

Request for Proposal

**Town of Avon & Avon Community School
Corporation**

**Civic Center
Construction Manager as Constructor
Services**

Under Ind. Code 5-32 *et seq.*



Release Date: August 24, 2023

Deadline for Questions: September 11th, 2023 – 4:30 pm (EST)

Questions must be emailed to:

rcannon@avonindiana.gov

rrush@theveridusgroup.com

Subject Line: "Avon Civic Center CMc Q&A"

Deadline for Proposals: September 14, 2023 – 12:00 pm (EST)

Notification of Firms selected to be Interviewed: September 15th, 2023

Interviews: Week of September 18th, 2023

Anticipated Notification of Award: September 26th, 2023



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Invitation

Qualified firms are invited to submit a Proposal for the completion of Construction Manager as Constructor (CMc) services for the Town of Avon Civic Center project pursuant to the provisions of Ind. Code 5-32 *et seq.* and § 36-1-12 (the “Act”). This project involves the design and construction of a new shared community government center combining the Town of Avon Administration offices, Avon Community School Corporation Administration offices, other municipal/public offices and shared public space in the Town of Avon Indiana. A summary of the project, services requested, submission requirements and selection process are included herein. The provisions of the Act are incorporated herein and shall govern this RFP and the construction of the project.

Project Background

At present, the Town Administrative offices, public service departments, and the Avon Community School Corporation Administration offices in the Town of Avon are scattered across small, inadequate buildings that no longer meet the town's growing needs. The Avon Civic Center project has a clear goal: to construct an inviting central hub that facilitates easy access for both the Town of Avon's administrative functions and the Avon Community School Corporation, enhancing their service to the local community.

Moreover, this initiative will establish communal spaces accessible to the wider Avon populace. These shared areas and added facilities will cater to the Town of Avon, the School Corporation, and the community in general. The projects guiding principles are centered around the ideas of the project being adaptable, durable, innovative, inclusive, and connected to the community. Finally, the envisioned structure comprises two distinct buildings connected by a versatile shared public space. Located along a scenic walking trail, these buildings will not only serve functional purposes but also provide a scenic backdrop for an event plaza and a sprawling lawn area, enriching the overall environment and providing an event space for the community.

The Project is being constructed by the Town of Avon and Avon Community School Corporation (the “Owner”) pursuant to Ind. Code 36-1-10 *et seq.* for use by the Town of Avon and Avon Community School Corporation.

Project Summary

The proposed project includes the construction of a shared building to accommodate the Town of Avon and Avon Community School Corporation administrative offices, along with other public service organizations/departments, public shared spaces and amenities. While major utilities will be brought to the site by the overall Easton Grey project, this project will also deliver the associated infrastructure to serve the building including parking. A summary of key aspects of the proposed project follows. Please reference the full schematic drawings provided for the anticipated full scope of the project.

Site: The Town of Avon Civic Center project will be constructed on a site approx. 2.39 acres off of US Hwy 36 in Avon IN with a total building size of approximately 54,000 sq ft. Information about parcel #12-2-04-51E-400-007 can be reviewed at <https://beacon.schneidercorp.com/?site=HendricksCountyIN>



Town Administration: 13,600 sq ft

Building elements and improvements are expected to include:

- Office space
- Work room/collaboration
- Break room
- Storage area
- Private and Public Restrooms
- Integration of technology, including AV in appropriate programming spaces and facility-wide WiFi access
- Accessibility

Shared/Public Space Building: 12,300 sq ft

• Building elements and improvements are expected to include:

- Community room
- Large council chamber meeting room
- Small meeting room
- Locker room with showers
- Mechanical Structure
- Integration of technology, including AV in appropriate programming spaces and facility-wide WiFi access
- Accessibility

School Administration Building: 23,000 sq ft

• Building elements and improvements are expected to include:

- Office space
- Work room/collaboration
- Break room
- Storage area
- Private and Public Restrooms
- Integration of technology, including AV in appropriate programming spaces and facility-wide WiFi access
- Accessibility

Other Town of Avon and Public Service Organizations: 3,000 sq ft

• Building elements and improvements are expected to include:

- Office space
- Work room/collaboration
- Break room
- Storage area
- Private and Public Restrooms
- Integration of technology, including AV in appropriate programming spaces and facility-wide WiFi access
- Accessibility

Schedule: Owner's goal is to begin construction in Q2 of 2024, with completion in Q3 of 2025.



