

**REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGER at RISK SERVICES  
USM CENTER FOR THE ARTS**

April 1, 2022

SECTION I: SUMMARY

The University of Southern Maine (USM), desires to procure Construction Management at Risk (CM) services from individual firms or teams for a new facility to be known as the **USM Center for the Arts** to be located on the USM Portland Campus. The Project consists of a new 35,000 sf facility to become the new home for the USM School of Music and support for the Visual Arts. The project is expected to begin construction in the Spring of 2023 with occupancy in early 2025.

1. Project Description

A Schematic Design was completed by Pfeiffer Partners Architects in April, 2021. The approximately 35,000 sf of space will include:

- A 200 seat Performance Hall.
- Central Gallery for Visual Arts.
- An Arts Lab and Rehearsal rooms.
- Practice rooms, Flex Studio, Classrooms, Music Library, Piano Lab and Teaching Studios.
- Offices.
- Bathrooms and storage spaces.
- HVAC, Electrical and Fire Protection in support of the new facility.

A. Anticipated Schedule

The project is in the early stage of design development with 9 months to complete design development through construction documents. The start of construction is dependent on funding capability with an estimated start of construction in the Spring 2023 with a planned occupancy in the Spring of 2025:

<b>Phase</b>	<b>Construction Management Services</b>	<b>Proposed Schedule</b>
Design Development	N/A	March 2022
CM joins project team	Pre-Construction Services – estimating and/or estimate reconciliation; schedule review.	May 2022
Construction Documents	Pre-Construction Services including review and planning during this phase.	June 2022
Bidding	Bidding and preparation of a Guaranteed Maximum Price	March - April 2023
Construction	Construction management	April 2023 – March 2025
Occupancy/Substantial Completion	Owner takes occupancy	March 2025
Close Out	Warranty, commissioning, and other support	March 2025
Full Occupancy/Final Completion	Owner takes full occupancy	April 2025

The selected firm will provide CM services on a project team in support of design and construction as managed by the University of Maine System office of Capital Planning and Project Management (CPPM). This Request for Qualifications (RFQ) seeks qualified firms to submit statements of qualifications with the intention of providing CM services for the duration of the project up to and, pending successful negotiation of a Guarantee Maximum Price, including construction phase services.

Construction management services for the project will begin immediately following execution of the AIA A133 Standard Form of Agreement Between Owner and Construction Manager as Constructor. Individual firms or teams desiring to be considered should submit a statement of qualifications indicating interest, relevant experience and the ability to start work immediately.

## SECTION II: RESPONSIBILITIES

1. The CM will be expected to perform services consistent with the industry-accepted role of a CM during pre-construction and/or construction execution. In general, they will include, but will not necessarily be limited to, the following:

### **Pre-Construction Phase Services**

- A. Coordinating with CPPM, the design team, and other University of Maine System and project team members as necessary, throughout the remaining design and construction project phases.
- B. Limited assistance with project planning, scoping and estimating including estimate reconciliation exercises with the Design Team's estimators.
- C. Providing recommendations regarding constructability, materials and equipment selections, and cost savings.
- D. Assuming charge of and responsibility for construction scheduling and cost estimating. For this project, the Construction Manager will be joining with design development in its early stages.

### **Construction Phase Services**

- E. Qualifying sub-contractors.
- F. Letting sub-contracts for bid.
- G. Managing bidding and providing a final Guaranteed Maximum Price (GMP).
- H. Providing a performance bond, a payment bond and insurance certificate(s), and maintaining such insurance and bonds through the one-year corrections period following Substantial Completion.
- I. Holding sub-contracts for construction.
- J. Managing the construction including, but not limited to, coordination, inspection, supervision, safety, and quality control services.
- K. Maintaining construction phase records and accounting, including preparing of as-built documentation, building commissioning and project close out documentation.

## SECTION III: STATEMENT OF QUALIFICATIONS, REQUIRED SUBMISSION INFORMATION

1. Prospective CM firms should prepare and submit a statement of qualifications for University of Maine System consideration. The firm's Statement of Qualifications shall respond to each specific criteria listed below, with responses organized in discrete sections and in the **same order as presented below**. Each firm's submittal must include an index, with tabs corresponding to each section. Each section must be included in the submission.
  - A. Letter of Interest. Provide a brief letter summarizing the firm's interest, qualifications, experience, and the ability to start work immediately. Include total dollar volume of CM work completed during each of the past three (3) years. Identify work by office located closest to Portland, Maine.

