



**Town of Superior
Operations and Maintenance Facility Design-Build Project
PW 2024-03**

ADDENDUM No. 1 TO REQUEST FOR QUALIFICATIONS

Date: June 12, 2024

To: All RFQ Recipients

Re: Addendum No. 1

Revisions to the Town of Superior's RFQ for the Operations and Maintenance Facility Design-Build Project (PW 2024-03) have been made. Modified sections are highlighted yellow in the document.

The Submitters shall acknowledge all addenda in its proposal.

Sincerely,

Christine Katz, P.E.
Project Manager
Town of Superior

Addendum 1 – 6/12/2024

124 E. Coal Creek Drive · Superior, CO 80027 · (303) 499-3675



TOWN OF SUPERIOR

REQUEST FOR QUALIFICATIONS

Addendum 1 – RFQ Updates

All major changes to the RFQ in Addendum 1 are highlighted in yellow.

Operations and Maintenance Facility
Design-Build Project

PW 2024-03

**STATEMENTS OF QUALIFICATIONS DUE:
JULY 10, 2024**



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- FORM D – Submitter’s Receipt of Addenda/Clarifications



1.0 INTRODUCTION

The Town of Superior (the Town) is requesting Statements of Qualifications (SOQs) from interested entities (Submitters) for the Operations and Maintenance Facility Design-Build Project (the Project). The Project could be funded with Federal, State, and Local dollars if the Town is awarded an Emergency Operations Center FEMA grant through Congressionally Directed Spending. Submitters must comply with all applicable Federal, State, and Local requirements.

1.1 Procurement Process

The Town will use a two-phase value-based procurement process to select a Design-Build contractor to deliver the Project. This Request for Qualifications (RFQ) is issued as part of the first phase to solicit information in the form of SOQs. The Town will evaluate received SOQs to determine which Submitters are the most highly qualified to successfully deliver the Project. The Town will short-list not more than three (3) most highly qualified Submitters.

In the second phase, the Town will issue a Request for Proposals (RFP) for the Project to the short-listed Submitters. Only the short-listed Submitters will be eligible to submit Proposals for the Project. Each short-listed Submitter that submits a Proposal in response to the RFP (if any) is referred to herein as a “Proposer.” The Town will award a Design-Build Contract for the Project (if any) to the Proposer offering the best value, as determined by the Town at its sole discretion.

1.2 Submitter Information

The Town will post any addenda or other information regarding this RFQ to bidnet as well as on the Town website.

1.3 Project Information

The Town’s website is the official location for all Project information. All Project information is posted on the website at: <https://www.superiorcolorado.gov/about-us/bids-rfps-rfqs>

2.0 BACKGROUND INFORMATION: RFQ PROCESS

2.1 Project Description, Scope of Work

The Project consists of constructing a new Operations and Maintenance Facility for the Public Works & Utilities (PWU) and Parks, Recreation, & Open Space (PROS) departments in the Town of Superior. The site has a new address of 1950 Honey Creek Lane, Superior, CO 80027 and is located directly adjacent to the Town’s Wastewater Treatment Plant (WWTP).

The Operations and Maintenance Facility will have a new pre-engineered metal building with four (4) drive through bays and a two-story office and storage space. The facility will be connected to the WWTP so the existing fence will be removed and a new fence will be added around the new facility. Additional paving and parking space markings will be added to the site. Two existing buildings at the WWTP that are currently used for the PWU department will be renovated to be storage and shop space.

The existing water quality pond south of the WWTP fence will need to be expanded. The enlarged water quality pond will likely require a new or modified outfall to Rock Creek. This will require coordination and approval from Mile High Flood District. Design for the new outfall channel may require permitting from the Army Corps of Engineers.

A preliminary design for the facility and building layout has been performed and is attached in Appendix A of this RFQ. This report includes a preliminary site plan, a preliminary building layout with elevations, a site and building narrative, and a proposed mechanical system narrative. A geotechnical report is being developed and will be made available in an addendum when it is complete.

The site for this new facility is located in the Special Flood Hazard Area. A CLOMR-F from FEMA is required to obtain a building permit in the Town of Superior. Once the project is complete, a LOMR-F will need to be completed.

The Town hopes to make this facility the Town's Emergency Operations Center. The Town has requested federal funding assistance in building this facility through the Congressional Directed Spending program. This funding is not guaranteed but the Town would like to be prepared in case this funding is granted. **The preliminary design will likely need to be adjusted to get this structure to qualify as an EOC.** All FEMA-funded non-critical actions in the 1% annual chance floodplains (also known as the 100-year floodplain) that involve new construction or substantial improvement of structures must be elevated, at a minimum, to the lower of:

- Two (2) feet above the 1% annual chance flood elevation (also known as the base flood elevation), in accordance with the Federal Flood Risk Management Standard (FFRMS) "Freeboard Value Approach" (FVA); or
- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least two feet above the 1% annual chance flood elevation.

If this project is granted FEMA funding, the Build America Buy America Act (BABAA) will be a requirement during construction. A guide to documentation and compliance with BABAA as well as a sample certification letter that will be required for building materials can be found at this link: https://www.fema.gov/sites/default/files/documents/fema_best-practices-documenting-compliance-babaa.pdf.

2.2 Project Goals

The following prioritized Goals have been established for the Project:

1. Complete the Project to meet the Town's building codes and regulations. A CLOMR-F will be required to receive a building permit.
2. Complete the Project in the requested timeframe.
3. Manage and control costs effectively throughout the project to prevent cost overruns and stay within the Town's budget constraints.