Services Requested

Owner is looking to contract with an experienced CMc to provide the full range of public work project pre-construction and construction services along with the CMc services outlined in Ind. Code § 5-32-2-7. Please provide your own scope of work as part of your submittal.

Submittal Requirements

Five hard copy responses and a PDF version on a flash drive shall be submitted by 12:00 pm (EST), September 14th, 2023. **Documents received following that date and time will not be considered.** Please seal all submittal documents in an envelope or box and label as follows:

Avon Civic Center Project Proposal for CMc Services

Responses are to be sent to:

Ryan Cannon – rcannon@avonindiana.gov
Avon Town Hall
Attention: Ryan Cannon
6570 E US Hwy 36
Avon, IN 46123

The submittal shall include the following components, submitted in this order. The total submission shall not exceed 25 pages.

1. Cover Letter
2. Firm Background – including lines of service, general approach to projects
3. Project Team
 - a. Include brief resumes for each team member including their role in the project, firm and date of employment.
 - b. Include client's main point of contact.
 - c. Identify percentage of time each individual will commit to the project.
 - d. Identify hourly rate of each individual.
 - e. Identify participation rates broken out by M/W/VBE firms.
4. Similar IN Public Work Projects Completed
 - a. This should demonstrate significant firm experience related to the project, including a summary of the firm's experience on IN public work projects as well as CMc experience. Please provide total cost of project for each example.



5. References
 - a. Provide a minimum of three client references with contact information
 - b. Provide references from Architect/Engineering teams you have worked with on construction management projects. Identify any that were specifically for a CMc project.
6. Project Approach – This should include responses to the following:
 - a. Indicate your approach to achieving a green and sustainable project in a fiscally responsible manner. (Note: Project does not require LEED Certification)
 - b. Indicate your firm’s approach and timing for developing and executing a Guaranteed Maximum Price
 - c. Indicate your approach for self-performing work and pre-qualifying of first tier subcontractors.
7. Project Scope of Work
8. Using the current schematic plan set provided, CMc to provide any comments regarding the plans as well as a ROM (Rough Order of Magnitude) Cost for the project.
9. Project Schedule Proposal (Gantt Chart)
10. MBE, WBE, and VBE participation
 - a. Respondents should provide a summary of the firm’s history of contracting with or hiring minority, women and veteran owned business enterprises; and
 - b. Respondents should provide a summary of good faith efforts to fulfill goals for contracting with or hiring minority, women and veteran business enterprises
11. Fee Proposal
 - a. Pre-Construction Phase Services: Pre-construction services will be invoiced at hourly rates for the pre-construction services performed but the total costs shall not exceed the not-to-exceed amount. Identify in your response to this RFP a not-to-exceed amount for the pre-construction services. In addition, include in your response the hourly rates for each personnel providing pre-construction services.
 - b. Construction Phase Services: Identify in your response a fee percentage for overhead and profit that will be multiplied by the Cost of the Work.
 - c. Respondents should also provide details of Guaranteed Maximum Price development including timing, percentages and types of contingencies at GMP and expectations of delay payments or incentives included in the AIA A133 Exhibit A GMP Amendment
12. Certificate of Insurance and Bonding – Indicating compliance with the following:
 - a. Provide documentation from your surety or bonding agent regarding your firm’s bonding capacity. The selected Construction Manager as Constructor will be required to provide a payment and performance bond in the amount of the Guaranteed Maximum Price.
 - b. Provide a copy of your certificate of Insurance. Insurance requirements as listed in the following pages.
13. Acknowledgements
 - a. Acknowledge firm capacity to complete this project per the schedule submitted.
 - b. Acknowledge verification of receipt of all addendums to this posting.
 - c. Acknowledge ability to meet requirements of Standard Contract terms included at the end of this posting.



