

**REQUEST FOR QUALIFICATIONS FOR
CONSTRUCTION MANAGER AT RISK SERVICES ("RFQ")**

September 13, 2018

Note—The deadline for submission of qualifications statements is October 15, 2018

1. INTRODUCTION

Columbus Downtown Development Corporation ("Developer") is seeking Statement of Qualifications from firms to provide construction manager at risk services for renovation of the central portion of the existing COSI facility in Columbus, Ohio to create the COSI Connection Corridor ("Project"). The COSI Connection Corridor will create an east-to-west passageway running through COSI connecting the riverfront to Scioto Park. If your firm is interested in being considered, please respond by submitting your qualifications statement as instructed in Section 5 below.

The Project budget, including hard and soft costs, is approximately \$40,000,000. The construction budget is approximately \$31,500,000. The Project will be funded in part by charitable donations and grants from the State of Ohio. Construction is expected to start by September 2019 and substantial completion is targeted for March 2022. The architect for the Project is Robert A.M. Stern Architects, LLP ("Design Team").

2. PROJECT DELIVERY

The Project will be constructed using the "construction manager at-risk" project delivery format generally described below. Developer intends to enter into a contract with a firm which provides the best combination of competence, a fair and reasonable fee, and compliance with all the requirements prescribed in this RFQ. The Construction Manager selected will be expected to execute an AIA A133 Developer and Construction Manager Agreement, with Supplemental Conditions prepared by Developer, and which will be distributed with the Request for Proposal. The process will be conducted in accordance with the Ohio Revised Code, and the work will be prevailing wage.

A. Pre-Construction Phase Services. Construction Manager will work cooperatively with the Design Team and any other consultants to the Project that may be retained by Developer, including, but not limited to a developer's representative, and Construction Manager will provide, among other services, cost estimating, budgeting, value engineering, constructability review, scheduling and pre-construction planning throughout the pre-construction phase. Construction Manager shall deliver detailed cost estimates at the 100% level of completion of the schematic design documents, the 100% level of design development documents, the 50% level of completion of the construction documents and as otherwise agreed to by the parties.

When the construction documents prepared by the Design Team are at a stage of completion specified in the CM Agreement, such partially completed documents (the "GMP Documents") shall be provided to Construction Manager, together with a draft of the Design Team's detailed listing of any material incomplete design elements and the Design Team's statement of intended scope with respect to such incomplete elements (the "Prose Statement"). Construction Manager shall then submit to Developer and the Design Team its proposed guaranteed maximum price ("GMP"), guaranteed completion date ("GCD"). Construction Manager, Developer and the Design Team (along with selected engineers and consultants) shall meet to reconcile any questions, discrepancies or disagreements relating to the GMP qualifications and assumptions, the GMP Documents or the Prose Statement. The reconciliation shall be documented by an addendum to the GMP qualifications and assumptions that shall be approved in writing by Developer, the Design Team and Construction Manager. Construction Manager shall then submit to Developer, for Developer's approval, Construction Manager's proposed final GMP and GCD based upon the GMP Documents, the approved GMP qualifications and assumptions and the Prose Statement. Contingent upon Developer's approval of the final GMP and GCD, the parties will enter into a GMP Amendment to the CM Agreement. The final negotiated GMP will not exceed the Project budget for construction and the GCD will be mutually agreed upon. If the proposed GMP exceeds such Project budget or Developer and Construction Manager cannot agree on a GCD, then Developer may terminate the CM Agreement and seek bids for completion of the Project from other firms.

The parties will engage in an "open book" process in which Developer, the Design Team and Construction Manager will review bids for trade work (to the extent bids are available at the time the GMP is established), the costs proposed for general conditions/overhead of Construction Manager, the fee of Construction Manager, and in which Developer shall have access to all books, records, documents and other data in Construction Manager's possession related to itself, its subcontractors and material suppliers pertaining to bidding, pricing or performance of the agreement. All work will be bid (except as expressly approved by Developer for self-performance) and the GMP will be reduced if actual bids are less than the line items provided in the GMP by the amount of the savings.