4. Coordination and collaboration between the Project team and the Town to ensure smooth project execution and design.
5. Optimal utilization of space and resources – see preliminary design site plan and building layout in Appendix A.
 - a. Provide parking for employees, work vehicles, and equipment
 - b. Provide adequate and comfortable work space for the Town’s operations staff
 - c. Provide a facility that can be utilized as an Emergency Operations Center in the event of an emergency.
6. Provide a quality product that will serve the Town in the best way the site can.
7. Mitigate risks that could impact the project’s technical aspects, such as delays, design changes, or unforeseen site conditions.

2.3 Estimated Cost/Maximum Time Allowed

The design-build contract Guaranteed Maximum Price (GMP) for the Project is estimated to be \$5 million. The anticipated completion deadline for the Project is October 1, 2026 or sooner.

2.4 Project RFQ Schedule

The SOQ due date is stated below. Due to the amount of interest in project briefings, the Town will be hosting three open project briefings for all interested Submitters. All three (3) project briefings will be the same presentation and questions will be summarized and posted with answers in the final RFQ addendum. A site walk will be conducted after each project briefing for anyone who would like to attend.

Project Briefings:

1. June 14, 2024 11 AM – 1 PM
2. June 18, 2024 1 PM – 3 PM
3. June 20, 2024 1 PM – 3 PM

Location: Superior Town Hall – Board Room
124 E Coal Creek Drive
Superior, CO 80027

One project briefing will be provided to interested Submitters and will be scheduled on a first come basis between May 29, 2024 and June 14, 2024. Requests for project briefings shall be made to Christine Katz at christinek@superiorecolorado.gov and shall include the wording “**Superior O&M Facility Project Briefing Request**” in the subject line.

All inquiries must be submitted as identified in Section 2.5 and Section 2.6. RFQ inquiries, and all information submitted as part of the inquiry shall be considered non-confidential and non-proprietary. Inquiries received which follow the prescribed process will be assigned a unique SOQ identification number, converted to PDF format, and posted on the Town website for viewing in an addendum. Identification of the Submitter shall not be disclosed. Responses by the



Town to these inquiries shall be posted electronically on the Town website for viewing; the Town will not respond verbally to any response. The Town will not respond to inquiries which fail to follow this process. Verbal inquiries will not be accepted or responded to.

The Town anticipates the following procurement milestone dates. This schedule is subject to revisions by addenda to this RFQ and subsequent RFPs.

- Issue RFQ May 23, 2024
- Project briefings:
 - June 14, 2024 from 11AM-1PM
 - June 18, 2024 from 1PM-3PM
 - June 20, 2024 from 1PM-3PM
- Deadline for industry inquiries to RFQ June 26, 2024 at 4 P.M.
- Town responses to industry RFQ inquiries June 28, 2024
(Final RFQ addendum)
- SOQ due date July 10, 2024 at 4 P.M.
- Notify short-listed submitters July 18, 2024
- Debrief RFQ submitters By request and appointment
- Issue Draft RFP July 19, 2024

2.5 Town of Superior’s Project Management

Christine Katz is the Town Project **Manager**. As the Project **Manager**, Christine is the Town’s sole contact person and addressee for receiving all communications regarding the Project. All inquiries and comments regarding the Project, and the procurement thereof, shall be sent by e-mail.

E-mail inquiries shall be sent to: christinek@superiorcolorado.gov and shall include the wording “**Superior O&M Facility Inquiry Request**” in the subject line.

During the Project procurement process, commencing with issuance of this RFQ and continuing until award of a Contract for the Project (or cancellation of the procurement), no employee, member, or agent of any Submitter shall have ex parte communications regarding the procurement process for this Project with any member of the Town or their advisors, members and representatives, or any of their contractors or consultants involved with the procurement, except for communications expressly permitted by this RFQ or the Town Project **Manager** (or subsequent to issuance of the RFP, except for communications expressly permitted by the RFP). Any Submitter engaging in such prohibited communications may be disqualified at the sole discretion of the Town Project **Manager**.

The Town will meet one time with each submitter, if desired, to provide a project briefing and answer questions on a one-on-one basis. Meetings will be scheduled on a first come first serve basis within the time period noted in the procurement milestone dates.

2.6 Inquiries and Clarifications: Addenda

Questions and requests for clarification regarding this RFQ must be submitted to the Town's Project **Manager**, as described in Section 2.5. To be considered, all questions and requests must be **received by 4:00 P.M., Mountain Standard Time**, on the date indicated in Section 2.4.

The Town reserves the right to revise this RFQ at any time before the SOQ due date. Such revisions, if any, will be announced by addenda to this RFQ and posted on bidnet and the Town's website.

The Town will use the following guidelines when responding to questions, requests for clarification, and issuing addenda:

- All questions and requests for clarification received via e-mail will be converted to a PDF format and posted on bidnet and the Town website. Identification of the Submitter shall not be disclosed.
- The Town will prepare a written response for each question and request for clarification received via e-mail. The response will be posted on bidnet and the Town website in PDF format. The Submitter's name and contact information will not be disclosed.
- Inquiries not following the prescribed format will not be accepted or responded to.