- B. Construction Management Experience. Provide a detailed description of the firm's background and experience with construction management for similar construction projects within the last five (5) years, with a focus on providing services for higher-education clients. Please include:
1. Description of the firm's philosophy of construction management.
  2. A minimum of three (3) completed project case histories shall be presented demonstrating budget, schedule and change order performance. Within the context of the case studies, provide information related to the following:
    - a. Demonstration of previous successful experience managing projects using the Construction Management at Risk method for new construction with a construction value of \$25 to \$50 million preferred.
    - b. Demonstration of previous successful experience managing projects using the Construction Management at Risk method, with relation to budget, schedule and scope. Include descriptions of management methods and staff structures used to plan, schedule and control complex work conditions. Include examples of change order history and experience with GMP delivery methods.
    - c. Demonstration of experience with qualifying sub-contractors.
    - d. Demonstration of knowledge and experience in the careful evaluation of building systems, construction techniques and recommendation of materials to create optimum dollar value without compromising design criteria.
    - e. Specific experience with developing LEED certification programs with owner and design team to U.S. Green Building Council standards.
  3. Description of the firm's construction safety program.
  4. Description of the firm's program for project follow-up and warranty.
  5. Historic data on the cost of general conditions/overhead as a percentage of the total construction costs for similar projects. Include a detailed list of typical expenses included in the general conditions/overhead expense.
- C. Construction Manager Team. Identify the person(s) who will be the Management team including, Company Principal, Account Executive, and Construction Manager directly responsible for providing services to the University and provide a brief resume of education, qualifications and experience, and role in the firm's services. Submission of name(s) shall be considered a commitment on the part of the CM firm to retain stated personnel on the project throughout its duration.
- D. Principal Support Staff. Identify the person(s) who will be the principal support staff including, but not limited to, project managers, project engineers, superintendents, and estimators. Provide a brief resume including education, qualifications and experience and role in the firm's services. Submission of names shall be considered a commitment on the part of the CM firm to retain stated personnel on the project throughout its duration.
- E. Availability. Indicate the firm's dedicated resources available to the University for this project in relation to other workloads and whether the firm has sufficient resources to provide services promptly to meet the project schedule. The project schedule is provided in Section I.
- F. References. Provide a minimum of three (3) references (name, address, telephone number, and email address) who are current or former clients for whom similar work has been performed within the last ten (10) years and who can be contacted by University with respect to the firm's reputation for work, responsibility, timeliness, cost, and efficiency. References from current University or CPPM

employees will not be accepted. Letters of reference may be submitted with additional information as appropriate.

- G. Other Information. As desired, provide any other information the firm considers relevant to the evaluation criteria set forth in this RFQ.

#### SECTION IV: SUBMISSION PROCESS

1. Submission Schedule. The process schedule is anticipated to be as follows:

University advertises for qualifications	Friday, April 1, 2022
Deadline for Questions due no later than 4:00pm	Tuesday, April 19, 2022
<b>Email Questions to: joseph.gallant@maine.edu</b>	
Response to Questions due no later than 4:00pm	Friday, April 22, 2022
Qualification submissions due no later than 2:00pm	Thursday, April 28, 2022
Anticipated notification of firms to be interviewed	Wednesday, May 4, 2022
Presentations/Interviews (interview time selected by lot)	Wednesday, May 17, 2022
Anticipated notification of selected firm and non-selected firms	Friday, May 20, 2022

2. Contact Person. Questions about this RFQ shall be addressed in writing via email to:

Joseph Gallant: joseph.gallant@maine.edu

3. Submissions. Qualifications shall be submitted according to the following:

- A. Time, Date and Place Due. Submittals are due no later than 2:00pm on Thursday, April 28, 2022. All submissions shall be addressed and submitted to:

Joseph Gallant, Project Manager	joseph.gallant@maine.edu
Capital Planning and Project Management	
University of Southern Maine	
Office of Facilities Management & General Services	
66 Falmouth Street, Portland, ME 04101	

Submittals received by CPPM and FM after the deadline will not be considered. Faxed or emailed submissions will not be accepted. Firms assume all risks of the method of delivery chosen. University of Southern Maine assumes no responsibility for delays caused by any package or mail delivery service.

- B. Submission Identifier. The outside of containers in which Qualifications are submitted must be clearly marked with the firm's return address and the notation: **Qualifications to Provide Construction Management Services, Center for the Arts, Portland ME.**

- C. Number of Copies. Three (3) hard copies, and one (1) pdf copy on thumb-drive.

4. Other Information.

- A. Firms should identify a project contact, with email address, for purposes of receiving any updates regarding the RFQ selection process no later than **4:00pm on Friday April 1, 2022**. Firms which do not provide contact information to the designated contact will not receive these updates. Updates will be posted on the FM web site as appropriate:

- B. Do not contact any other University employee, representative or student regarding this RFQ unless specifically directed to do so in writing by the designated contacts.
- C. No site tours will be provided at this time.

SECTION V: SELECTION PROCESS

1. General. All qualifications submitted in response to this RFQ will be reviewed for completeness prior to referral to the Selection Committee.
2. Selection Committee. The Selection Committee will consist of representatives from the University of Maine System, including the Office of Capital Planning and Project Management, USM Administration and the USM School of Music.
3. Submittal Evaluation Criteria. The Selection Committee will determine the merit of submissions received in accordance with the responses provided to the qualification information requested in Section III and with the following weights.

