

Division of Construction
MONTGOMERY COUNTY PUBLIC SCHOOLS
45 W. GUDE DRIVE
SUITE 4300
ROCKVILLE, MARYLAND 20850

REQUEST FOR QUALIFICATIONS CONSTRUCTION MANAGEMENT AT-RISK SERVICES

It is the intent of this Request for Qualifications (RFQ) to select firms to provide professional construction management at-risk services for Montgomery County Public Schools (MCPS) for various facilities projects included in the Fiscal Year 2021-2026 Capital Improvements Program.

The Technical Offer shall be submitted to Montgomery County Public Schools, Division of Construction 45 W. Gude Drive, Suite 4300, Rockville, Maryland 20850, no later than 5:00 p.m., December 4, 2019.

Selections will be made according to the criteria specified herein. Under no circumstances are prospective Offerors, including third party firms or their staff, to contact MCPS staff, faculty or any related constituency, for purposes associated with the RFQ. Offerors failing to comply with this requirement may be disqualified.

The Technical Offer shall be enclosed in a sealed envelope/package. The Offeror shall be responsible for clearly marking the following data on the submission: 1. Technical Offer for Construction Management Services, 2. Name and address of firm, and 3. Addressed to MCPS Division of Construction, 45 W. Gude Drive, Suite 4300, Rockville, Maryland 20850.

There are 2 parts to this submission: (1) Follow directions for Technical Offer and mail or deliver the entire package to Ms. Donna Hanson, MCPS Division of Construction, 45 W. Gude Drive, Suite 4300, Rockville, MD 20850; (2) Enter project references in web-based Rating Source Program per instructions in this Technical Offer.

Questions regarding the Technical Offer should be referred to **Ms. Donna Hanson** at Donna_E_Hanson@mcpsmd.org - **contact shall only be by email.**

Minority business enterprises are encouraged to respond to this Request for Qualifications.

The conditions contained in this "Request for Qualifications," by their issuance, become a part of the Contract requirements.

The Board of Education reserves the right to waive any informalities or immaterial deviations in the technical offer.

BY ORDER OF THE BOARD OF EDUCATION

Gary Mosesman, AIA, LEED AP,
Director Montgomery County Public
Schools Division of Design and
Construction
45 W. Gude Drive, Suite 4300
Rockville, Maryland 20850

Montgomery County Public Schools Facilities Guide
DIVISION 0 - CONDITIONS OF THE CONTRACT

SECTION 00100 - INSTRUCTIONS TO POTENTIAL OFFERORS FOR CONSTRUCTION MANAGEMENT AT-RISK SERVICES

PART 1 - OBJECTIVES

- 1.1 The objective of this Request For Qualifications (RFQ) is for Montgomery County Public Schools (herein referred to as the Owner or MCPS) to independently evaluate and qualify Construction Managers to provide professional construction management services for the construction of major construction projects to be funded in the FY 2020 Capital Budget and the FY 2021 - 26 Capital Improvements Program. All construction is contingent upon funding approval for the individual projects by the Montgomery County Council. Offerors are to submit only their qualifications to MCPS at this time. The independent evaluation of references will be conducted online through Rating Source, 465 South Orlando Avenue, #401, Maitland, FL 32751. Final selection will be conducted by the MCPS evaluation committee.
- 1.2 This multi-step process is being used to identify and pre-qualify those companies with the relevant quantitative experience, requisite skills, and successful project history necessary to provide the required professional services. Companies are invited to submit their technical qualifications in accordance with the requirements set forth herein.
- 1.3 It is imperative that the instructions in this technical offer be followed. Incomplete submissions will be rejected.
- 1.4 It is the intent of MCPS to select construction management firms for projects equal to or less than the largest scope of similar projects which they have successfully completed.
- 1.5 Selection of firms to provide professional construction management at-risk services is not final until approved by the Montgomery County Board of Education.
- 1.6 A debriefing of an unsuccessful Offeror will be conducted upon written request, submitted within 30 days of status notification, to the Division of Construction, Montgomery County Public Schools, 45 W. Gude Drive, Suite 4300, Rockville, Maryland 20850. A debriefing will be scheduled at the earliest feasible time. The debriefing shall be limited to a discussion of the unsuccessful Offeror's technical qualifications only and shall provide information on areas in which it was deemed weak or deficient.