B. Construction Phase Services. Construction Manager shall construct the Project pursuant to the construction documents and in accordance with Developer's schedule requirements, including the GCD. Construction Manager shall select subcontractors based on competitive pricing submitted by prequalified subcontractors in accordance with criteria approved by Developer. Construction Manager shall hold all subcontracts and shall be fully responsible for the means and methods of construction, project safety, project completion within the schedule agreed upon in the pre-construction phase, monitoring compliance with EDGE, equal employment, and prevailing wage requirements, and submitting monthly reports of these activities to Developer.

3. INTERVIEWS AND SELECTION

Construction Manager shall be selected using (i) a qualification based selection process during this RFQ stage to develop a short list of construction management firms, and then (ii) a subsequent "best value" selection process during the RFP stage described in Section 3.C for the final Construction Manager selection. Neither this Request for Qualifications, nor any proposal submitted, nor the selection of any proposals, nor any negotiations with any Construction Manager will impose any obligation or liability on Developer.

1. Qualifications (RFQ) Phase/Short-Listing of Firms. Each firm responding to this RFQ by submitting a Statement of Qualifications will be evaluated by the Developer based on the firm's qualifications. Qualifications include (a) professional qualifications of the firm and key individuals assigned to the project; (b) ability of the firm in terms of workload and availability of qualified personnel, equipment, and facilities to perform the required services competently and expeditiously, and experience working on similar types of projects; (c) past performance of the firm as reflected by the evaluation of previous clients with respect to such factors as control of costs, quality of work, dispute resolution, administration of subcontractors, and meeting deadlines and the past performance of the design-build firm's proposed architect or engineer of record; (d) financial responsibility including evidence of the capability to provide a surety bond; (e) history of performance with meeting goals of any diversity and inclusion programs required by a public authority or by applicable law, and compliance with applicable affirmative action programs; and (f) other qualifications that are consistent with the scope and needs of the Project including, but not limited to, knowledge of the local area and working relationships with local subcontractors and suppliers. The Developer may hold discussions with individual firms to explore further their qualifications, the scope and nature of the services they would provide, and the various technical approaches they may take regarding the Project. After evaluating the Statements of Qualifications, the Developer will select a short-list of no fewer than three firms that it considers to be the most qualified to perform the design-build services for the Project, except if the Developer determines that fewer than three firms are qualified, it will only select the qualified firms.

A. Request for Proposals. The short listed firms shall be sent a Request for Proposal ("RFP") that will invite the firms to submit pricing proposals containing their proposed fees for construction services, itemized general conditions costs and individual staff billing rates. The short-listed candidates will also receive (i) a description of the Project, including a statement of available design detail; (ii) a description of how the GMP shall be determined, including the estimated level of design detail upon which the GMP shall be based; (iii) the form of CM Agreement; (iv) a request for a pricing proposal; and (v) a proposed Project schedule.

B. Interview. After submitting responses to the RFP, the short-listed firms may be interviewed by Developer. The purpose of the interview will be to meet Construction Manager's proposed Project team, become familiar with key personnel, and understand the Project approach and ability to meet Developer's stated objectives for the Project. Please be prepared to discuss with specificity the firm's capacity to perform the work in compliance

Developer's timetable and budget. In consideration of time, interviews will be limited to key personnel consisting of no more than (7) members. Developer will notify each short-listed firm to schedule individual times for the interviews

C. Selection of Construction Manager and CM Agreement. After the interviews, Developer and CM shall enter into the CM Agreement in the form attached to the RFP.

4. REQUESTED SUBMISSIONS

Firms are requested to submit the following information when submitting a Statement of Qualifications in response to this RFQ:

A. Cover Letter. Cover letter must include: (a) name, address and phone number of the office where the personnel assigned to the Project will be based, (b) name, title and phone number of the principal contact person.

B. Firm Profile. The firm profile must include: (a) years of existence; (b) legal form of firm, (c) location of home office; (d) general firm history. If the proposed form of entity is a joint venture, please identify each venturer and their respective percentage of participation. Provide a summary, on three pages or less, describing why your firm/team is the most qualified for the Project.

C. Bonding/Insurance. Provide evidence of capacity to provide bonding and a copy of the firm's certificate of insurance showing the firm's current limits of liability for commercial general liability, employer's liability, business automobile liability and professional liability.

