

INVITATION TO SUBMIT

PROPOSAL

REQUEST FOR PROPOSAL NO.: RFP 11-0040-4

**DESIGN AND ENGINEERING SERVICES FOR EXPANSION/RENOVATION
CHATHAM COUNTY JUVENILE COURTHOUSE**

**PRE-PROPOSAL CONFERENCE: 2PM, DECEMBER 15, 2011
MANDATORY ATTENDANCE**

QUALIFICATION PROPOSAL RECEIVED BY: 2PM, JANUARY 5, 2012

THE COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

PETE LIAKAKIS, CHAIRMAN

COMMISSIONER HELEN J. STONE

COMMISSIONER HARRIS ODELL JR.

COMMISSIONER JAMES J. HOLMES

COMMISSIONER DAVID M. GELLATLY

COMMISSIONER PATRICK O. SHAY

COMMISSIONER DEAN KICKLIGHTER

COMMISSIONER PATRICK J. FARRELL

COMMISSIONER PRISCILLA D. THOMAS

R.E. ABOLT
COUNTY MANAGER

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 Package or are required to be submitted with the proposal. It is the responsibility of the Proposer to read, complete and sign, where indicated, and return these documents with his/her Proposal. FAILURE TO DO SO MAY BE CAUSE FOR DISQUALIFYING THE PROPOSAL.

 X GENERAL INFORMATION

 X PROPOSAL

 X LEGAL NOTICE

 X ATTACHMENTS: A thru G

RECEIPT IS HEREBY ACKNOWLEDGED OF ADDENDA NUMBER(S) _____

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: _____
 SIGNATURE:

 DATE:

 TITLE:

COMPANY:

Chatham County has established goals to increase participation of minority and female owned businesses. In order to accurately document participation, businesses submitting bids or proposals are strongly encouraged to report ownership status. A minority or woman owned 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** _____

In the award of “Competitive Sealed Proposals”, minority/female participation may be one of several evaluation criteria used in the award process when specified as such in the Request for Proposal.

**CHATHAM COUNTY, GEORGIA
OFFICE OF THE PURCHASING AGENT
1117 EISENHOWER DRIVE, SUITE C
SAVANNAH, GEORGIA 31406
(912) 790-1622**

DATE: November 28, 2011

RFP NO.: RFP 11-0040-4

GENERAL INFORMATION FOR REQUEST FOR PROPOSAL

This is an invitation to submit a proposal to supply Chatham County with services as indicated herein. Sealed proposals will be received at the Office of the Purchasing Agent, **1117 EISENHOWER DRIVE, SUITE C, SAVANNAH, GEORGIA** up to **2PM, JANUARY 5, 2012.** Responses must either be mailed or delivered to the Purchasing Office. The Purchasing Agent reserves the right to reject any and all proposals and to waive formalities.

Instructions for preparation and submission of a qualification proposal are contained in the Request for Proposal package. Please note that specific forms for submission of a proposal are required. Proposals must be typed or printed in ink. If you do not submit a qualification proposal, return the signed invitation sheet and state the reason; otherwise, your name may be removed from our list.

A MANDATORY pre-proposal conference has been scheduled for **2PM, DECEMBER 15, 2011** at the Chatham County Juvenile Court, 197 Carl Griffin Drive, Savannah, Georgia, in the Training Unit Classroom. Your firm must be represented to submit a proposal.

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 approved changes. Generally when addenda are required, the bid opening date will be changed.

Chatham County has an equal opportunity procurement policy. Chatham County seeks to ensure that all segments of the business community have access to providing services needed by County programs. The County affirmatively works to encourage utilization of disadvantaged and minority business enterprises in our procurement activities. The County provides equal opportunity for all businesses and does not discriminate against any persons or businesses regardless of race, color, religion, age, sex, national origin or handicap. The County expects its contractors to make maximum feasible use of minority businesses and qualified minority employees. The terms "disadvantaged business", "minority business enterprise", and "minority person" are more specifically defined and explained in the Chatham County Purchasing Ordinance and Procedures Manual, Article VII - Disadvantaged Business Enterprises Program.