2.7 Major Participant

As used herein, the term "Major Participant" means any of the following entities: all general partners or joint venture members of the Submitter; all individuals, persons, proprietorships, partnerships, limited liability partnerships, corporations, professional corporations, limited liability companies, business associations, or other legal entity, however organized, holding (directly or indirectly) a 25% or greater interest in the Submitter; any subcontractor(s) that will perform Work valued at 30% or more of the overall contract amount; the lead engineering/design firm(s); and each engineering/design subconsultant that will perform 30% or more of the design Work.

~~The Town may disqualify a Submitter if any of the Submitter's Major Participants belong to more than one Submitter organization.~~

2.8 Ineligible Firms

Not Applicable.

2.9 Organizational Conflicts of Interest

The Submitter's attention is directed to the following section of CDOT's Design-Build Rules which the Town is following for this project **with some noted exceptions**:

2 CCR 601-15 SECTION 7 - CONFLICT OF INTEREST

1. [The Town] will award a Design-Build Contract only to a Firm that does not have impaired objectivity or an unfair competitive advantage, due to any interest of the Firm

that creates an actual conflict or a significant potential conflict with the proposed contract.

2. Except as provided below, any consultant shall be disqualified from submitting a proposal on a Project, or from acting as a subconsultant or subcontractor on a Project, if [the Town] determines that the consultant has such a conflict, including in the following situations:
 - a. it develops the Scope of Work for a Design-Build Project; or,
 - b. it develops the RFQ or RFP for the Project; or,
 - c. it performs 20% or more of the Preliminary Engineering on the Project.
3. Any consultant that is so disqualified may still be part of any [Town] oversight team for the Project if [the Town] deems it appropriate.

23 CFR § 636.116: What organizational conflict of interest requirements apply to Design-Build projects?

(a) State statutes or policies concerning organizational conflict of interest should be specified or referenced in the Design-Build RFQ or RFP document as well as any contract for engineering services, inspection or technical support in the administration of the Design-Build contract. All Design-Build solicitations should address the following situations as appropriate:

(1) Consultants and/or subconsultants who assist the owner in the preparation of a RFP document will not be allowed to participate as an offeror or join a team submitting a proposal in response to the RFP. However, a contracting agency may determine there is not an organizational conflict of interest for a consultant or sub-consultant where:

(i) The role of the consultant or subconsultant was limited to providing preliminary design, reports, or similar “low-level” documents that will be incorporated into the RFP, and did not include assistance in development of instructions to offerors or evaluation criteria, or

(ii) Where all documents and reports delivered to the agency by the consultant or subconsultant are made available to all offerors.

(2) All solicitations for Design-Build contracts, including related contracts for inspection, administration or auditing services, must include a provision which:

(i) Directs offerors attention to this subpart;

(ii) States the nature of the potential conflict as seen by the owner;

(iii) States the nature of the proposed restraint or restrictions (and duration) upon future contracting activities, if appropriate;

(iv) Depending on the nature of the acquisition, states whether or not the terms of any proposed clause and the application of this subpart to the contract are subject to negotiation; and

(v) Requires offerors to provide information concerning potential organizational conflicts of interest in their proposals. The apparent successful offerors must disclose all relevant facts concerning any past, present or currently planned interests which may present an organizational conflict of interest. Such firms must state how their interests, or those of their chief executives, directors, key project personnel, or any proposed consultant, contractor or subcontractor may result, or could be viewed as, an organizational conflict of interest. The information may be in the form of a disclosure statement or a certification.

(3) Based upon a review of the information submitted, the owner should make a written determination of whether the offeror's interests create an actual or potential organizational conflict of interest and identify any actions that must be taken to avoid, neutralize, or mitigate such conflict. The owner should award the contract to the apparent successful offeror unless an organizational conflict of interest is determined to exist that cannot be avoided, neutralized, or mitigated.

(b) The organizational conflict of interest provisions in this subpart provide minimum standards for State Transportation Departments (STDs) to identify mitigate or eliminate apparent or actual organizational conflicts of interest. To the extent that State developed organizational conflict of interest standards are more stringent than that contained in this subpart, the State standards prevail.

The Submitter is prohibited from receiving any advice or discussing any aspect relating to the Project or the procurement of the Project with any person or entity with an organizational conflict of interest, including, but not limited to those firms identified in Section 2.8. Such persons and entities are prohibited from participating in any Submitter organization relating to the Project.

The Submitter agrees that if, after award, an organizational conflict of interest is discovered, the Submitter must make an immediate and full written disclosure to the Town that includes a description of the action the Submitter has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, the Town may, at its discretion, cancel the Design-Build Contract for the Project. If the Submitter was aware of an organizational conflict of interest prior to the award of the Contract and did not disclose the conflict to the Town, the Town may terminate the Contract for default.

2.10 Changes to Organizational Structure

Key Personnel or Major Participants identified in the SOQ shall not be removed, replaced, or added without the written Approval of the Town. The Town may revoke an awarded Contract if any Key Personnel or Major Participant identified in the SOQ is removed, replaced, or added without the Town's written Approval. To qualify for the Town's Approval, the written request must document that the proposed removal, replacement, or addition will be equal to or better



than the Key Personnel or Major Participant provided in the SOQ. The Town will use the criteria specified in this RFQ, and the qualifications submitted in the SOQ, to evaluate all requests. Requests for removals, replacements, and additions must be submitted in writing to the Town's Project **Manager** as described in Section 2.5.

2.11 Past Performance or Experience

Past performance or experience does not include the exercise or assertion of a person's legal rights.

2.12 Equal Employment Opportunity

The Submitter will be required to follow Federal Equal Employment Opportunity (EEO) policies.

