

Request for Proposals for Design-Build Firms Yellow Springs Water Treatment Plant

Village of Yellow Springs, Ohio

1.0 Introduction

The Village of Yellow Springs (hereinafter referenced as the "Village") is seeking Proposals from prequalified design-build firms interested in designing and constructing the new Yellow Springs Water Treatment Plant facilities (hereinafter referenced as the "Project"). This Request for Proposal (RFP) document provides background information on the Project, requirements design-build firms are required to follow in preparation of their Proposal, and a listing and explanation of materials that will be provided to the design-build firms to develop their Proposals.

The following design-build firms have been prequalified through a previously published and evaluated Request for Qualifications procedure (conducted in accordance with Section 153.64 of the Ohio Revised Code and Section 153:1-6-02 of the Ohio Administrative Code). Proposals will only be accepted from:

- CDM Smith/Constructors
- Peterson Construction/AECOM
- Shook Construction/Jones & Henry
- Ulliman Schutte/Strand Associates

The design-build firms (hereinafter also referred to as "Proposers") are listed in order of their ranking following evaluation of their Statement of Qualifications. Proposers are encouraged to assemble Proposals which feature innovative and efficient design features that meet the needs of the Village and provide durable and reliable building components and treatment equipment.

2.0 Project Overview

The new Yellow Springs Water Treatment Plant (WTP) will be located on undeveloped property adjacent to the existing WTP. The address of this facility is 640 Jacoby Road in Yellow Springs, Greene County, Ohio, 45387. The new facilities will be constructed on property currently owned by the Village. All necessary building and facility construction, site work, electric and water utility interconnection, security and communication components, site drainage improvements, landscaping, demolition, and staging requirements associated with the Project will be conducted on Village-owned property.

The overall Project will consist of environmentally-friendly design and construction of new WTP and support facilities, commissioning of the new WTP, and decommissioning and conversion of select existing WTP facilities. The existing WTP must stay in service throughout the process of the installation, start-up, and acceptance of the new WTP. In general, the Project will consist of the following primary components:

- Groundwater treatment plant with nominal total capacity of 1.0 million gallons per day (mgd). The new WTP will be housed in a new masonry-metal building with iron/manganese removal, pellet softening, deep bed filtration, finished water storage and pumping, and chemical conditioning treatment facilities. Support space includes administration, laboratory, electrical, control, and building-mechanical rooms.
- Carbon dioxide storage tank
- Spent silica sand storage bin
- Conversion of existing clearwell to spent backwash storage tank and pump station

- Slow sand (red water) filter for spent backwash water disposal
- Evapotranspiration field for existing septic tank
- Backup diesel generator and electrical service to four existing well field raw water pumps

Conceptual design documents expanding descriptions of the above-listed primary components of the project are included as part of this RFP, and include preliminary drawings and outline specifications (which are described in further detail hereinbelow with the rest of the RPP reference materials).

Proposers are advised that this RFP document may present or reference material or criteria that was defined or implied differently in the RFQ document. In the event of any conflict between the RFP and RFQ documents, information and requirements included and referenced in this RFP document shall govern. As part of their Proposal, consistency with the material submitted in the respective Proposer's SOQ shall be verified with respect to key personnel, subconsultants, and subcontractors (per the requirements identified in the Proposal Synopsis described hereinafter).

3.0. Proposer Evaluation Approach

The Village has assembled an Evaluation Committee (hereinafter referred to as "Committee") to review written information provided by Proposers. Based on the Proposal material submitted, the Committee will rank the Design-Build Firms. Coupled with impressions developed during the presentation each Proposer delivers, the Proposer identified as the best value to design and construct the Project will be recommended to enter contract negotiations with the Village.

The Village will initiate negotiations for a contract with the design-build firm considered the best value for the Project, and, if unsuccessful, the Village will pursue contract negotiations with the Proposer deemed the next best value for the Project, and so on, until either a contract is successfully negotiated, or in the opinion of the Village it is not in the best interests of the Village to negotiate with any other Proposers.