PART 2 – SUBMISSION OF QUALIFICATIONS

- 2.1 Offerors shall submit qualification information in accordance with the requirements identified herein. The MCPS Procurement Officer or their representative may, at their discretion, contact one or more Offerors during the evaluation process for clarification of any entries submitted and may request additional information. Such additional information must be submitted to MCPS no later than five (5) days after the request.
- 2.2 The selection of an Offeror shall be based primarily on the information submitted as part of the Technical Offer. The selection shall not be construed to constitute a determination that the offeror has met the requirements of an individual project proposal. Furthermore, MCPS reserves the right to reevaluate or change selection requirements or decisions based on information received at any time up to the final contract award. Previous project experience with Montgomery County Public

Schools will be considered, even if those projects are not submitted for evaluation.

PART 3 - ISSUING OFFICE

3.1 The Issuing Office is:

Montgomery County Public Schools
Division of Construction
45 W. Gude Drive, Suite 4300
Rockville, Maryland 20850
Attn: Ms. Donna Hanson - E-mail: Donna_E_Hanson@mcpsmd.org

Contact shall be by email.

3.2 The Issuing Office shall be the sole point of contact for purposes of preparing this Technical Offer.

PART 4 - QUESTIONS AND INQUIRIES

4.1 Questions and inquiries shall be directed by email to the individual referenced with the Issuing Office above. The Issuing Office will be open from 8:30 a.m. to 5:00 p.m. weekdays, excluding holidays.

4.2 Items affecting this solicitation shall be subject to the conditions of any Addenda issued.

PART 5 - RIGHT TO WAIVE INFORMALITIES

5.1 The Board of Education reserves the right to waive any informalities or immaterial deviations in the Request for Qualifications.

PART 6 - APPLICATION REQUIREMENTS

6.1 The following information must be furnished in the Technical Offer portion of the Request for Qualifications. Failure to include any of the items listed below will disqualify a firm's response. Technical Offerors should describe in detail and provide evidence supporting the qualifications requested below.

6.2 MCPS reserves the right to require that the construction manager demonstrate that it has the skills, competence, responsibility, professional staff, financial capabilities, and other resources to satisfactorily perform the nature and magnitude of work necessary to complete projects for which they will be considered.

6.3 Application forms and supplemental information must be typed or printed. Information presented therein shall be clear, complete, accurate, and concise. The following forms and attachments comprise the Technical Offer:

A. Technical Offeror is to submit a **letter on company letterhead signed by an authorized person verifying compliance** with the following mandatory requirements:

1. A firm must have a minimum of ten (10) years' construction management experience in order for its Technical Offer to be considered; this is a mandatory requirement.
2. The firm must disclose whether it or its' principals have done business and/or have been licensed in the State of Maryland to do business under any other name in the

last 10 years. Failure to do so will result in disqualification of the Technical Offer.

3. Firms must be licensed as a Construction Firm as required by the State of Maryland (Business Regulation Article, Annotated Code of Maryland) and shall submit proof of current business and professional licensing with their Technical Offer.
4. Firms must provide a "Good Standing Certificate" from the General Accounting Division, Comptroller of Maryland and hold a current registration with the State Department of Assessments and Taxation.
5. General Company Background: Brief but informative history of your firm. Include information as to type of work done, number of years in business, number of employees with breakdown between supervisory and non-supervisory. **Specify a primary contact to include name, title, telephone number and e-mail address.**
6. Project Specific Background: Provide information on your firm's specific background by submitting a list of all major projects completed during the past 3 years, one of which must be a K-12 school.
7. The Technical Offeror must confirm that the firm has no settled or pending judgments or legal cases identified in Paragraphs 10.2.C, D, E, and F against it.
8. Please note: If the Technical Offeror is a local office of a parent company, the information is to be provided on the **local office only that will be managing this contract**, not the parent organization, unless the parent organization is the Offeror.