The Town will affirmatively assure that for the Project constructed pursuant to this advertisement, equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, and marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age.

2.13 Disadvantaged Business Enterprises

All Proposers are required to provide Colorado Disadvantaged Business Enterprises (DBEs) the opportunity to compete fairly for contracting opportunities on this Project. Proposers shall not discriminate on the basis of race, color, national origin, or sex.

2.14 Emerging Small Business Program

Not applicable.

2.15 The Town On the Job Training (OJT) Program

Not applicable.

3.0 CONTENT OF SOQS AND CONFIDENTIALITY

This section describes specific information that must be included in the SOQ. SOQs must follow the submittal format and outline provided in Section 4.2. Submitters shall provide brief, concise information that addresses the requirements of the Project consistent with the evaluation criteria described in this RFQ.

Documents submitted pursuant to this RFQ will be subject to the Colorado Open Records Act, C.R.S. §§ 24-72-201, et. seq. Information clearly marked as confidential and proprietary will be kept confidential by the Town, unless otherwise provided by law. The Colorado Open Records Act provides that "Trade secrets, privileged information, and confidential commercial, and financial, data furnished by any person" to a state (or municipal) agency will not be produced in response to an open records request. The Town will notify the Submitter if a request is made for such information, and the denial is challenged, so that the Submitter may take any action it



deems necessary to defend the challenge. The Submitter, not the Town, shall be the entity responsible for defending against Colorado Open Records Act disclosures for any records claimed by the Submitter to be confidential and proprietary.

3.1 Introduction

Provide a letter stating the business name, address, business type (e.g., corporation, partnership, joint venture, etc.), business information, and roles of the Submitter and each Major Participant listed in Form A (attached). Identify a single point of contact with his or her address, telephone number, and e-mail address. The Town will send all Project-related communications to this contact person during the procurement process. Authorized representatives of the Submitter and Major Participant organization must sign Form A.

If the Submitter is or will become a joint venture, all joint venture members must sign Form A. Each joint venture member must certify the truth and correctness of the contents of the SOQ. The Introduction shall include a “Title Page” and “Table of Contents.” Information provided in response to Section 3.1 shall not count towards the overall page limitation defined in Section 4.2.

3.2 Submitter Experience

3.2.1 Submitter Experience

Information provided in response to Section 3.2.1, shall include submittal of Form Cs (attached) in Appendix C, which will not count towards the overall page limitation defined in Section 4.2. Use the Form Cs to describe the experience, up to a maximum of eight (8) projects that the Submitter, its Lead Engineering/Design Firm(s), its other Major Participants, and other team members have managed, designed, and/or constructed. Form Cs shall include a design-build project that the Submitter has completed and a design-build project that its Lead Engineering/Design Firm has completed. Highlight experience relevant to the Project that the Submitter/Major Participants have gained in the last ten years. Cite and describe experiences that could apply to this Project demonstrating successful design and construction experiences in each of the following areas:

1. Stormwater and floodplain development
2. CLOMR-F, and LOMR-F process with FEMA
3. Outfall permitting (MHFD and USACE)
4. Design and construction of municipal operations and maintenance facilities
5. Design and construction of Emergency Operations Centers (EOCs)
6. Construction of new pre-engineered metal buildings
7. Renovating existing buildings for new purposes
8. Design-Build delivery
9. Public Information
10. Wetland and Environmental Compliance

11. Federally funded construction projects

Each project description must include the following information:

1. Identify the involvements of any proposed Key Personnel
2. Name of the project and either the owner's contract number or project number
3. Owner's name, Owner's Project Manager's name, address, and current e-mail, telephone and fax numbers
4. Description of original and final project schedule milestones including milestones for design and construction
5. Description of the Work or services provided and percentage of the Work actually performed
6. Description of original and final completed project contract amount
7. Description of all project claims, dispute proceedings, litigation and arbitration proceedings
8. Description of the assessment of any liquidated damages including the causes of the delays and the amounts assessed

3.2.2 Contractor Safety Statistics

Provide the general partners or joint venture members (contractors only) safety statistics for the last three years by completing Form B (attached) in Appendix C. Information provided in response to Section 3.2.2 shall not count towards the overall page limitation defined in Section 4.2.

3.3 Organization and Key Personnel

3.3.1 Organizational Chart(s)

Provide organizational chart(s) showing the structure of the organization with lines identifying participants who are responsible for major functions to be performed and their reporting relationships in managing, designing, and building the Project. The chart(s) must show the functional structure of the organization down to the design discipline leader or construction superintendent level, and must identify Key Personnel by name. Indicate the percent of each Key Personnel's time that would be committed to the Project. Identify the Submitter and all Major Participants in the chart(s). Identify the critical support elements and relationships of project management, design management, construction management, quality management, safety, environmental compliance, and subcontractor and subconsultant involvement. Information provided in response to Section 3.3.1 shall count towards the overall page limitation defined in Section 4.2.

