

RFQ 15-0001-1

**REQUEST FOR STATEMENTS OF QUALIFICATIONS FROM
DESIGN/BUILD/FINANCE/MAINTENANCE TEAMS FOR THE CHATHAM COUNTY
TRIAL COURT BUILDING**

PRE-QUALIFICATION MEETING TUESDAY, MARCH 10, 2015 AT 10:00 AM

STATEMENTS OF QUALIFICATIONS DUE: 5:00 PM, APRIL 14, 2015

THE COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

ALBERT J. SCOTT, CHAIRMAN

COMMISSIONER HELEN J. STONE

COMMISSIONER YUSUF K. SHABAZZ

COMMISSIONER JAMES J. HOLMES

COMMISSIONER LORI L. BRADY

COMMISSIONER TONY CENTER

COMMISSIONER DEAN KICKLIGHTER

COMMISSIONER PATRICK J. FARRELL

COMMISSIONER PRISCILLA D. THOMAS

R. JONATHAN HART, COUNTY ATTORNEY

CHATHAM COUNTY, GEORGIA

DOCUMENT CHECK LIST

The following documents, when marked, are contained in and made a part of this Bid Package or are required to be submitted with the bid. It is the responsibility of the bidder to read, complete and sign, where indicated, and return these documents with his/her bid. **FAILURE TO DO SO MAY BE CAUSE FOR DISQUALIFYING THE PROPOSAL.**

GENERAL INFORMATION AND INSTRUCTIONS WITH ATTACHMENTS

SURETY REQUIREMENTS (A Bid Bond of 5% will be required in Step Two)

Statements of qualification-Step One

BID SCHEDULE (Step Two - Only Pre-Qualified firms will receive the Request for Proposals)

PERFORMANCE BOND - UPON AWARD OF CONTRACT

PAYMENT BOND - UPON AWARD OF CONTRACT

CONTRACT

LEGAL NOTICE

ATTACHMENTS: A through G

COUNTY TAX CERTIFICATE REQUIREMENT - Contractor must supply a copy of their Tax Certificate from their location in the State of Georgia, as proof of payment of the occupational tax where their office is located.

CURRENT TAX CERTIFICATE NUMBER _____
CITY _____
COUNTY _____
OTHER _____

The Chatham County Board of Commissioners have established goals to increase participation of minority and female owned businesses. In order to accurately document participation, businesses submitting bids or proposals are encouraged to report ownership status. A minority or female business is defined as a business with 51% or greater minority of female ownership. Please check ownership status as applicable:

African-American _____ Asian American _____ Hispanic _____
Native American or Alaskan Indian _____ Female _____

The undersigned bidder certifies that he/she has received the above listed and marked documents and acknowledges that his/her failure to return each, completed and signed as required, may be cause for disqualifying his/her bid.

BY: _____

DATE: _____

SIGNATURE: _____

TITLE: _____

COMPANY: _____

CHATHAM COUNTY, GEORGIA
OFFICE OF THE PURCHASING AGENT
1117 Eisenhower Drive, Suite C, Citizens Service Center
SAVANNAH, GEORGIA 31406
(912) 790-1626

Date: February 23, 2015

RFQ 15-0001-1

GENERAL INFORMATION FOR REQUEST FOR STATEMENT OF QUALIFICATIONS

Using a two-step RFP Process, Chatham County is soliciting pre-qualification packages from **Design/Build/Finance/Maintenance teams for the Chatham County Trial Court Building project.** Step one of this process will consist of providing statements of qualifications (SOQ) in accordance with this request. Statement of Qualifications will be received at the Office of the Purchasing Agent, **Suite C, "Citizens Service Center" 1117 EISENHOWER DRIVE, Savannah, Georgia, 31406 up to Tuesday, April 14, 2015 at 5:00 PM**, at which time they will be opened and evaluated. The Purchasing Agent reserves the right to reject any and all submissions and to waive formalities.

A pre-qualification meeting will be held on Tuesday, March 10, 2015 at 10:00 am at the Live Oak Library – Southwest Branch, 14097 Abercorn Extension (next to Savannah Mall), Savannah, Georgia 31419.

Instructions for preparation and submission of a SOQ are contained in this Request for Qualification package. Please note that specific forms and formatting are required. All information must be typed or printed in ink. **Peggy Joyner, Purchasing Agent, is the assigned Purchasing & Contracting point of contact. All communications regarding this solicitation should be directed to Peggy Joyner at 912-790-1626 or via E-mail at pjoyner@chathamcounty.org.**

Any changes to the conditions and specifications must be in the form of a written addendum to be valid; therefore, the Purchasing Agent will issue a written addendum to document each approved change.

Chatham County has an equal opportunity purchasing policy. Chatham County seeks to ensure that all segments of the local business community have access to supplying the goods and services needed by County programs. The County affirmatively works to encourage utilization of local minority and woman owned business enterprises in our procurement activities. The County provides equal opportunity for businesses and does not discriminate against any persons or businesses regardless of race, color, religion, age, sex, national origin or handicap. The terms "minority business enterprise," and "woman owned business enterprise" are more specifically defined and explained in the Chatham County Local, Small Minority and Women Owned Business Policy.

INSTRUCTIONS TO PROPOSERS

1.1 **Purpose:** The purpose of this document is to provide general and specific information for use in submitting a statement of qualifications for a team to provide Design/Build/Finance/Maintenance (D/B/F/M) services for the Chatham County Trial Court Building. All SOQ's are governed by the Code of Chatham County and the laws of the State of Georgia.