The Village reserves the right to terminate any or all negotiations and receive additional proposals from other prequalified design-build firms or terminate the design-build firm selection process and use an alternative project delivery method. The Village also reserves the right to negotiate design details with the selected Proposer throughout the post-award design and construction phases of the Project.

The Evaluation Committee, at its sole discretion, shall have the right to seek clarifications from each of the Proposers in order to fully understand the content of their submissions. The Village reserves all rights to waive any informalities, irregularities or technical defects in the response to this RFP.

Respondents shall be considered responsive if their Proposal responds to the RFP in all material respects and contains no irregularities or deviations within the RFP package and as compared to previously-submitted SOQ material. Proposers that are rejected as nonresponsive will be notified in writing of the nonresponsive finding and reasoning for the determination.

Each member of the Committee will use a customized version of the Best Value Rating Form (Design-Build Contract with GMP at Selection) of the State of Ohio Standard Forms and Documents. The two evaluation sections of the form will be weighted at 60-percent for the Technical Proposal Evaluation and 40-percent for the Pricing Proposal Evaluation. The Committee will consist of eight evaluators, each of which will review the proposals and attend the Proposers' presentations. The Committee reserves the right to request the assistance of criteria engineer staff or independent advisors.

4.0 Procurement and Project Schedule

The Village currently anticipates conducting procurement and execution of the Project within this timeframe and according to these milestones:

- RFP Material Issued October 2, 2015
- Site Visit Conducted October 8, 2015
- Proposal Questions Submitted October 21, 2015
- Proposals Submitted November 4, 2015
- GMP Amendment Submitted To be determined
- Presentations Conducted November 17, 2015
- Contract Negotiations Completed December 11, 2015
- Council Approval of Contract December 21, 2015
- Notice to Proceed for Design January 4, 2016
- Equipment Procurement Starts May 2, 2016
- Construction Commences July 5, 2016
- Substantial Completion September 29, 2017
- Project Closeout November 17, 2017

The Village reserves the right to revise the milestones and timeframes identified above at their sole discretion. Because of Project funding constraints, construction activities (defined as clearing and grubbing or breaking ground, but not necessarily mobilization or temporary facility installation) cannot be started prior to July 1, 2016. Proposers are encouraged to include alternatives that detail early-finish scenarios regarding the substantial completion and project closeout end dates indicated hereinabove, and an expedited development of their Guaranteed Maximum Price (GMP) Amendment.

5.0. RFP Information and Reference Materials

This RFP document is accompanied by the following references and forms that are provided to allow Proposers to fully develop and detail their Proposals. Those reference materials and forms include:

- **Site Survey.** Conducted by Burgess & Niple surveyors in April 2015. The survey includes a 3D CAD model of basic existing WTP structures and surface information, with drawings in the AutoCAD Civil 3D 2014 file format. Proposer may use this information to develop their Proposal provided the attached liability release is executed.
- **Conceptual Facility Design Drawings.** Prepared by HNTB Corporation in AutoCAD Revit format and shared with Ohio EPA in August 2015. The 26 drawings define the process components, and building and site features and improvements that Village staff consider suitable for new and reconditioned facilities and are the primary basis for the budget-level cost estimate for design, construction, and commissioning of the Project at \$4,900,000. Proposer may use this information to develop their Proposal provided the attached liability release is executed.
- **Outline Component Specifications.** Standards for materials of construction and features anticipated for process equipment and building systems are defined in this 3-page set of specifications, which were prepared by Village staff and HNTB Corporation.
- **Basis of Design Summary Table.** This one-page design criteria summary table defines the current and future anticipated operational conditions, and reference standards to which treatment components and facilities shall comply. This summary table was prepared by HNTB Corporation and shared with Ohio EPA in August 2015.