3.3.2 Resumes of Key Personnel

Resumes of Key Personnel shall be submitted as Appendix A and titled Resumes of Key Personnel in response to Section 3.3.2 and will not count towards the overall page limitations defined in Section 4.2. Resumes of Key Personnel shall be limited to one page each. If an



individual fills more than one position, only one resume is required. **The listing below describes the minimum qualifications for Key Personnel of the Project.**

- A. Design-Build Project Manager**
- B. Design Manager**
- C. Construction Manager**
- D. Design-Build Quality Manager**

Include the following items on each resume:

1. Relevant licensing and registration, including registration as required in the State of Colorado.
2. Years of experience performing similar Work.
3. Title, roles, and responsibilities on any of the Projects listed in response to Section 3.2.1.
- 4. List a minimum of two personal professional references for each Key Personnel.**

3.3.3 *Minimum Requirements of Key Personnel*

Section Deleted

3.4 Project Understanding and Approach

Present your understanding of, and approach to providing a high quality, best value Project by meeting and exceeding the established Project Goals.

3.4.1 *Project Technical Approach*

Identify and describe, at a conceptual level, your understanding of Project's critical technical issues and demonstrate your team's approach to successful resolution of them.

3.4.2 *Project Management Approach*

Provide your understanding and management approach to successfully delivering the Project for the following items:

- Budget Management
- Schedule Management
- Design and Construction Management
- Quality Management
- Safety Management
- Public Information
- Environmental Management
- Approach to Resolving Project Disputes and Partnering
- Approach to Coordinating with third parties



3.5 Legal and Financial

The information required in response to Section 3.5 shall be submitted as Appendix B and titled Legal and Financial. Information provided in response to Section 3.5 shall not count towards the overall page limitation defined in Section 4.2.

3.5.1 Acknowledgment of Clarifications and Addenda

Identify all clarifications and addenda received by number and date by completing Form D (attached).

3.5.2 Organizational Conflicts of Interest

Identify all relevant facts relating to past, present, or planned interest(s) of the Submitter's team (including the Submitter, Major Participants, proposed consultants, contractors and subcontractors, and their respective chief executives, directors, and key project personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFQ. See Section 2.8 and Section 2.9.

Disclose: (a) any current contractual relationships with the Town (by identifying the Town contract number and the Town contact); (b) present or planned contractual or employment relationships with any current Town employee; and (c) any other circumstances that might be considered to create a financial interest in the Contract by any current Town employee, if the Submitter is awarded the Contract. The Submitter must also disclose any current contractual relationships with those firms listed in Section 2.8. The foregoing is provided by way of example, and shall not constitute a limitation on the disclosure obligations.

For any fact, relationship, or circumstance disclosed in response to this Section 3.5.2, identify steps that have been or will be taken to avoid, neutralize, or mitigate any organizational conflicts of interest.

In cases where Major Participants on different Submitter organizations belong to the same parent company, each Submitter must describe how the participants would avoid conflicts of interest through the qualification and Proposal phases of the Project.

3.5.3 Legal Structure

If the Submitter organization has already been formed, provide complete copies of the organizational documents that allow, or would allow by the time of Contract award, the Submitter and Major Participants to conduct business in the State of Colorado. If the Submitter organization has not yet been formed, provide a brief description of the proposed legal structure or draft copies of the underlying agreements if available.

3.5.4 Bonding Capability

Provide a letter from a surety or insurance company stating that the Submitter is capable of obtaining a Performance Bond and Payment Bond covering the Project in the amount of \$5



million each. Letters indicating “unlimited” bonding capability are not acceptable. The surety or insurance company providing such letter must be licensed as surety and qualified to do business in the State of Colorado.

3.5.5 Submitter Information

For the Submitter (if the Submitter organization is not yet existing or newly formed, please explain), each Major Participant, and any affiliate of the Submitter or a Major Participant (including the company’s parent company, subsidiary companies, and any other subsidiary or affiliate of the company’s parent company), whose experience is cited as the basis for the company’s qualifications shall:

1. Describe the conditions surrounding any contract (or portion thereof) entered into by the company that has been terminated for cause, or which required completion by another party, within the last five years. Describe the reasons for termination and the amounts involved.
2. Describe any debarment or suspension from performing Work for the federal government, any state or local government, or any foreign governmental entity against the company.
3. For each description (1. and 2. above), identify the project owner’s representative and current phone number. Indicate “None” to any subsection above that does not apply.

3.5.6 SOQ Forms

The information required in response to Section 3.5.6 shall be submitted as Appendix C and titled Forms A-C. Information provided in response to Section 3.5.6 shall not count towards the overall page limitation defined in Section 4.2.

4.0 SOQ SUBMITTAL REQUIREMENTS

The following section describes requirements that all Submitters must satisfy in submitting SOQs. Failure of any Submitter to submit their SOQ as required in this RFQ, may result in rejection of its SOQ.

4.1 Due Date, Time, and Location

All SOQ **hard copies** must be hand delivered or sent by registered mail, Federal Express, UPS or a similar delivery method that furnishes proof of having been **received by the Town no later than 4:00 p.m., Mountain Standard Time**, on the SOQ due date indicated in Section 2.4. SOQs that are hand delivered must be delivered to Superior Town Hall front desk reception at the address below. Faxed **or e-mailed** SOQs will not be accepted or considered for this Project. **SOQs must be delivered to:**

Christine Katz
Superior Town Hall
124 E Coal Creek Drive



Superior, CO 80027

One (1) electronic copy of the SOQ information is to be submitted to the Town no later than 4:00 p.m., Mountain Standard Time, on the SOQ due date indicated in Section 2.4. Note that email attachments must be less than 20 MB. Submittals shall be sent to:

Christine Katz
christinek@superiorcolorado.gov

Any SOQ that fails to meet the deadline or delivery requirement will be rejected without opening, consideration, or evaluation.