1.2 **How to Prepare Statement of Qualifications (SOQ):** All SOQ's shall be:

- A. Prepared on the forms enclosed herein, unless otherwise prescribed, and **all documents must be submitted.**
- B. Typewritten or completed with pen and ink, signed by the business owner or authorized representative, with all erasures or corrections initialed and dated by the official signing the proposal. ALL SIGNATURE SPACES MUST BE SIGNED.

D/B/F/M teams are encouraged to carefully review all provisions and attachments of this document and furnish all required information with their submission.

Where this document refers to the request for proposal (RFP) process, Step Two will be the actual request for proposals (RFP) after the pre-qualification process

1.3 **How to Submit:** All SOQ's shall be:

- A. **Submitted in sealed opaque envelopes, plainly marked with the RFQ number and project title, date and time of opening, and company name.**
- B. Mailed or delivered as follows in sufficient time to ensure receipt by the Purchasing Agent on or before the time and date specified above.
 - a. **Mailing Address: Chatham County Purchasing Agent, 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406.**
 - b. **Hand Delivery: Purchasing Agent, Suite C, "Citizens Service Center", 1117 Eisenhower Drive, Savannah, Georgia 31406.**

SOQ's NOT RECEIVED BY THE TIME AND DATE SPECIFIED WILL NOT BE OPENED OR CONSIDERED.

1.4 **How to Submit an Objection:** Objections from proposers to this pre-qualification questionnaire must be brought to the attention of the County Purchasing Agent in the following manner:

- A. When a pre-qualifying conference is not scheduled, the bidder shall submit any objections in writing not less than five (5) days prior to the opening date.

B. The objections contemplated may pertain to form and/or substance of the pre-qualifying documents. Failure to object in accordance with the above procedure will constitute a waiver on the part of the business to protest.

1.5 **Errors:** Proposers or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting their qualifications. Failure to do so will be at the proposer's own risk.

1.7 **Standards for Acceptance:** The County reserves the right to reject any or all responses and to waive any irregularities or technicalities in responses received whenever such rejection or waiver is in the best interest of the County. The County reserves the right to reject the questionnaire response of a proposer who has previously failed to perform properly or complete on time contracts of a similar nature, or a bid from a bidder whom investigation shows is not in a position to perform the contract.

1.8 **Bidder:** Whenever the term "bidder" is used it shall encompass the "person," "business," "contractor," "supplier," "vendor," or other party submitting a bid, proposal or statement of qualifications to Chatham County in such capacity before a contract has been entered into between such party and the County.

1.9 **Compliance with Laws:** The proposer and/or contractor shall obtain and maintain all licenses, permits, liability insurance, workman's compensation insurance and comply with any and all other standards or regulations required by federal, state or county statute, ordinances and rules during the performance of any contract between the contractor and the County. Any such requirement specifically set forth in any contract document between the contractor and the County shall be supplementary to this section and not in substitution thereof.

1.10 **Contractor:** Contractor means any person or business having a contract with Chatham County. The Contractor/Vendor of goods, material, equipment or services certifies that they will follow equal employment opportunity practices in connection with an awarded contract as more fully specified in the contract documents.

1.11 **Local Preference:** On March 27, 1998, the Board of Commissioners adopted a Local Vendor Preference Ordinance. Contractors are encouraged to apply the same method when awarding bids to local and local M/WBE businesses whenever possible in order to promote growth in Chatham County's economy.

GENERAL CONDITIONS

- 2.1 **Specifications:** Any error or omission in the request for statement of qualifications shall not inure to the benefit of the bidder but shall put the bidder on notice to inquire of or identify the same from the County.
- 2.2 **Completeness:** All information required by the statement of qualification must be submitted in order to constitute a proper response.
- 2.3 **Award of Contract:** The contract, if awarded, will be based on the responses received in Phase 2 which will be a Request for Proposal from pre-qualified D/B/F/M teams. The Board of Commissioners will make the determination as to which proposal best serves the interest of Chatham County.
- 2.4 **Procurement Protests:** Protests to any portion of the procurement process or actions of the County staff may be filed with the Purchasing Agent for review and resolution. The Chatham County Purchasing Procedures Manual, Article IX - Appeals and Remedies shall govern the review and resolution of all protests. The same provisions apply to pre-qualification of D/B/F/M teams.

Protests may be submitted if your company is NOT pre-qualified as follows:

1. Within three (3) business days of notification that your team has not been prequalified, notify the Purchasing Agent of your intent to protest.
2. Within four (4) business days after notifying Chatham County of your intent to protest, submit your protest in writing to the Purchasing Agent or your protest will not be considered. (Total of seven (7) days to submit in writing). The Purchasing Agent will respond to your protest within three (3) business days.

Appeal of Purchasing Agent's decision:

1. Within three (3) business days of Purchasing Agent's decision, submit your appeal through the Purchasing Agent to the County Manager. You will be notified within three (3) business days of his decision. His decision or the decision of Board of Commissioners will be final.
2. Final appeal will be vested with the Board of Commissioners in their next available open public meeting. The Board's decision will be final.

- 2.5 **Qualification of Business (Responsible Bidder or Proposer):** A responsible bidder or proposer is defined as one who meets, or can meet, by the date of the bid acceptance all requirements for bonding, licensing, insurance, and service contained within this Invitation for Bid or Proposal. Chatham County has the right to require any or all bidders to submit documentation of their ability to perform, provide, or carry out the service or provide the product requested.