Insurance Requirements

The selected CMc team will be required to carry certain levels of liability insurance as required by Indiana law, the owner's insurance company and as listed below. The Town of Avon, Avon Community School Corporation and the Veridus Group, and their respective officers, board members, directors, employees and agents ("Additional Insureds"), shall be listed as additional insured parties on all of the CMc's insurance policies (excluding workers compensation and professional liability insurance policies). Additional Insured coverage shall be primary and non-contributory to any of the Additional Insured's insurance policies.

The Construction Manager as Constructor shall in addition to statutory insurance requirements maintain the following minimum insurance:

Commercial General Liability (Occurrence Form)

- Each Occurrence \$1,000,000
- Products/Completed Operations Aggregate \$3,000,000
- General Aggregate (other than Prod/Comp Ops Liability) \$3,000,000
- Personal & Advertising Injury Liability \$1,000,000

CMc to purchase and maintain general liability and other insurance including the Additional Insured coverage to be primary and non-contributory to any of the Additional Insured's insurance policies.

Contractor's Professional Liability / Professional Errors & Omissions

CMc shall carry Contractor's Professional errors and omissions liability with a limit of \$1,000,000.

Automobile Liability

- Combined Single Limit \$1,000,000

CMc to purchase and maintain general liability and other insurance including the Additional Insured coverage to be primary and non-contributory to any of the Additional Insured's insurance policies.

Workers Compensation and Employer's Liability

- Workers Compensation State Statutory Limits
- Employer's Liability
 - Bodily Injury by Accident \$500,000 Each Accident
 - Bodily Injury by Disease \$500,000 Policy Limit
 - Bodily Injury by Disease \$500,000 Each Employee

Umbrella Liability

- Each Occurrence and Aggregate \$4,000,000

CMc to purchase and maintain general liability and other insurance including the Additional Insured coverage to be primary and non-contributory to any of the Additional Insured's insurance policies. Umbrella Liability coverage to follow form.

All coverages must be placed with an insurance company with an A.M. Best rating of A-:VII or better. A Certificate of Insurance evidencing the foregoing coverage and, naming the Additional Insureds and providing the certificate holder thirty days' prior notice to termination or reduction in coverage will be required prior to contract execution.



Selection Process

The following is a summary of the review/selection process:

- Upon receipt of submissions, the evaluation committee selected by Town of Avon and School Corporation will select certain firms to participate in an interview based on the evaluation committee’s review of the RFP responses. Firms selected to participate in an interview will be notified by the end of day on September 15th, 2023.
- Scheduled interviews will be held the week of September 18th, 2023.
- Interviews will last 45 minutes and will consist of a 30-minute opportunity for your firm to present your proposal followed by a 15-minute question and answer discussion.
- At the interview, the Town’s and School Corporation’s expectation is to meet with the actual team to be assigned to the project, including the project manager.
- After the interviews, the evaluation committee of seven (7) will review all information received and forward a recommendation to the Town of Avon and School Corporation board for formal action.
- The evaluation criteria and scoring for the project are as follows:

Evaluation Criteria	Weight (100 total)	Score (1 lowest, 10 highest)	Weighted Score
General Experience and Qualifications	15		
CMc Experience	15		
K-12 Education and Municipal Experience	15		
Experience of Project Team	10		
MBE, WBE and VBE Participation History and Good Faith Efforts	5		
Compliance with RFP	5		
CMc Fees and Guaranteed Maximum Price Development Terms	15		
Interview with the selected CMc’s	20		
TOTAL			



Additional Notes and Requirements

- The Owner may invite one or more firms for an interview. Interviews will be conducted the week of September 18th, 2023.
- The selected firm will be expected to enter into the attached AIA A133 and AIA A201, as revised by Owner. No proposed additions to the contract will be accepted that are prejudicial to the interest of the governmental bodies or fair competition.
- The Agreement will establish a Guaranteed Maximum Price using modified AIA A133 Exhibit A which will include not only the guaranteed price but also guarantee the construction schedule for the project. Final details of contingencies, allowances, incentives, and delay damages will be negotiated with the selected firm.
- The selected firm will be required to bid first tier contractors under the provisions of the Public Works Statute, Ind. Code 36-1-12 *et seq.*, comply with the requirements of Ind. Code 5-32 *et seq.*, and shall be required to execute certificates evidencing the compliance with all statutes applying to the project.
- Each Respondent will be required to sign and notarize the Form 96 (<https://forms.in.gov/Download.aspx?id=6422>).
- Each Respondent must be must be prequalified with IDOA before the work begins. See <https://www.in.gov/idoa/state-property-and-facilities/public-works/certification-board/> for current application process.