Evaluation Criteria	Weight
CM Experience	50%
Process and Team member Experience	30%
Overall Quality and Completeness of Submission	20%

4. Interviews. Firms with top-ranking submittals may be short-listed for an interview with members of the Selection Committee.
  - a. Along with the interview Firms will be required to submit a proposed Fee Structure, as outlined below, for the project which the team will evaluate as part of the final selection.
  - b. Fee Structure. In a single, separately-sealed envelope, provide the following:
    1. Lump sum fee proposal for pre-construction CM services.
    2. The construction phase CM fee proposal as a percentage of the Cost of Work, for projects ranging \$25 to \$50 million in construction costs.
    3. CM firm’s fee structure including proposed billing rates associated with pertinent personnel and prices for anticipated direct reimbursable costs.
5. Final Selection. Upon interview completion, firms may be required to present additional documentation such as the AIA Document A305, with financial statement (Section 5.1.1). Firms will be evaluated and ranked based on this information, the interviews and the Fee structure, and, upon successful reference checks, a final CM will be selected. The following criteria will be used in determining the selection.

Evaluation Criteria	Weight
Process and Team member Experience	40%
Presentation/Response to Questions/Interactions with Committee	40%
Fee Structure	20%

6. At the time of award, the University will negotiate with the selected firm for Preconstruction Phase Services including determination of the Construction Managers Fee and the CM firm’s fee structure

including billing rates associated with pertinent personnel and prices for anticipated direct reimbursable costs. Should the parties fail to reach an agreement on the final terms of this contract, the University reserves the right to proceed with an alternative award.

#### SECTION VI: FORM OF AGREEMENT

1. The successful firm will be required to enter into a standard University of Maine System contract. The form of agreement between Owner and the chosen Construction Manager will be an AIA Document A133, Standard Form of Agreement Between Owner and Construction Manager as Constructor as modified by the University. The standard form of agreement for the construction shall be the AIA A133, Exhibit A Guaranteed Maximum Price Amendment as modified by the university. Work under this project shall not begin until an Agreement has been fully executed.
2. The length of the contract is intended to be for the duration of the project to final completion commencing with Preconstruction Services and, upon successful completion of the initial phase, amendment of the Construction Managers agreement for the remaining project phase. The project schedule is provided in Section I.
3. The following documents are part of the Request document packet of information:
  - A. University of Maine System, "Front End" Contract Documents, Sections 00 01 01 through 01 77 00, sans Bidding Documents. These are requirements for construction contracts and shall apply to the GMP Agreement with "Contractor" changed to "Construction Manager."

#### SECTION VII: ADDITIONAL PARAMETERS

1. The Owner retains the right to waive any informalities, to reject any or all Statements of Qualifications, or to accept any Statement of Qualifications that may be determined to be in its best interest.
2. It is the Owner's intent that the work be publicly, competitively bid by qualified sub-bidders for each trade or bid package. The Designer and Owner will work with the Construction Manager in evaluating sub-contractors. All sub-bidders shall be qualified and must have directly-related experience.
3. The Construction Manager Request for Qualifications and Selection Process, as outlined herein, shall be considered subject to change as required by the University of Maine System. Terms and conditions of the Agreement between Owner and Construction Manager shall take precedence over all prior understandings and/or agreements, if any, including this Request for Qualifications.
4. The Owner retains the right to terminate the services of the Construction Manager at any time prior to the execution of an AIA A133 Exhibit A, Guaranteed Maximum Price Amendment (GMP), and the Owner's obligation shall be limited to actual documented expenses of the Construction Manager as of such date.
5. Protests of Award and Authority to Resolve Protests.
  - A. After the selection of the CM firm, any firm not selected may submit a protest in writing to the University of Maine System Chief General Services Officer (CGSO) within five business days of the date of the Notice of Award for firms not selected, with a copy to the firm that was awarded the contract. The protest must contain a brief statement of the basis for the challenge. The CGSO may stay the award until the protest has been resolved.
  - B. The CGSO will base his or her decision on a review of the facts. There will be no hearing, no testimony and no additional information unless the CGSO deems that additional information is necessary to resolve the protest. The CGSO will communicate his or her decision to the protesting firm, the campus and the firm originally awarded the contract. If a protest is not resolved to the satisfaction of the protesting firm, the firm may file an appeal with the UMS Vice Chancellor for Finance and Administration within ten business days of a written decision of the CGSO, with a copy to the firm awarded the contract. The determination of the Vice Chancellor is final and will be given in writing and submitted to the protesting firm, the campus and the firm originally awarded the contract.

- Scholarships, donations or gifts to the University, will not be considered in the evaluation of submissions.

END OF REQUEST FOR QUALIFICATIONS