4.2 Format

The SOQ shall not exceed 16 single-sided pages, or 8 double-sided pages. Confidential information pursuant to Section 3.0 shall be clearly marked as CONFIDENTIAL INFORMATION. Except for charts, exhibits, and other illustrative and graphical information, all information must be printed on 8.5” by 11” paper. Charts, exhibits, and other illustrative and graphical information may be on 11” by 17” paper, but must be folded to 8.5” by 11”, which will be counted as one sheet and must be limited to 6. All printing, except for the front cover of the SOQ and resumes, must be Arial 11-point or Times New Roman 12-point font. A 10-point font may be utilized on graphical presentations. All dimensional information must be shown in English units.

The front cover of each SOQ must be labeled with “Operations and Maintenance Facility Design-Build Project” and “Statement of Qualifications” along with the date of the submittal.

The following outline provides the organization of the submittal requirements and whether they are included or not included in the total submittal page limits as identified in Section 4.2:

- Introduction (is not included in page limit)
- Submitter Experience (any submitter experience information provided in addition to the Form Cs is included in the page count)
- Organization and Key Personnel (is included in page limit)
- Project Understanding and Approach (is included in page limit)
- Appendix A – Resumes of Key Personnel (is not included in page limit)
- Appendix B – Legal and Financial (is not included in page limit)
- Appendix C – Forms A, B, C, and D (is not included in page limit)

4.3 Submittal Quantities

Each Submitter must provide the Town with ~~three bound copies of the SOQ information. Each copy must be identified on its front cover, in the upper right hand corner, as “Copy of 3 Copies”.~~ In addition to the three (3) bound copies, each Submitter shall provide one (1) signed and dated “original” bound copy of the SOQ information. The “original” designation with a signature and date shall be identified on the front cover, in the upper right-hand corner.

All binders must be packed together in Provide the bound copy of the SOQ information in one sealed package for delivery to the Town. The outside of the sealed package must be clearly identified, labeled, and addressed as follows:

1. Return address: Submitter's name, single point of contact person's name, mailing address
2. Date of submittal
3. Contents labeled as "Operations and Maintenance Facility Design-Build" and "Statement of Qualifications"
4. Recipient (the Town) as specified in Section 4.1

Each Submitter must provide the Town with a digital copy of the SOQ information emailed to Christine Katz at christinek@superiorcolorado.gov. The Town will send an email confirming receipt of the SOQ. Note that email attachments must be less than 20 MB.

5.0 EVALUATION PROCESS

5.1 SOQ Evaluation

The Town will initially review the SOQs for responsiveness to the requirements of this RFQ. The information in the SOQ will then be measured against the evaluation criteria stated in Section 5.3.

5.2 Interview

The Town reserves the right to conduct interviews with all potential Submitters prior to development of a short-list. The Town may conduct these interviews during its evaluation of the overall SOQ submittal process and scoring. If elected by the Town, the Town will determine the schedule for interviews following receipt of the SOQs.

5.3 SOQ Evaluation and Scoring

The Town will evaluate all responsive SOQs and measure each Submitter's response against the criteria set forth in this RFQ, resulting in a numerical score for each SOQ. The Town will use the following criteria and weightings; totaling 100 points:

5.3.1 *Submitter Experience [30 Points]:*

The potential for the Submitter to provide a high quality, best value Project by meeting and exceeding the established Project Goals, as demonstrated by its experience and qualifications in the following areas.

1. Stormwater and floodplain development
2. CLOMR-F, and LOMR-F process with FEMA
3. Outfall permitting (MHFD and USACE)

4. Design and construction of municipal operations and maintenance facilities
5. Design and construction of Emergency Operations Centers (EOCs)
6. Construction of new pre-engineered metal buildings
7. Renovating existing buildings for new purposes
8. Design-Build delivery
9. Public Information
10. Wetland and Environmental Compliance
11. Federally funded construction projects

5.3.2 Organization and Key Personnel [(25 Points)]:

The potential for the Submitter to provide a high quality, best value Project by meeting and exceeding the established Project Goals, as demonstrated by its Organization and Key Personnel.

- Functional structure of the organization
- Team members relevant experience, qualifications, and commitment to the Project
- Commitment and conformance to registration requirements

5.3.3 Project Understanding and Approach [45 Points]:

The potential for the Submitter to provide a high quality, best value project by meeting and exceeding the established Project Goals, as demonstrated by its Project Understanding and Approach.

5.3.3.1 Project Technical Approach [(25 Points)]:

Identification and description, at a conceptual level, of understanding of the Project and its critical technical issues, and demonstration of an approach to the successful resolution of them.

5.3.3.2 Project Management Approach [(20 Points)]:

Understanding of, and the management approach to, successfully deliver the Project for the following items:

- Budget Management
- Schedule Management
- Design and Construction Management
- Quality Management
- Safety Management
- Public Information
- Environmental Management
- Approach to Resolving Project Disputes and Partnering
- Approach to Coordinating with third parties

5.4 Determining Short-Listed Submitters

The Town will total the scores for each responsive SOQ and prepare a ranked list of Submitters. **The Town will short-list not more than three (3) most highly qualified Submitters.** In the event two or more Submitters are tied for the ranking of three (3), oral interviews shall be held to distinguish between the tied Submitters and determine the third most highly qualified Submitter.

The Town reserves the right, in its sole discretion, to cancel this RFQ, issue a new RFQ, reject any or all SOQs, seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ, seek and receive clarifications to a SOQ and waive any deficiencies, irregularities, or technicalities in considering and evaluating the SOQs.