General Conditions

Be it understood that:

- Discussions may be conducted with, and best and final offers obtained from, responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award.
- It is anticipated an award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the governmental bodies, taking into consideration price and the other evaluation factors set forth in the RFP. However, award may be made to more than one (1) offeror whose proposals are determined in writing to be advantageous to the governmental bodies, taking into consideration price and other evaluation factors set forth in the request for proposals.
- Offerors will be accorded fair and equal treatment with respect to any opportunity for discussion and revisions of proposals. In conducting discussions with an offeror, information derived from proposals submitted by competing offerors may be used in discussion only if the identity of the offeror providing the information is not disclosed to others. Equivalent information will be made available to all offerors with whom the evaluation committee chooses to have discussions.
- If an offeror fails to provide information required by newspaper notice or RFP concerning a determination of whether the offeror is responsible, that offeror may not be considered responsible. In determining whether an offeror is responsible, the following factors may be considered: 1) The ability and capacity of the offeror to provide the supplies and service; 2) The integrity, character, and reputation of the offeror; and 3) The competency and experience of the offeror.



- In determining whether an offeror is responsive, the following factors may be considered: (1) Whether the offeror has submitted an offer that conforms in all material respects to the specifications in the newspaper notice and RFP; 2) Whether the offeror has submitted an offer that complies specifically with the solicitation and the instructions to offerors; and 3) Whether the offeror has complied with all applicable statutes, ordinances, resolutions, or rules pertaining to the award of the CMc contract.
- Owner reserves the right to delay, pause, or terminate the RFP process for any reason and at any time, to be the sole judge of the value and merit of the responses submitted, to reject all responders and to waive any informalities or irregularities in any of the responses.
- Evidence of financial responsibility per Statute IC 36-1-12-4.5 in the amount of \$1,000.00 must be payable to Town of Avon in the form of an irrevocable letter of credit, certified check, cashier's check, or a bond acquired from an IN DOI registered surety. Should a successful offeror within ten (10) days after written notice of contract award withdraw its proposal, fail to provide required bonds, or execute a satisfactory contract, the Owner may then declare that offeror security forfeited as liquidated damages, not as a penalty.
- Owner creates no obligation, expressed or implied, of any kind or description in issuing this RFP or receiving a response. Neither this RFP nor the response shall be construed as a legal offer.
- Owner is not responsible for any costs associated with preparing a response to this request or related to any interviews. All costs will be the responsibility of the proposer.
- Owner may refuse to disclose the contents of the responses during discussions with eligible offerors and prior to contract award. Proposals, however, shall after contract award be considered a public record and subject to disclosure under Indiana's public records laws. Should a responder to this RFP contend that its proposal includes information not subject to disclosure under Indiana's public records laws, responder shall clearly mark in its proposal such specific information as "Confidential" and further agrees that should any administrative or legal action be commenced against Owner including but not limited to complaints filed with the Indiana Public Access Counselor that relate to or arise out of Owner's production of the responder's proposal with the designated "confidential" information redacted in response to any applicable public records requests, the responder agrees to defend, indemnify and hold Owner harmless from and against such actions including reasonable attorney fees.

Questions and Clarifications

In order to provide an equal opportunity to meet and communicate with the evaluation committee, Owner will only answer written questions submitted by email during the RFP period. Verbal inquiries shall not be made to Owner or selection committee representatives.

Questions shall be submitted to:

rcannon@avonindiana.gov

rrush@theveridusgroup.com

Subject Line: "Avon Civic Center CMc Q&A"

Questions must be submitted by 4:30 pm (EST), September 7th, 2023. If clarifications or corrections need to be issued to this RFP, an addendum with all questions and responses will be available by 5:00 pm (EST), September 11th, 2023.



Town of Avon Provisions Required in Construction Contracts

This section is included as a courtesy to give advanced notice of requirements on all Owner contracts. Attached are drafts of the AIA A133 and A201 contracts to be used.