Chatham County has the right to disqualify the bid or proposal of any bidder or proposer as being non-responsive or non-responsible whenever such bidder/proposer cannot document the ability to deliver the requested product or service.

- 2.6 **Chatham County Tax Certificate Requirement:** A current Chatham County Tax Certificate is required unless otherwise specified.

Please contact the Building Safety and Regulatory Services (912) 201-4300 for additional information.

- 2.7 **Insurance Provisions, General:** The selected CONTRACTOR shall be required to procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors.

It is every contractor's responsibility to provide the County Purchasing and Contracting Division current and up-to-date Certificates of Insurance for multiple year contracts before the end of each term. Failure to do so may be cause for termination of contract or stop work notice with liquidated damages.

2.7.1 General Information that shall appear on a Certificate of Insurance:

- I. Name of the Producer (Contractor's insurance Broker/Agent).
- II. Companies affording coverage (there may be several).
- III. Name and Address of the Insured (this should be the Company or Parent of the firm Chatham County is contracting with).
- IV. A Summary of all current insurance for the insured (includes effective dates of coverage).
- V. A brief description of the operations to be performed, the specific job to be performed, or contract number.
- VI. Certificate Holder (This is to always include Chatham County).

Chatham County as an Additional Insured: Chatham County invokes the defense of sovereign immunity. In order not to jeopardize the use of this defense, the County **is not** to be included as an Additional Insured on insurance contracts.

2.7.2 Minimum Limits of Insurance to be maintained for the duration of the contract:

- A. **Commercial General Liability:** Provides protection against bodily injury and property damage claims arising from operations of a Contractor or Tenant. This policy coverage includes: premises and operations, use of independent contractors, products/completed operations, personal injury, contractual, broad form property damage, and underground, explosion and collapse hazards. Minimum limits: \$1,000,000 bodily injury and property damage per occurrence and \$3,000,000 annual aggregate.
- B. **Worker's Compensation and Employer's Liability:** Provides statutory protection against bodily injury, sickness or disease sustained by employees of the Contractor while performing within the scope of their duties. Employer's Liability coverage is usually included in Worker's Compensation policies, and insures common law claims of injured employees made in lieu of or in addition to a Worker's Compensation claim. Minimum limits: \$500,000 for each accident, disease policy limit, disease each employee and Statutory Worker's Compensation limit.
- C. **Business Automobile Liability:** Coverage insures against liability claims arising out of the Contractor's use of automobiles. Minimum limit: \$1,000,000 combined single limit per accident for bodily injury and property damage. Coverage should be written on an "Any Auto Basis".

2.7.3 Special Requirements:

- A. **Claims-Made Coverage:** The limits of liability shall remain the same as the occurrence basis, however, the Retroactive date shall be prior to the coincident with the date of any contract, and the Certificate of Insurance shall state the coverage is claims-made. The Retroactive date shall also be specifically stated on the Certificate of Insurance.
- B. **Extended Reporting Periods:** The Contractor shall provide the County with a notice of the election to initiate any Supplemental Extended Reporting Period and the reason(s) for invoking this option.
- C. **Reporting Provisions:** Any failure to comply with reporting provisions of the policies shall not affect coverage provided in relation to this request.
- D. **Cancellation:** Each insurance policy that applies to this request shall be endorsed to state that it shall not be suspended, voided, or canceled, except after thirty (30) days prior to written notice by certified mail, return receipt requested, has been given to the County.
- E. **Proof of Insurance:** Chatham County shall be furnished with certificates of insurance and with original endorsements affecting coverage required by this request. The certificates and endorsements are to be signed by a person authorized by the insurer to bind coverage on its behalf. All certificates of insurance are to be submitted prior to, and approved by, the County before services are rendered. The Contractor must ensure Certificate of Insurance are updated for the entire term of the County contract.
- F. **Insurer Acceptability:** Insurance is to be placed with an insurer having an A.M. Best's rating of A and a five (5) year average financial rating of not less than V. If an insurer does not qualify for averaging on a five year basis, the current total Best's rating will be used to evaluate insurer acceptability.
- G. **Lapse in Coverage:** A lapse in coverage shall constitute grounds for contract termination by the Chatham County Board of Commissioners.
- H. **Deductibles and Self-Insured Retention:** Any deductibles or self-insured retention must be declared to, and approved by, the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as related to the County, its officials, officers, employees, and volunteers; or the Contractor shall procure a bond guaranteeing payment of related suits, losses, claims, and related investigation, claim administration and defense expenses.

2.7.4 Additional Coverage for Specific Procurement Projects:

- A. **Builder's Risk: (For Construction or Installation Contracts)** Covers against insured perils while in the course of construction.
Minimum Limits: All-Risk coverage equal 100% of contract value
Coverage Requirements: Occupancy Clause - permits County to use the facility prior to issuance of Notice of Substantial Completion.