B. Construction Manager Experience Form: The Offeror shall provide the information required on the form identified as **Attachment A**. The form shall be completed in its entirety. Failure to submit a response in the format requested on the official MCPS form provided for this purpose will be considered just cause for rejection of the response.

1. Provide a complete list of all construction management projects completed in the 3 years prior to the date of submission with contract values over \$10,000,000. Projects must be grouped into 3 categories: K-12 schools, other educational facilities, and other projects. On the Construction Manager experience form, provide owner contact names, addresses, telephone numbers, **and e-mail addresses for each project**. One of the references must be from a K-12 school project. If no K-12 projects have been completed in the past 3 years, Offeror must list the K-12 project most recently completed. Projects submitted as references must be verifiable. Failure to provide project references that can be verified will result in a disqualification of the firm's response.
2. MCPS reserves the right to verify all information given if it so chooses, as well as to check any other sources available.
3. Please be sure that accurate information is provided and that the person listed as "owner contact" should be the person in charge of administering the contract with the bidder or person with sufficient personal knowledge about the project to be able to answer detailed questions about the bidder's professional performance on the project for which a reference is being requested. References will be held in the strictest of confidence.
4. Montgomery County Public Schools uses an internet and e-mail based system to collect evaluations from previous clients about work performed by the Offeror. Please

follow the instructions below to enter your references into Rating Source:

1. E-mail your company name, address, trade category, and one primary company contact name and e-mail address to Donna_E_Hanson@mcpsmd.org.
2. After receipt of information by MCPS, you will receive an invitation with a **login** and a **passcode** which are required to enter your company's references into Rating Source. Enter the project information and references listed on Attachment A for the construction management at-risk projects completed in the past 3 years, one of which **must** be a K-12 project, into Rating Source.
3. A minimum of 70% of your references must respond to the "Request for Ratings" described below in order for the evaluation to be completed.
4. Montgomery County Public Schools will send an e-mail entitled "Request for Ratings" to each listed "Reference Contact" supplied by the offeror as a reference. For this reason, the accuracy and completeness of these e-mail addresses is critical. It is suggested that the offerors notify each of these contact persons in advance, by e-mail, to inform them about the expected "Request for Ratings" e-mail, and to encourage them to complete the survey when it arrives via e-mail. If these requests for ratings are not completed by the requested rater, Montgomery County Public Schools will notify the offeror by e-mail to an e-mail address supplied by offeror. The offeror will notify Montgomery County Public Schools of any known changes to the "Reference Contact E-mail Address." Montgomery County Public Schools reserves the right to consider any offeror non-qualified if the number of ratings completed by the listed "Reference Contacts" is insufficient, or for any other gross irregularities in the reference-checking process.

C. Firm Safety Record: Provide the information requested on Attachment B.

D. Affidavit of Accuracy: Certification that all the information submitted in this Technical Offer is true and accurate. The form identified as Attachment C shall be used.

E. Surety Statement: Offeror's current ability to acquire bid, performance, and payment bonds. See Attachment D for information.

F. Resumes of Key Personnel: Offeror is to identify qualified personnel who would be made available and assigned to a project, if the firm is selected to provide pre-construction/constructability review and/or construction management services. Key personnel may include the project executive, project manager, superintendent, quality control, safety, and scheduling.

G. Provide a staffing plan for a typical project.

H. Provide a description and examples of the use of technology from pre-construction through project close-out.

I. Provide examples of your firm's approach to community outreach related to a construction project, during the design and construction phases.

