firms have been notified or when the District rejects all proposals, informal communications regarding this procurement shall cease. Informal communications shall include, but are not limited to: requests from the Firms to any District Staff and Board of Education members.

8.6.2 Formal Communications

8.6.2.1 From the date of receipt of this RFQ by each Firm, until a binding contractual agreement exists with the Selected Firm and all other Firms have been notified or when the District rejects all proposals, all communications between the District and the Firms will be formal, or as provided for in the RFQ, or as requested by Project Advocates. Formal communications shall include, but are not limited to: addenda and clarifications.

8.6.3 Any failure to adhere to the provisions in 8.6.1 and 8.6.2 above may result in the rejection of any Firm's Proposal or cancellation of this RFQ.

8.7 The District reserves the right to reject any and all SOQ's, and to reject any SOQ's that are non-responsive or not responsive, and to waive technicalities and formalities.

ATTACHMENTS (to be distributed after the pre-proposal meeting)

- A- Westside Community Schools Hillside Elementary School Schematic Design prepared by Alley Poyner Macchietto Architecture
- B- AIA Document A133-2019 with modifications
- C- AIA Document A133-2019 Exhibit B with modifications
- D- AIA Document A201-2017 with modifications