- 2.8 **Compliance - Terms and Conditions:** The response to the Statement of Qualifications, Request for Proposal, Legal Advertisement, General Conditions and Instructions to Bidders, Specifications, Special Conditions, Vendor's Bid, Addendum, and/or any other pertinent documents form a part of the bidder's proposal/bid and by reference are made a part of any resulting contract.
- 2.9 **Signed Bid Considered Offer:** The signed proposal in Step Two shall be considered an offer on the part of the bidder, which offer shall be deemed accepted upon approval by the Chatham County Board of Commissioners. In case of a default on the part of the bidder after such acceptance, Chatham County will take such action as it deems appropriate, including legal action for damages or lack of required performance.
- 2.10 The Chatham County Board of Commissioners has adopted an aggressive program that establishes goals for local and minority/woman owned, small and disadvantaged business participation in construction, professional services, and general procurement.
- A. The Chatham County Board of Commissioners under Georgia law may reject any bid as non-responsive if they feel a bidder did not exercise "Good Faith Effort" in obtaining the goal established for M/WBE participation.
 - B. The Chatham County Board of Commissioners adopted a policy establishing goals oriented to increase participation of local, local minority and female owned businesses, through MBE/WBE certification and development. In order to accurately document participation, businesses submitting bids, quotes or proposals must report ownership status. A bidder or vendor that is certified by any agency of the Federal Government, the State of Georgia, or any other local government agency must submit a copy of their certification with their bid as proof of qualifications. Bidders that intend to engage in joint ventures or utilize subcontractors must submit to the Purchasing Agent, a report on local Minority/Female Business Enterprise participation.
 - C. Chatham County encourages the use of local labor on County contracts. Proposers should include their methodology to maximize the use of local labor.
- 2.11 Bidders or proposers are required to make a **Good Faith Effort**, where subcontracting is to be utilized in performing the contract, to subcontract with or purchase supplies from qualified local M/WBEs. Bidders or proposers are required to state if they intend to subcontract any part of the work. Goals will be established for each contract at the onset. Each bidder or proposer is required to maintain records of such efforts in detail, adequate to permit a determination of compliance with these requirements. All contracts will reflect **Good Faith Efforts** and reporting requirements for the term of the contract.

Each bidder or proposer is required to maintain records of such efforts in detail adequate to permit a determination of compliance with these requirements. All contracts will reflect Good Faith Efforts and reporting requirements for the term of the contract. The county particularly urges general contractors to give emphasis to subcontracting with local area firms. **For information on the program or M/WBE contractors/vendors please contact Connell C. Heyward, Chatham County Minority and Women Business Coordinator, 124 Bull Street, Suite 110, Savannah, Georgia, 30401, (912) 652-7828 phone, or (912) 652-7951 fax. Email: cheyward@chathamcounty.org**

- 2.12 **GEORGIA OPEN RECORDS ACT** - The responses will become part of the County's official files without any obligation on the County's part. Ownership of all data, materials and documentation prepared for and submitted to Chatham County in response to a solicitation, regardless of type, shall belong exclusively to Chatham County and will be considered a record prepared and maintained or received in the course of operations of a public office or agency and subject to public inspection in accordance with the Georgia Open Records Act, Official Code of Georgia Annotated, Section 50-18-70, et. Seq., unless otherwise provided by law.

Responses shall be held confidential from all parties other than the County until after the contract is awarded by the Board of Commissioners.

Chatham County shall not be held accountable if material from responses is obtained without the written consent of the vendor by parties other than the County, at any time during the solicitation evaluation process.

- 2.13 **GEORGIA TRADE SECRET ACT of 1990-** In the event a Bidder/Proposer submits trade secret information to the County, the information must be clearly labeled as a Trade Secret. The County will maintain the confidentiality of such trade secrets to the extent provided by law.

- 2.14 **CONTRACTOR RECORDS-**The Georgia Open Records Act is applicable to the records of all contractors and subcontractors under contract with the County. This applies to those specific contracts currently in effect and those which have been completed or closed for up to three (3) years following completion.

CONVERSATIONS OR CORRESPONDENCE REGARDING THIS SOLICITATION OR REPORT BETWEEN PROSPECTIVE OFFERORS AND PERSONS OUTSIDE THE CHATHAM COUNTY PURCHASING OFFICE WILL NOT BE CONSIDERED OFFICIAL OR BINDING UNLESS OTHERWISE SPECIFICALLY AUTHORIZED WITHIN THIS DOCUMENT.

The undersigned proposer certifies that he/she has carefully read the preceding list of instructions and all other data applicable hereto and made a part of this invitation; and, further certifies the information provided are in accordance with all documents contained in this pre-qualification package, and understands that any exception taken thereto may disqualify his/her proposal.

This is to certify that I, the undersigned proposer, have read the instructions and agree to be bound by the provisions of the same.

This _____ day of _____ 2015.

BY _____
SIGNATURE

TITLE

COMPANY

TELEPHONE _____

FAX _____

EMAIL _____

SPECIFIC REQUIREMENTS

3.1 Introduction

A. Purpose

Chatham County, Georgia, is considering the feasibility of a 165,000 sf addition to the Chatham County Courthouse complex located at 133 Montgomery Street, Savannah, Georgia 31401. The County is interested in a procurement method for this Project that will minimize the requirements for both upfront cash expenditures and the issuance of long-term debt instruments while still providing the County with a high quality, well maintained facility. As such, the County is requesting statements of qualifications from teams experienced in providing innovative design/build/finance/ maintenance (“D/B/F/M”) solutions for a modern courthouse project pursuant to a public-private partnership agreement (“P3”) funded through lease payments. This qualifications process is intended to identify potential teams (“D/B/F/M Teams”) to respond to a request for proposals from the County which will be Step 2 of this process.