- **Geotechnical Report.** Conducted by DHDC Engineering Consulting Services in April 2015. The 27-page report details the four borings considered for the facility shown in the Conceptual Facility Design Drawings. No other geotechnical information is known to exist for the site supporting the existing facilities.
- **Instructions to Proposers.** The 9-page, 2014 customized edition of “Document 00 21 16—Instructions to Proposers (Design-Build Project), State of Ohio Standard Requirements for Public Facility Construction” shall be used by Proposers to prepare their Proposal.
- **Supplementary Scope.** The 2-page, 2014 customized edition of “Document 00 54 13—Supplementary Scope Statement (AOR), State of Ohio Standard Requirements for Public Facility Construction” shall be used by Proposer to prepare their Proposal.
- **Pricing Proposal Form.** The 5-page, 2014 edition of the “Document 00 43 53—Proposal Form (Design-Build Contact with GMP at Selection), State of Ohio Standard Requirements for Public Facility Construction) shall accompany and be coordinated with the Agreement and GMP Amendment forms noted hereinbelow. References to EDGE requirements are not applicable to this Project and can be ignored for all references on this form.
- **Design-Build Agreement.** The 5-page, 2014 edition of “Document 00 52 53—Agreement Form (Design-Build Project), State of Ohio Standard Requirements for Public Facility Construction” shall be used and completed consistently with information presented by the Proposer in their Proposal and SOQ.
- **Subcontract Form.** The 3-page, 2014 edition of “Document 00 52 54—State of Ohio Subcontract Form (Design-Build Project), State of Ohio Standard Requirements for Public Facility Construction” shall be used and completed consistently with information presented by the Proposer in their Proposal and SOQ.
- **Guaranteed Maximum Price Amendment.** The 4-page, 2014 edition of “Document 00 53 53—GMP Amendment (Design-Build Project), State of Ohio Standard Requirements for Public Facility Construction” shall be used and completed consistently with information presented by the Proposer in their Proposal and SOQ.
- **Performance Bond.** The 2-page, 2014 edition of “Document 00 61 13.13—Performance Bond Form, State of Ohio Standard Requirements for Public Facility Construction” shall be used and completed consistently with information presented by the Proposer in their Proposal and SOQ.
- **Payment Bond.** The 2-page, 2014 edition of “Document 00 61 13.16—Payment Bond Form, State of Ohio Standard Requirements for Public Facility Construction” shall be used and completed consistently with information presented by the Proposer in their Proposal and SOQ.
- **General Conditions.** The 79-page, 2014 edition of “Document 00 72 53—General Conditions (Design-Build Project), State of Ohio Standard Requirements for Public Facility Construction” shall be used by Proposer to prepare their Proposal.
- **Wage Rate Requirements.** The one-page, 2014 edition of “Document 00 73 43—Wage Rate Requirements (Design-Build Project), State of Ohio Standard Requirements for Public Facility Construction” shall be used by Proposer to prepare their Proposal.

Documents are provided to Proposers in both paper and electronic formats (with the latter being furnished on a compact disc).

6.0. Proposal Contents and Format

Proposals shall consist of specific elements that are organized in a uniform format, with those requirements defined in this section and delivery requirements in the following section (Article 7.0). Proposal elements shall be executed by the authorized persons and entities identified in the SOQ (with signatures provided in blue ink), and shall remain in full force and effect for 90 days after the latest date Proposal submittals and amendments will be accepted.

Narrative, contract, form, and appendix pages shall be 8-1/2 by 11-inches, single-spaced in 12-point font with 1-inch margins side-to-side and top and bottom (unless otherwise dictated by a standard form format). Items best suited with 11 by 17-inch presentations (such as drawings and schedules) shall be folded to match narrative pages. All paper information provided shall be bound into a single 3-ring binder (no bigger than an 8-1/2 by 11-inch, with a 3-inch wide spine). A clear and concise presentation of Proposal information is encouraged and although a maximum page limit is not specified, material shall be easily accessed (removed and paged-through) from the binder.