This RFQ does not commit the Town to enter into a Contract or proceed with the procurement of the Project. The Town assumes no obligations, responsibilities and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFQ. All such costs shall be borne solely by each Submitter.

5.5 Notification of Short-Listing

Upon completion of the evaluation, scoring, and short-listing process, the Town will send the record of short-listed Submitters (if any) to all Submitters. The Town will also publish the list on the Town website.

5.6 Debriefing Meetings

Once the Town announces the short-list (if any), the Town will meet with any of the Submitter organizations requesting to be debriefed. These debriefing meetings would give Submitters and the Town an informal setting to discuss this RFQ and the short-listing process.

6.0 PROCUREMENT PHASE 2

This Section 6.0 is provided for informational purposes only so that each Submitter has information that describes the second phase of the project procurement process, including a summary of certain anticipated RFP requirements. The Town reserves the right to make changes to the following, and the short-listed Submitters must only rely on the actual RFP when and if it is issued. This Section 6.0 does not contain requirements related to the SOQ. The Town expects to conduct an industry review of a draft RFP with the short-listed Submitters before it issues the RFP.

6.1 Requests for Proposals

The Submitters remaining on the short-list following Phase 1 of the procurement process will be eligible to move to Phase 2 and receive an RFP. While the Town may make the RFP available to the public for informational purposes, only short-listed submitters will be allowed to submit a response to the RFP.



The Town anticipates the following procurement milestone dates. This schedule is subject to revisions by addenda to subsequent RFPs.

- | | |
|---|-------------------------------|
| ➤ Issue Draft RFP | July 19, 2024 |
| ➤ Project briefing meetings | July 25-26, 2024 |
| ➤ Deadline for comments to draft RFP | July 31, 2024 at 4 P.M. |
| ➤ Final RFP issued | Aug 2, 2024 |
| ➤ Qualitative Responses to RFP due | Aug 22, 2024 at 4 P.M. |
| ➤ Public Opening of Pricing | Aug 29, 2024 |
| ➤ Debrief RFP proposers | By request and appointment |
| ➤ Board Approval of Contract | Sept 9, 2024 |

6.2 RFP Content

6.2.1 RFP Structure

The RFP will be structured as follows:

- A. Instructions to Proposers
- B. Contract Documents
 - Book 1 (Contract Terms and Conditions)
 - Book 2 (Technical Requirements)
 - Book 3 (Applicable Standards)
 - Book 4 (Contract Drawings)
 - Reference Documents (For information only)

6.2.2 RFP Information

The RFP will include the following information:

- A. Maximum time allowable for design and construction
- B. The Town's GMP for the Project
- C. Requirements for a proposed schedule of Work
- D. Requirements for submitting Alternative Technical Concepts (ATCs)
- E. A requirement that if the Proposer is a joint venture, each of the joint venture members will be, if awarded the Design-Build Contract for the Project, be jointly and severally liable for performance of the Contractor's obligations under the contract
- F. Additional Requested Elements (ARE's) – to be determined

6.3 Alternative Technical Concept Meetings

The Town will encourage the Proposers to recommend alternatives to the requirements that are equal to or better in quality or effect (as determined by the Town in its sole discretion). The Town will offer each short-listed Proposer the opportunity to meet before the Proposal due date to discuss Alternative Technical Concepts (ATCs). Proposers will not be required to accept the meeting(s) offered.

6.4 Proposals Submitted in Response to the RFP

Short-listed Proposers that choose to continue in the procurement process must submit a two-part Proposal. One part is the technical proposal. The second part is the price proposal. The RFP will specifically define formats and page limits for the Proposal packaging and all Proposal contents.

6.5 Proposal Evaluations

The Town has determined that award of the Project will be based on a “best value” determination under C.R.S. Sections 43-1-1401 through 43-1-1412.

6.6 Stipends

The Town will award a stipend to each short-listed, responsible Proposers that provides a responsive but unsuccessful Proposal. The amount of such stipends, and their terms and conditions, will be stated in the RFP.

No stipends will be paid for submitting SOQs.

In consideration for paying the stipend, the Town may use any ideas or information contained in the Proposals in connection with any Contract Awarded for the Project, or in connection with a subsequent procurement, without any obligation to pay any additional compensation to the unsuccessful short-listed Proposers.

The Town will pay the stipend to each eligible Proposer within 90 days after the award of the Contract or the decision not to award a Contract.

7.0 PROTEST PROCEDURES

7.1 Protests Regarding RFQ

Any protests regarding the SOQ shall be hand delivered to the Project **Manager** identified in Section 2.5 of this RFQ within seven (7) Working days after the Submitter knows or should have known of the facts giving rise to the basis for the protest. The Submitter is responsible for obtaining proof of delivery.

No hearing will be held on the protest, but the Town Manager or his designee shall decide it on the basis of the written submissions. Any additional information regarding the protest should be submitted within the time period requested in order to expedite resolution of the protest. If any party fails to comply expeditiously with any request for information by the Town Manager and his designee, the protest may be resolved without such information.

The Town Manager or his designee will issue a written decision regarding the protest within seven (7) Working days after the protest is filed. The decision shall be based on and limited to a review of the issues raised by the aggrieved Submitter(s) and shall set forth each factor taken into account in reaching the decision. The Town Manager’s decision is final and the protestor has no right of appeal. No stay of procurement will become effective.