B. Project Objectives

1. Execute a P3 that advances the Project Objectives, achieves the advantages of public-private partnerships, leverages available financing and anticipates the life-cycle events of a long-term design/build/finance/maintain project.
2. Complete design of the Project with the utmost regard to quality, schedule, construction cost, life-cycle cost, sustainability, durability and maintainability.
3. Keep the Project’s costs for design, demolition of existing structures, construction, furniture, finishes, equipment and technology within the Project budget.
4. Establish a financing methodology that minimizes the County’s required lease payments. It is anticipated that the lease payment schedule will be established and agreed upon prior to execution of a P3 agreement between the County and the successful D/B/F/M Team.
5. Encourage participation in the construction and maintenance of the Project by local contractors.
6. Construct the Project with the utmost regard to safety, quality, cost, schedule and sustainability.
7. Maintain ongoing and uninterrupted operations at the Courthouse during construction of the Project.
8. Minimize impacts to the public, businesses and adjacent property owners during construction through effective communication, cooperation and coordination.

9. Cooperate and coordinate with Project Stakeholders identified by the County.
10. Ensure the County has beneficial occupancy of the Project by 36 months after award or as otherwise agreed upon by the County.
11. Maintain the Project for the term of the P3 agreement per the maintenance specifications developed in the design phase.

3.2 General Instructions

A. Building Program

1. Project description:
 - demolition of existing structure(s) as required;
 - four-story, 165,000 sf trial court building

The design team of PSA Dewberry and Barnard & Associates has completed design development for the Trial Court Building. It is up to the Proposers to decide the scope and extent of this design team's involvement within the Proposer's plan for the Project however, unless otherwise approved, the floor plans should be retained in the final design.

The architect has agreed that the County owns the documents related to design development.

2. Design and Construction Budget

The County and the selected D/B/F/M team shall agree upon a budget for the Project which includes all demolition, testing, inspections, design, construction, site development, professional fees, furniture and equipment.

3. Construction Schedule

The County's desire is to have beneficial occupancy of the Project by 36 months after award. Proposers should provide a schedule for the design and construction phases based on the Project description in this RFQ.

4. P3 Agreement

The County anticipates entering into a comprehensive P3 agreement with the successful proposer that will set forth the obligations of the parties through the life-cycle of the Project including completion of design documents, construction, occupancy and maintenance of the

facility. The County may consider forms of agreement suggested by the successful proposer. Salient features of the P3 agreement will include:

- A detailed description of the design elements included in the Project;
- A detailed program for financing the Project;
- Detail of any anticipated expenses that would fall outside of the monthly lease payment;
- Requirements for insurances and bonds to be provided by the D/B/F/M Team. The County does not anticipate providing insurance or bonds during the life of the Project;
- Provisions for early buy-out of the D/B/F/M Team in the event the County desires to take full ownership of the Project prior to expiration of the term of the P3 agreement.

B. Scope of Services

The proposed scope of services includes the design, construction, financing and maintenance of a 165,000 sf addition to the Chatham County Courthouse complex for the trial courts. The County expects the D/B/F/M Team to provide the leadership role in taking the Project from the present state of incomplete design documents to final completion of design and construction and establishment of a long-term maintenance program. The County will look to the selected D/B/F/M Team for expertise in obtaining financing in order to provide a competitive lease payment schedule to the County. The County will also look to the D/B/F/M team to provide value engineering to keep project costs and the resulting lease to the County as low as possible. The D/B/F/M Team will provide design and construction expertise to maximize the efficiency and durability of the Project.

C. Selection Process

Selection of the D/B/F/M Team will be procured through the following process:

1. Request for Qualifications responses will be evaluated against a set of criteria to determine those firms most qualified and suited for this project.
2. The County will then issue a request for proposals to the prequalified teams to provide detail of their proposal.

3.3 Statement of Qualifications Instructions and Requirements

A. General Instructions

Sealed Statement of Qualifications must be received in the County's Procurement Office not later than **5:00pm, on Tuesday April 14, 2015**. The Proposer is responsible for the means of delivering the qualifications submittals to the location listed below. Delays due to any instrumentality used to transmit submittals will be the responsibility of the Proposer. Qualification submissions must meet the requirements of and conform to the "Format and Requirements" as stated below and must be submitted to:

Purchasing and Contracting
1117 Eisenhower Drive Suite C
Savannah, Georgia 31406

Attn: Peggy Joyner

Submittals shall be marked on the outside of the envelope as "Statement of Qualifications Chatham County Courthouse Trial Courts Building, RFQ 15-0001-1" and include name of the firm submitting the SOQ.

Proposers must submit an original and five copies of their SOQ in addition to an electronic copy on CD or flash drive.

No submissions will be accepted after the time set for receipt of the SOQ's.

The County reserves the right to waive minor informalities and technicalities in the process.

It is the responsibility of each proposer to examine the entire RFQ, seek clarification in writing, and review its qualifications for accuracy before submitting. Once the submission deadline has passed, all qualifications submissions will be final. The County is not obligated to request clarification from any proposer relative to their submission.

Proposers are prohibited from contacting any elected official or employee of the County regarding this RFQ, or selection process from the time the RFQ is issued until the time a notification of intent to award is announced, except if such contact is in writing to the County's Purchasing Agent. Unauthorized contact with the County or any employees thereof may result in disqualification of the firm from the selection process at the discretion of the County.

It is the County's intent to minimize the cost to proposers responding to this solicitation, so proposers are encouraged to be brief and succinct. The County is seeking thoughtful, tightly focused qualifications that document the proposer's suitability for this Project and understanding of the Project.

Questions relating to the RFQ must be submitted in writing to the County's Purchasing Agent. The deadline for submission of questions relating to the RFQ shall be **Tuesday, April 7, 2015 at 5:00pm.**

All questions that have been submitted in writing, prior to the deadline, will be compiled and answered in writing. A written addendum will be used to answer all questions and any and all addenda will be posted on the County's website with the solicitation. Any interpretations, corrections or changes to this RFQ will be made by addendum.