The Village requests that each Proposer provide the following information in the order listed below in their Proposal:

- **Cover Letter.** Reference project, members of Proposer's team, and the one primary reason this team should be selected for the Yellow Springs WTP project. Summarize overall project schedule and earliest possible date GMP Amendment can be submitted.
- **Project Approach.** Detail the technical approach to the design, construction, and commissioning of the Project. Material shall be provided per the Instructions to Proposers (Document 00 21 16, specifically Article 2.2 Technical Proposal Requirements) and the Supplementary Scope Statement (Document 00 54 13). Drawings to convey concepts are encouraged, including plan and section views and diagrams (treatment process, instrumentation and control, and electrical one-line). Information incorporated into this section shall be coordinated fully with material covered or requested in the following sections and shall note any clarifications or exceptions to General Conditions (Document 00 72 53) and any other documents referenced in this RFP. Per Village policy, firms with five or more employees shall demonstrate they have an effective equal employment policy in place by use of a reasonable number of female and minority employees for the design and construction of the Project.
- **Project Pricing.** Identify the compensation and costs associated with the base approach and alternative approaches to the Project. Material shall be provided per the Instructions to Proposers (Document 00 21 16, specifically Article 2.3 Pricing Proposal Requirements) and the corresponding tables of the Proposal Form (Document 00 43 53).
- **Agreement Form.** Proposer shall complete this form (Document 00 52 53) to the extent possible regarding their approach to the Project.
- **Subcontract Form.** Proposer shall identify one or more design or construction subcontractors proposed for the Project, and their corresponding compensation, and execute the form (Document 00 52 54) for each subcontractor.
- **Performance Bond.** Proposer and its Surety Agent shall complete this form (Document 00 61 13.13) and include any attachments as necessary regarding their approach to the Project.

- **Payment Bond.** Proposer and its Surety Agent shall complete this form (Document 00 61 13.16) and include any attachments as necessary regarding their approach to the Project.
- **Proposal Synopsis.** Proposer shall execute and notarize the Proposal Synopsis (Attachment 1).
- **Liability Release.** Proposer shall execute the release (Attachment 2) should Proposer use the site survey or conceptual drawings in developing or presenting their Proposal.

With the exception of the cover letter, provide tabbed dividers to separate each section noted above, and labeled with the titles identified in bold text. Under separate cover, the Proposer shall complete the GMP Amendment Form (Document 00 53 53) and its specific attachments to the extent possible regarding their approach to the Project.

7.0. Proposal Questions and Delivery

Questions in writing regarding this RFP shall be directed to the Criteria Engineer for the Village of Yellow Springs:

Sam Swanson, PE
 HNTB Corporation
 105 E. Fourth Street, Suite 1350
 Cincinnati, Ohio 45202
 Email: sswanson@hntb.com

Only written questions directed to the Criteria Engineer will be considered. Verbal questions will not be addressed. Questions shall be received by midnight on the date referenced in Article 4.0 timeline presented hereinbefore. Questions submitted to the Criteria Engineer after this time and date will not be considered. All RFP addenda, along with weekly-summarized questions and answers, will be posted on the Village’s website (www.yso.com) for Proposers to review.

Proposers shall submit ten paper copies and two electronic copies of their Proposal to the Criteria Engineer by 2:00 p.m. on the date referenced in Article 4.0 timeline presented hereinbefore. Place the all the Proposal elements in a single sealed container. Write on the outside of the sealed container: **Design-Build Proposal for the Yellow Springs WTP Project**

Proposers shall submit their GMP Amendment documents (ten paper copies and two electronic copies) to the Criteria Engineer per “Article 4 – GMP-Related Process” of Document 00 21 16—Instructions to Proposers. The date of submittal will be determined as part of the proposal process.

8.0. Proposal Synopsis

As part of the Proposal, Proposers shall complete the following Proposal Synopsis (Attachment 1) and have it notarized. Any material incorporated into this Proposal not consistent with material presented as part of the Proposer’s SOQ shall be identified and explained.

9.0. Release of Liability (Site Survey and CAD Files)

As part of the Proposal, Proposers shall complete the following attached Release of Liability for use of Site Survey and CAD Files (Attachment 2) should they use any of this material to develop their Proposal.