FORM A

SUBMITTER and MAJOR PARTICIPANT INFORMATION

Submitter: or Major Participant: (check appropriate box)

Company Name of Submitter/Major Participant (as indicated above):

Year Established: _____ Federal Tax ID No.: _____

Name of Official Representative: _____

Contact Person: _____

Address: _____

Telephone No.: _____ Fax No.: _____

E-mail address: _____

Business Organization (check one):

Corporation (If yes, indicate the State and Year of Incorporation):

Partnership

Joint Venture

Other (describe): _____

A. Business Name: _____

B. Business Address: _____

Headquarters: _____

Office Performing Work: _____

Contact Telephone Number: _____

C. Bonding Capacity:

Total: _____ Available: _____

[Note: Bonding Capacity does not apply to Major Participants that are Designers.]

FORM A (cont.)
SUBMITTER and MAJOR PARTICIPANT INFORMATION

D. If the entity is a Joint Venture or Partnership, indicate the name and role of each member company in the space below. Complete a separate Contractor Information form for each member company and attach it to the SOQ. Also indicate the name and role of each other financially liable party and attach a separate form.

Name of Member Company	Role	Financial Liability
------------------------	------	---------------------

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

UNDER PENALTY OF PERJURY, I CERTIFY THAT I AM THE COMPANY'S OFFICIAL REPRESENTATIVE AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, FOLLOWING REASONABLE INQUIRY; THE FOREGOING IS TRUE AND CORRECT.

BY: _____ PRINT NAME: _____
(SIGNATURE)

TITLE: _____ DATE: _____

[Please make additional copies of this form as needed].

FORM B

CONTRACTOR SAFETY STATISTICS

Contractor's Name: _____

Year	Incident Rate	Lost Work Day Index	Cost of Accident per Employee	Experience Modification Rating	No. of Fatalities	No. of Lost Work Days	No. of Recordable Injuries
2024							
2023							
2022							

$$\text{Incident Rate} = \frac{(\text{Number of Injuries and Illnesses}) \times 200,000}{\text{Total Hours Worked}}$$

$$\text{Lost Work Day Index} = \frac{(\text{Number of Lost Work Days}) \times 200,000}{\text{Total Hours Worked}}$$

$$\text{Cost of Accident per Employee} = \frac{\text{Total Cost of Accidents}}{\text{Average Number of Employees}}$$

$$\text{Experience Modification Rating} = \frac{\text{Actual Claims per Year}}{\text{Expected Claims Based on Past 3 Year Trending}}$$

UNDER PENALTY OF PERJURY, I CERTIFY THAT I AM THE COMPANY'S OFFICIAL REPRESENTATIVE AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, FOLLOWING REASONABLE INQUIRY; THE FOREGOING IS TRUE AND CORRECT.

BY: _____ PRINT NAME: _____
(SIGNATURE)

TITLE: _____ DATE: _____

[Please make additional copies of this form and additional sheets as needed].

FORM C

SUMMARY OF COMPARABLE CONTRACTS IN PAST TEN (10) YEARS

<p>1. Company Name: Submitter: <input type="checkbox"/> or Major Participant: <input type="checkbox"/> (check appropriate box)</p>	<p>2. Name of Project:</p>
<p>3. Owner Contract No. or State Project No.</p>	<p>4. Type: <input type="checkbox"/> Construction <input type="checkbox"/> Design-Build <input type="checkbox"/> Design</p>
<p>5. Name of Prime Designer/Contractor:</p>	<p>6. Company Role: (Joint venture partner, subcontractor, etc.)</p>
<p>7. Owner (Name): _____ Project Manager (Name) _____ : _____ Provide the following information for the Project Manager listed above: Address: _____ Phone: _____ Fax: _____ Email: _____</p>	<p>8. Original Project Contract Amount: \$ _____ Final Project Contract Amount: \$ _____ Percent of Work Performed by Own Forces (%): _____</p>
<p>9. Original Project Schedule Milestones: _____ Final Project Schedule Milestones: _____</p>	
<p>10. Description of any project claims, dispute proceedings, litigation and arbitration proceedings:</p>	
<p>11. Description of the assessment of any liquidated damages including the causes of the delays and the amounts assessed:</p>	
<p>12. Project Description and Nature of Work Performed by Submitter/Major Participant:</p>	

[Please make additional copies of this form as needed.]
[Form C may continue onto a page 2.]

Submitter's Name: _____

The undersigned acknowledges receipt of the addenda to the RFQ as indicated below.

ADDENDA

Addendum/Clarification No.	_____	Dated	_____
Addendum/Clarification No.	_____	Dated	_____
Addendum/Clarification No.	_____	Dated	_____
Addendum/Clarification No.	_____	Dated	_____
Addendum/Clarification No.	_____	Dated	_____

FAILURE TO ACKNOWLEDGE RECEIPT OF ALL ADDENDA MAY CAUSE THE SOQ TO BE CONSIDERED NON-RESPONSIVE TO THE SOLICITATION. ACKNOWLEDGED RECEIPT OF EACH ADDENDUM MUST BE CLEARLY ESTABLISHED AND INCLUDED WITH RESPONSE TO THE RFQ.

*BY: _____ PRINT NAME: _____
(SIGNATURE)

TITLE: _____ DATE: _____

*Authorized representative of Submitter or Joint Venture members. If Submitter is not yet a legal authority, the Major Participants must sign Form D.

[Please make additional copies of this form as needed].