B. Format and Requirements

Qualifications submissions must be printed on standard (8 1/2" x 11") paper using a font size no smaller than 11 point and one inch margins. Proposers must submit one (1) original plus five (5) copies of their qualifications submission and also provide an electronic version via CD or flash drive.

Qualifications should be organized and indexed in the following format and should contain all listed items in the sequence indicated:

1. Submittal Letter – A duly authorized official of the responding team shall provide a transmittal letter. This is the individual with whom the County will communicate during this process. For responses that are joint venture, partnerships, associations or consortia, each entity shall provide a letter of submittal indicating that statements made in the SOQ on behalf of the member have been authorized by, are correct and accurately reflect the role of the member on the D/B/F/M team.
2. Executive Summary – Summarize the respondent's qualifications and why this team is best suited to meet the County's objectives.
3. Proposer – Identify the legal name of the Proposer. If the Proposer is a consortium, partnership or any other form of a joint venture, identify all members and provide a copy of the executed teaming agreement. If an executed teaming agreement does not yet exist, provide a summary of the key terms of the anticipated agreement including percentages of ownership and roles of the various parties.
4. Team Members – Identify all major members of the D/B/F/M Team including the lead designers and contractor. Provide the names of similar projects that the team has previously completed. Identify at a minimum, team members responsible for financing, design, project management, construction and legal representatives.
5. Financial Strength – Provide financial statements and financial references for all major members of the D/B/F/M Team. As the Construction Manager or General Contractor will have to provide a payment and performance bond for the construction phase of the Project,

Provide a letter from the Construction Manager's or General Contractor's surety stating that the Construction Manager/General Contractor has sufficient bonding capacity.

6. Management Structure – Describe the D/B/F/M Team management structure for the Project including its teaming arrangements and allocation of roles and responsibilities within the D/B/F/M Team. Describe how the Proposer's management structure will facilitate completion of all work required for the Project.
7. Experience – Describe the relevant experience of each entity within the D/B/F/M Team including:
 - Development of public-private partnership projects particularly those similar to this project where the team will finalize design documents, construct a public building and lease back to the government agency. Examples should include projects where the D/B/F/M team provides maintenance of the building over the course of the lease. Provide detail regarding the size of the project, resulting lease payments and details of maintenance package.
 - Securing long-term financing for public and private projects. Detail the proposed financing mechanism for this project including any commitments which must be made by the County in order for your team to secure financing. Provide evidence of your ability to obtain financing.
 - Provide detail of similar projects where the team has constructed a building on public property and any contract requirements related to construction of a building on public property.
 - Design and construction of courthouses particularly those where court operations must be maintained in an adjoining building.
 - Success in delivering projects on schedule and within budget
 - Maintenance of courthouses and other comparable public facilities. Provide detail of the typical maintenance which would be included in the lease payment and detail what would be the County's responsibilities in regards to maintenance. Please describe how utilities would be handled.
 - Please advise your commitment and experience in constructing a building that would meet Silver LEED standards.
 - Provide client references for each member of the D/B/F/M Team. Provide the Construction Manager's or Contractor's EMR for the past three years.
8. Management Team – Please designate the specific individuals to fill the following key roles on the D/B/F/M Team:
 - Project Executive
 - Design Principal
 - Project Architect

- Project Manager
- Project Accountant
- Superintendent
- Maintenance Leader

For each of the above individuals provide current resumes listing relevant project experience.

Provide an organization chart showing the lines of responsibility and accountability for the D/B/F/M Team.

9. Project Approach

- Provide an overview of services typically performed for similar projects using Design Build Finance Maintenance.
- Explain your approach to value engineering, citing relevant, specific examples.
- Occasionally, subcontractors and suppliers go bankrupt during the course of a project. What would you do to protect the County from being adversely affected by such an occurrence?
- Describe how your firm would assure participation by local contractors. Include examples of other projects where you have been successful in meeting similar goals. Provide details of the estimated percentage of local MWBE's and local business participation in the project. Describe any guarantees to obtain these percentages. The D/B/F/M Team may be required to provide presentations to the Board of Commissioners regarding their success in meeting the commitment.
- Describe your approach to teamwork on a project of this magnitude
- Describe how your firm intends to arrange the design and construction into bid packages in order to reach the County's schedule and budget objectives.
- Describe your general approach to schedule for the Project.
- Describe your approach to schedule control and cost control.

10. Project Financing – Each Proposer will define their specific method of financing the project. The successful Proposer will be expected to provide complete financing of the Project based on a contract with the County as the tenant. The County does not anticipate being obligated to begin payments under the contract until a Certificate of Occupancy has been issued. This will be a turnkey project with all aspects of the Project being provided by the Proposer. The County requests that the Proposer include the right for the County to pre-pay the debt obligation prior to the full amortization of the debt and have the title to the property revert to the County at that time. The Proposer should describe their approach to procuring long-term financing. Also, provide a detailed breakdown of expenses to be covered by the monthly contract payment. The basic contract terms should be fixed for the life of the contract.

11. Required Forms:

- Attachment A Drug Free Workplace Certification
- Attachment B Promise of Non-Discrimination Statement
- Attachment C Disclosure of Responsibility Statement
- Attachment D Contractor and Subcontractor Affidavits
- Attachment E SAVE Affidavit
- Attachment F Suspension and Debarment Form
- Attachment G Affidavit Regarding Lobbying

3.4 Evaluation and Selection Criteria

The purpose of this RFQ is to pre-qualify D/B/F/M teams for the County's Courthouse Trial Courts Building. Consequently, the evaluation of the Qualifications will be based upon the capabilities of the responding D/B/F/M Team. The County will evaluate the qualifications submissions and score each in accordance with the detail below.