J. Provide examples of your firm's successful approach in meeting small and minority business goals.

Checklist - Below are the required items for a complete Technical Offer:

- Letter from construction management firm on letterhead with primary contact and email address, verifying compliance with requirements outlined in Part 6 above.
- References entered in Rating Source
- Business license
- Good Standing Certificate
- Attachment A (Project Information/Step #4 – include print-out from Rating Source)
- Attachment B (Safety Record)
- Attachment C (Affidavit of Accuracy)
- Attachment D (Surety Statement from bonding company)
- Attachment E (Financial information)
- Resumes of key personnel
- Sample project staffing plan
- Project-related technology
- Community Outreach
- Small and Minority Business Goals

PART 7 - CONFIDENTIALITY/PROPRIETARY INFORMATION

7.1 Firms should give specific attention to the identification of those portions of their Technical Offer which they deem to be confidential, proprietary information or trade secrets, and provide any justification of why such materials, upon request, should not be disclosed by MCPS under the Access to Public Records Act, State Government Article, Title 10, Subtitle 6 of the Annotated Code of Maryland. Contractors must clearly indicate each and every section that is deemed to be confidential, proprietary or a trade secret. It is not sufficient to preface your submission with a proprietary statement.

PART 8 - MISREPRESENTATION

8.1 If any Offeror knowingly makes a misrepresentation in submitting information to MCPS, or fails to provide all required information, such misrepresentation or omission will be sufficient grounds for rejection of its submission.

PART 9 – BONDING REQUIREMENTS

9.1 The Construction Manager At-Risk to whom a contract is awarded must furnish Performance and Payment Bonds, each in the amount of one hundred percent (100%) of the contract price, including executed Change Orders, in the form specified. These must be provided at the time of the signing of the contract and prior to the start of any work. The Performance and Payment Bonds shall be submitted on AIA Document A312. The surety company must be acceptable to the Owner, licensed to transact business in the State of Maryland, and have at least an A Minus rating with A. M. Best.

9.2 If the Technical Offeror experiences a material change in its bonding status, corporate structure, or personnel after submission of its qualifications and prior to the award of the contract for the Project, the Technical Offeror shall notify MCPS of the change in writing at the time the change occurs or as soon thereafter as it is reasonably practicable.

9.3 Failure to notify MCPS of any material change in bonding status, corporate structure, or personnel shall constitute grounds for rescinding the approval of an Offeror.

PART 10 - EVALUATION OF SUBMISSIONS

- 10.1 Evaluations will encompass, but are not limited to, the Rating Source reference responses and criteria set forth below:
- A. The Contractor shall have successfully completed K-12 projects, ranging from building additions to new schools. Offerors without this minimum experience may not be considered. More weight will be given to recent K-12 school experience.
 - B. Current client references for the above-cited projects which can be contacted to determine the Contractor's performance, workmanship, quality and ability to meet scheduled completion dates.
 - C. Adequate bonding capacity; licensing; registered to do business in the State of Maryland.
 - D. Construction manager's safety record.
 - E. General management approach, staffing, and overall performance.
- 10.2 MCPS will deny technical qualification to any applicant if MCPS finds any of the following:
- A. The Applicant fails to provide a signed Surety Statement that indicates that the Surety knows of no reason at this time that the Surety would not be able to provide bid, performance and payment bonds in connection with the projects to be bid this year for amounts up to (XXXXXXX) Dollars (\$XXXXXX).
 - B. The Applicant does not have the appropriate experience to perform an MCPS project.
 - C. The Applicant or any officer, director or owner thereof has had judgments entered against him/her within the past ten (10) years for the breach of contracts for governmental or non-governmental projects, including, but not limited to, design-build or construction management.
 - D. The Applicant has been in substantial noncompliance with the terms and conditions of prior construction contracts with MCPS. If MCPS has not contracted with an Applicant in any prior construction contracts, the MCPS Procurement Officer will deny technical qualification if the Applicant has been in substantial noncompliance with the terms and conditions of comparable contracts with another public body
 - E. The Applicant or any owner, officer, director, project manager, procurement manager or chief financial officer thereof has been convicted within the past ten (10) years.
 - F. The Applicant or any officer, director or owner thereof is currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body, agency or another state or agency of the federal government.
 - G. The Applicant failed to provide to MCPS within the established timeframe, any information requested in this Solicitation relevant to Items A through F above.