D. Similar Experience. Relevant projects of similar nature. Include: (a) description of the project and the services your firm provided for the project; (b) start and completion dates for each project; and (c) name, title and telephone number of the client contact most familiar with your services on the project.

E. Personnel/Staffing. Provide a Project organizational chart containing the names and titles or the proposed staff for the Project, including Architect/Engineer of Record. At a minimum, the chart should include at least three (3) officers or senior employees (e.g., Project executive, Principal-in-charge, Project Manager or Project Superintendent or similar designation) who will be available for work on the Project. For every person listed on the chart, provide a one-page resume highlighting relevant experience and identify the phase(s) of the Project to which the individual will be assigned and the percentage of that individual's time to be devoted to the Project.

F. Management Systems. Describe the record keeping, reporting, monitoring and other information management systems that the firm would propose to use for the Project. Describe the scheduling and cost control systems the firm would propose to use for the Project.

G. Self-Performed Work. Indicate whether the firm intends to self-perform any work on the Project through an acceptable competitive process and, if so, the nature of the work and capability to self-perform.

H. Estimating. Demonstrated capability of in-house estimating on projects comparable to the Project.

I. Scheduling. Demonstrated track record of performance of managing projects to the original schedule.

J. Safety Programs. Describe the firm's in-house safety program.

K. Employee Screening/Security Programs. Describe any employee workplace screening programs.

L. Prior Defaults. Complete listing of any public or private construction projects for which the firm has been declared in default.

M. Legal Compliance. The firm's history of compliance with federal, state and local laws, rules and regulations, and any EPA, OSHA or other regulating entity issues or citations in the last ten (10) years.

N. FLSA Compliance. Certification that the firm has not been penalized or debarred from any public contract for falsified certified payroll records or violation of the Fair Labor Standards Act in the last five (5) years.

O. Prevailing Wage Compliance. Certification that the firm will comply with and cause all of its subcontractors performing work on the Project to comply with the City of Columbus's Prevailing Wage Laws. The firm shall further certify that it has not been debarred from public contracts or found to have materially or intentionally violated Prevailing Wage Laws more than three (3) times in a two (2) year period in the last ten (10) years.

P. Judgments. Certification that the firm has no final judgments against it unsatisfied as of the date of submission of qualifications or a list of any such unsatisfied final judgments and an explanation of the circumstances leading to such judgments remaining unsatisfied.

5. INSTRUCTIONS FOR SUBMISSIONS

A. Response Deadline. Responses to this RFQ must be received in a sealed envelope clearly marked "Statement of Qualifications for Construction Management Services" and delivered to the address in Section 5.B. by 11:00 a.m. on October 15, 2018. Responses that are received after this date and time will not be considered.

B. Submission. Six copies and one electronic copy of the qualification statement are to be submitted by 11:00 a.m. on October 15, 2018. Responses must be sent to: Columbus Downtown Development Corporation, Attn: Director of Construction, 150 S. Front Street, Suite 210, Columbus, Ohio 43215. mbargo@downtowncolumbus.com

C. Questions; Inquiries. Questions regarding interpretation of the content of this RFQ must be directed to: Columbus Downtown Development Corporation, Attn: Director of Construction, 150 S. Front Street, Suite 210, Columbus, Ohio 43215; mbargo@downtowncolumbus.com. Answers to any questions shall be in writing and shall be sent to all firms who are on record with Developer as having requested and been furnished a copy of this Request For Qualifications. It is therefore imperative that firms provide full and accurate contact information to Developer. The name of the party submitting the question will not be identified in the answers.

D. Communications. Firms considering responding to this RFQ are strictly prohibited from communicating with any member of Developer's staff, as all questions must be directed to the person identified in Section 5.C.

E. Cancellation; Rejection. Developer reserves the right to reject all qualifications statements and cancel at any time for any reason this RFQ, any portion of this RFQ or any phase of the Project. Developer shall have no liability to any proposer arising out of such cancellation or rejection. Developer reserves the right to waive minor variations in the selection process.

F. Proposer Costs. Developer assumes no responsibility for costs incurred in the preparation, presentation or submission of the qualifications statements.