- Financial Strength of the Team Members (20 points)
- Experience of all members of the D/B/F/M Team (20 points)
- Commitment to local business participation, employment of local labor, use of local minority and woman owned businesses. (15 points)
- Management Team proposed for the Project (10 points)
- Project Approach (10 points)
- Financing Methodology (20 points)
- Responsiveness to the information required to be provided in this RFQ (5 points)

Interviews may be scheduled at the County's discretion. The County will score the proposers based on these criteria and prequalify proposers to respond to a Request for Proposals issued as Phase 2. Proposers must obtain a score of 80 points to be pre-qualified.

3.5 Additional Conditions

- A. The County reserves the right to reject any or all SOQ's received, to request additional information, or to extend the deadline for submittals.
- B. Confidentiality of Documents: Upon receipt of qualifications by the County, the qualifications shall become the property of the County without compensation to the proponent, for disposition or usage by the County at its discretion. The details of the qualifications documents will remain confidential until final award.

If a Proposer does not desire proprietary information in the qualifications submittal to be disclosed, it is required to identify all proprietary information in the submittal as such. This identification will be

accomplished by individually marking each page with the words “Proprietary Information” on which such proprietary information is found. If the Proposer fails to identify proprietary information, it agrees that by submission of its qualifications those sections shall be deemed non-proprietary and made available upon public request.

The previous paragraph notwithstanding, Proposers are advised that the County, only to the extent permitted by law, will protect the confidentiality of qualifications submittals. Proposers shall consider the implications of the Georgia Open Records Act, particularly after the RFQ process has ceased and a P3 has been awarded. While there are provisions in the Georgia Open Records Act to protect proprietary information when statutory standards are met, please be advised that a determination on whether those standards have been met will not be decided by the County but by the Office of the Attorney General of the State of Georgia. In the event a request for public information is made, the County will notify the Proposer who may then request an opinion from the Attorney General. The County will not make a request of the Attorney General.

- C. Costs to Prepare Responses: The County assumes no responsibility or obligation to the respondents and will make no payment for any costs associated with the preparation or submission of these Qualifications.
- D. Equal Employment Opportunity: During the performance of this Contract, the proposing team agrees as follows: The D/B/F/M Team will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, national origin, place of birth, or physical handicap.

ATTACHMENT A

DRUG - FREE WORKPLACE CERTIFICATION

THE UNDERSIGNED CERTIFIES THAT THE PROVISIONS OF CODE SECTIONS 50-24-1 THROUGH 50-24-6 OF THE OFFICIAL CODE TO GEORGIA ANNOTATED, RELATED TO THE ****DRUG-FREE WORKPLACE****, HAVE BEEN COMPLIED WITH IN FULL. THE UNDERSIGNED FURTHER CERTIFIES THAT:

1. A Drug-Free Workplace will be provided for the employees during the performance of the contract; and
2. Each sub-contractor under the direction of the Contractor shall secure the following written certification:

_____ (CONTRACTOR)
certifies to Chatham County that a Drug-Free Workplace will be provided for the employees during the performance of this contract known as

(PROJECT) pursuant to paragraph (7) of subsection (B) of Code Section 50-24-3. Also, the undersigned further certifies that he/she will not engage in the unlawful manufacture, sale, distribution, possession, or use of a controlled substance or marijuana during the performance of the contract.

CONTRACTOR DATE

NOTARY DATE

ATTACHMENT B

PROMISE OF NON-DISCRIMINATION STATEMENT

Know All Men By These Presence, that I (We), _____,
Name

_____, _____ (herein after "Company"),
Title Name of Bidder

in consideration of the privilege to bid/or propose on the following **Chatham County
project procurement**

hereby consent, covenant and agree as follows:

- (1) No person shall be excluded from participation in, denied the benefit of or otherwise discriminated against on the basis of race, color, national origin or gender in connection with the bid submitted to Chatham County or the performance of the contract resulting therefrom;
- (2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contract or otherwise interested with the Company, including those companies owned and controlled by racial minorities, and women;
- (3) In connection herewith, I (We) acknowledge and warrant that this Company has been made aware of, understands and agrees to take affirmative action to provide minority and women owned companies with the maximum practicable opportunities to do business with this Company on this contract;
- (4) That the promises of non-discrimination as made and set forth herein shall be continuing throughout the duration of this contract with Chatham County;
- (5) That the promises of non-discrimination as made and set forth herein shall be and are hereby deemed to be made a part of and incorporated by reference in the contract which this Company may be awarded;
- (6) That the failure of this Company to satisfactorily discharge any of the promises of non-discrimination as made and set forth above may constitute a material breach of contract entitling the County to declare the contract in default and to exercise appropriate remedies including but not limited to termination of the contract.

Signature

Date

DISCLOSURE OF RESPONSIBILITY STATEMENT

Failure to complete and return this information will result in your bid/offer/proposal being disqualified from further competition as non-responsive.

1. List any convictions of any person, subsidiary, or affiliate of the company, arising out of obtaining, or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.

2. List any indictments or convictions of any person, subsidiary, or affiliate of this company for offenses such as embezzlement, theft, fraudulent schemes, etc. or any other offenses indicating a lack of business integrity or business honesty which affects the responsibility of the contractor.