ATTACHMENT A
 (Rating Source Printout Sample)

Project Information and References:
Report all projects completed during the prior 3 years: K-12, Other Educational Facilities, and Other Projects.

Project Title:	
Your Company Role:	
Project Description:	
Project Street Address:	
City, State, Zip:	
Project Type:	
Project Function:	
Project Cost \$:	
Project Square Footage:	
Project Completion Date:	
Rater Company Name:	
Rater Company's Project Role:	
Rater Company Street Address:	
Rater City, State, Zip:	
Rater Email Address:	
Rater Full Name:	
Rater Title:	
Rater Phone Number:	
Rater Fax Number:	
Rater Mobile Phone Number:	

Note: This is a sample form. The offeror's reference information is to be entered in the Rating Source online system. A printout of the project references from the Rating Source system must be submitted with the technical offer.

ATTACHMENT B

FIRM SAFETY RECORD (FOR LAST THREE YEARS)

OFFEROR: _____

1. Do you have a written safety program? Yes No

If Yes, briefly describe scope of your program.

_____.

2. Any work related employee deaths in the last three years? Yes No

If Yes, explain the circumstances.

_____.

3. Any OSHA or MOSH citations in the last three years? Yes No

If Yes, explain the circumstances.

_____.

4. What is your EMR (experience modification rate) for the last three years?

2018 _____ 2017 _____ 2016 _____

**ATTACHMENT C
AFFIDAVIT OF ACCURACY**

OFFEROR: _____

The undersigned swears or affirms under penalty of perjury and upon personal knowledge that the contents of the Request for Qualifications are true and correct.

The undersigned swears or affirms under penalty of perjury that the Offeror, its agents, servants and/or employees, to the best of his/her knowledge and belief, have not in any way colluded with anyone for and on behalf of the Offeror, an unfair advantage over others, nor have they colluded with anyone for and on behalf of the Offeror, or themselves, to gain any favoritism in the award of any contract resulting from this bid.

Signature

Date

Print Name

Print Title

Telephone Number

NOTARY SEAL:

ATTACHMENT D
SURETY STATEMENT

The surety agent for the Offeror shall provide on his letterhead a letter addressed to Montgomery County Public Schools signed by an authorized representative of the bonding company, stating:

(Name of Applicant) has been a client of (name of surety company) for over ____ years. During that time, we have supported this firm in their pursuit of projects in the \$_____ range and total programs in excess of \$_____.

We are prepared to provide Bid, Performance, and Payment Bonds on Montgomery County Public Schools projects, provided (name of applicant) makes application to us at the time, and we are satisfied with the prevailing underwriting conditions, including but not limited to, acceptable contract terms, job specifications and acceptable bond forms.

**ATTACHMENT E
FINANCIAL INFORMATION**

1. Has your firm been party to a construction contract for which you were assessed liquidated damages? Yes No
If yes, provide a description, summary, status/outcome.

2. Annual sales volume past three years:

2020	
2019	
2018	

3. Largest single construction management at-risk contract in the past three years:

Project Description	
Contract Value	\$

4. Current Backlog (Major Projects – All Delivery Methods):

Project Description	Contract Value	Completion Date
	\$	

5. Backlog 12 months ago: \$ _____

6. Disclose any bond claims filed against your firm in the past three years:

7. Please acknowledge that your firm agrees to be in compliance with the Criminal Procedures Article of the Maryland Code regarding background checks for persons working on MCPS property (see Part 15 of this technical offer).