**Attachment 1
PROPOSAL SYNOPSIS**

As a duly authorized representative of the Design-Build Firm, I hereby certify, represent and warrant the following in concert with the Proposal and SOQ:

- Proposer acknowledges receipt of the RFP document, supplements, questions/answers, and addenda (list item and date received or retrieved from Village of Yellow Springs website).
- Proposer has completely reviewed and understands and agrees to be bound by the requirements of the RFP.
- Submittal of the Proposal has been duly authorized by, and in all respects is binding upon, the Proposer. The Certificate of Authorization submitted as Attachment 2 to the previously-submitted SOQ evidences authority to submit the Proposal and bind the Respondent.
- Proposer's obligations under the Contract will be guaranteed irrevocably, absolutely and unconditionally, as evidenced by the Guarantor Acknowledgment certificate submitted as Attachment 3 to the RFQ. The Guarantor Certificate of Authorization submitted as Attachment 4 to the SOQ synopsis evidences the authority of the individual executing the Guarantor Acknowledgment to submit that document and bind the Guarantor.
- All information and statements contained in the Proposal are current, correct and complete, and are made with full knowledge that the Village will rely on such information and statements to award the Project.
- Proposal has been prepared and is submitted without collusion, fraud or any other action taken in restraint of free and open competition for the services indicated in this RFP.
- Proposer shall comply with any applicable state and federal equal opportunity and affirmative action requirements associated with the funding of the Project.
- Neither the Proposer, nor the Guarantor, is currently suspended or debarred from doing business with any governmental entity.
- No person or selling agency has been employed or retained to solicit the award of the Contract under an arrangement for a commission, percentage, brokerage or contingency fee or on any other success fee basis, except bona fide employees of the Proposer.
- Proposer's person who will serve as its contact with the Village:

Name
Title
Address
Phone
Email
Name of Respondent
Name of Designated Signatory
Signature

State of _____

County of _____

On this _____ day of _____, 2015, before me appeared _____ personally known to me to be the person described in and who executed this _____ and acknowledged that (she/he) signed the same freely and voluntarily for the uses and purposes therein described. In witness thereof, I have hereunto set my hand and affixed my official seal the day and year last written above.

Notary Public in and for the state of _____

(SEAL)

(Name printed)

Residing at

My commission expires

Attachment 2
RELEASE OF LIABILITY FOR USE OF SITE SURVEY AND CAD FILES

As part of the RFP supplementary materials, the Village and its Criteria Engineer will provide survey and Computer Aided Drafting (CAD) files of existing features and conceptual facilities for use by the prequalified design-build firms during preparation of their Proposals.

Execution of this Release of Liability form by each design-build firm is a required precedent to using the survey and CAD files, per the following conditions:

- Village and Criteria Engineer make no representation or warranty regarding the accuracy, non-infringement, completeness, or permanence of survey and CAD files. To the fullest extent allowed by Ohio law, the design-build firm acknowledges that it has not relied on any representation or warranty other than those expressly set forth in this Release of Liability.
- Village and Criteria Engineer make no representation or warranty as to the compatibility of the survey and CAD files with any hardware or software, or from the modification or conversion of the CAD files into another format.
- Information within the survey and CAD files shall not be used for other projects, for additions to this Project, or completion of this Project by others. The survey and CAD files shall at all times remain the property of the Village, and in no case shall the transfer of the CAD Files be considered a sale or other transfer of ownership rights.
- The survey and CAD files and the media on which they are provided should not be considered certified documents, contract documents, or anything other than conceptual material.
- Proposer's use of the survey and CAD files shall not in any way negate their responsibility for meeting the criteria as set forth in this RFP document, including, but not limited to, verifying and coordinating site, building, and equipment sizes and space requirements.
- Each Proposer shall to the fullest extent permitted by Ohio law, indemnify, defend, and hold harmless Village and Criteria Engineer from all claims, damages, losses, expenses, penalties, and liabilities of any kind, including attorneys' fees, arising out of or resulting from the use of the survey and CAD Files by design-build firm or third party recipients of the survey and CAD files from Proposers.
- Village and Criteria Engineer believe that no licensing or copyright fees are due to others resulting from the transfer of the survey or CAD files to the Proposers, but to the extent any are, each Proposer shall pay the appropriate fees and hold Village and Criteria Engineer harmless from such claims.

By signing and dating this Release of Liability form, the Proposer agrees to the conditions hereinabove.

Design-Build Firm _____

Signature _____

Print Name and Title _____

Date _____