3. List any convictions or civil judgments under states or federal antitrust statutes.

4. List any violations of contract provisions such as knowingly (without good cause) to perform, or unsatisfactory performance, in accordance with the specifications of a contract.

5. List any prior suspensions or debarments by any governmental agency.

6. List any contracts not completed on time.

7. List any penalties imposed for time delays and/or quality of materials and workmanship.

8. List any documented violations of federal or any state labor laws, regulations, or standards, occupational safety and health rules.

I, _____, as _____
Name of individual Title & Authority

of _____, declare under oath that

Company Name _____

the above statements, including any supplemental responses attached hereto, are true.

Signature

State of _____

County of _____

Subscribed and sworn to before me on this _____ day of _____

20__ by _____ representing him/herself to be

_____ of the company named herein.

Notary Public

My Commission expires:

Resident State: _____



Attachment D

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of CHATHAM COUNTY has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 201__ in _____(city), _____(state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 201__.

NOTARY PUBLIC

My Commission Expires:

SUBCONTRACTOR AFFIDAVIT under O.C.G.A. § 13-10-91(b)(3)

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with _____ (name of contractor) on behalf of CHATHAM COUNTY has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91 (b). Additionally, the undersigned subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five (5) business days of receipt. If the undersigned subcontractor receives notice of receipt of an affidavit from any sub-subcontractor that has contracted with a sub-subcontractor to forward, within five (5) business days of receipt, a copy of such notice to the contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Subcontractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ___, 20__ in _____(city), _____(state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20__.

NOTARY PUBLIC
My Commission Expires:

Attachment E
Systematic Alien Verification for Entitlements (SAVE)
Affidavit Verifying Status for Chatham County Benefit Application

By executing this affidavit under oath, as an applicant for a Chatham County, Georgia Business License or Occupation Tax Certificate, Alcohol License, Taxi Permit, Contract or other public benefit as reference in O.C.G.A. Section 50-36-1, I am stating the following with respect to my bid for a Chatham County contract for _____ . [Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

1.) _____ I am a citizen of the United States.

OR

2.) _____ I am a legal permanent resident 18 years of age or older.

OR

3.) _____ I am an otherwise qualified alien (8 § USC 1641) or non-immigrant under the Federal Immigration and Nationality Act (8 USC 1101 et seq.) 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant:

Date

Printed Name:

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 20____

* _____
Alien Registration number for non-citizens.

Notary Public
My Commission Expires:

ATTACHMENT F

**BIDDER'S CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION**

The undersigned certifies, by submission of this proposal or acceptance of this contract, that neither Contractor nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency, State of Georgia, City of Savannah, Board of Education of local municipality. Bidder agrees that by submitting this proposal that Bidder will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where the Bidder or any lower tier participant is unable to certify to this statement, that participant shall attach an explanation to this document.

Certification - the above information is true and complete to the best of my knowledge and belief.

(Printed or typed Name of Signatory)

(Signature)

(Date)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001

END OF DOCUMENT Mod. CC P & C 6/2005

**ATTACHMENT G
AFFIDAVIT REGARDING LOBBYING**

Each Bidder/Proposer and all proposed team members and subcontractors must sign this affidavit and the Bidder /Proposer shall submit the affidavits with their proposal confirming that there has been no contact with public officials or management staff for the purpose of influencing award of the contract. Furthermore, each individual certifies that there will be no contact with any public official prior to contract award for the purpose of influencing contract award.

The undersigned further certifies that no team member or individual has been hired or placed on the team in order to influence award of the contract. All team members are performing a commercially useful function on the project.

Failure to provide signed affidavits from all team members with your response may be cause to consider your bid/proposal non-responsive.

BY: Authorized Officer or Agent

Date

Title of Authorized Officer or Agent

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 2012

Notary Public
My Commission Expires:

My Commission expires:

Resident State: _____

LEGAL NOTICE

CC NO. 166065

Sealed qualification packages will be received until 5:00 pm. on Tuesday, April 14, 2015 and publicly opened in Chatham County Purchasing Department, 1117 EISENHOWER DRIVE, SUITE C, Savannah, GA. for: **RFQ NO: 15-0001-1 - STATEMENTS OF QUALIFICATIONS FROM DESIGN/BUILD/FINANCE/MAINTENANCE TEAMS FOR THE CHATHAM COUNTY TRIAL COURT BUILDING**

PRE-QUALIFICATION CONFERENCE WILL BE CONDUCTED ON TUESDAY, MARCH 10, 2015 AT 10:00 AM THE LIVE OAK LIBRARY – SOUTHWEST BRANCH, 14097 ABERCORN EXTENSION, SAVANNAH, GEORGIA 31419.

Specifications can be downloaded from the County's website at www.chathamcounty.org and are available in the office of the Chatham County Purchasing Department. For additional information concerning specifications, please contact Peggy Joyner, Purchasing Agent at (912) 790-1626 or pjoyner@chathamcounty.org. Bidders are not to contact a department directly. All firms requesting to do business with Chatham County must also register on-line at <http://purchasing.chathamcounty.org>

CHATHAM COUNTY RESERVES THE RIGHT TO REJECT ANY/AND OR ALL BIDS AND TO WAIVE ALL FORMALITIES.

"CHATHAM COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER, M/F/H, ALL BIDDERS ARE TO BE EQUAL OPPORTUNITY EMPLOYERS"

—
MARGARET H. JOYNER, PURCHASING AGENT

—
Savannah News -INSERT: February 24, 2015