INSTRUCTIONS TO PROPOSERS

- 1.1 Purpose:** The purpose of this document is to provide general and specific information for use in submitting a proposal to supply Chatham County with services as described herein. All proposals are governed by the Code of Chatham County, Chapter 4, Article IV, and the laws of the State of Georgia.

1.2 How to Prepare Proposals: All proposals shall be:

- A. 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.

Proposers are encouraged to review carefully all provisions and attachments of this document prior to submission. Each proposal constitutes an offer and may not be withdrawn except as provided herein.

1.3 How to Submit Proposals: All proposals shall be:

- A. Submitted in sealed opaque envelopes, plainly marked with the proposal number and title, date and time for submission, 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: Purchasing Agent, 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406.**

b. **Hand Delivery: Purchasing Agent, 1117 Eisenhower Drive, Suite C, Savannah, Georgia**

1.4 How to Submit an Objection: Objections from Offerers to this Request for Proposals and/or these specifications should be brought to the attention of the County Purchasing Agent in the following manner:

- A. When a pre-proposal conference is scheduled, the proposer may object in writing any time prior to or at the pre-proposal conference.
- B. When a pre-proposal conference is not scheduled, the Proposer shall object in writing not less than five (5) days prior to the Date for submission.

- C. The objections contemplated must pertain both to form and substance of the Request for Proposal documents. Failure to object in accordance with the above procedure will constitute a waiver on the part of the business to protest this Request for Proposal.
- 1.5 Failure to Offer:** If a Proposal is not submitted, the business should return this Request for Proposal, stating reason therefore, and indicate whether the business should be retained or removed from the County's bidders list.
- 1.6 Errors in Proposals:** Proposers or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals. Failure to do so will be at the Proposer's own risk.
- 1.7 Standards for Acceptance of Proposers for Contract Award:** The County reserves the right to reject any or all Proposals and to waive any irregularities or technicalities in Proposals received whenever such rejection or waiver is in the best interest of the County. The County reserves the right to reject the Offer of a Proposer who has previously failed to perform properly or complete on time contracts of a similar nature, whom investigation shows is not in a position to perform the contract.
- 1.8 Proposer:** Whenever the term "Proposer" is used it shall encompass the "person", "business", "firm", or other party submitting a proposal 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 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 Proposer and the County. Any such requirement specifically set forth in any contract document between the Proposer and the County shall be supplementary to this section and not in substitution thereof.
- 1.10 Contractor:** Contractor or subcontractor means any person, firm, or business having a contract with Chatham County. The Contractor of goods, material, equipment or services certifies that the firm will follow equal employment opportunity practices in connection with the awarded contract as more fully specified in the contract documents.
- 1.11 Local Preference:** The contractor agrees to follow the local preference guidelines as specified in the contract documents, which state "The CONTRACTOR hereby agrees, as part of the consideration to Chatham County for making this Contract, that the CONTRACTOR in the carrying out of this contract will give the citizens of Chatham County preference for employment to perform all labor required by this contract; that the rate of wages to be paid shall not be less than legally required; and that in the purchase of materials to be used in the Work of the Project, preference shall be given to sources from within Chatham County to the maximum extent possible. The CONTRACTOR will cause the forgoing provisions to be inserted in all subcontracts so that provisions will be binding upon each subcontractor."

1.12 Minority / Woman Business Development: The Chatham County Board of Commissioners adopted an aggressive program that establishes goals for minority/woman, 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 minority and woman owned businesses, through MBE/WBE certification and development. In order to accurately document participation, businesses submitting bids, quotes or proposals are encouraged to report ownership status. A bidder or vendor that is certified by any agency of the Federal Government or State of Georgia may 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 County Contracts Administrator, a report on Minority/Woman Business Enterprise participation.
- c. A Minority/Woman Business Enterprise (M/WBE) is a business concern that is at least 51% owned by one (1) or more minority/female individuals and whose daily business operations are managed and directed by one (1) or more of the minority/woman owners.

1.13 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 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. **Forms** requiring the signatures of bidders or proposers are enclosed as **Attachments** and must be completed and returned with your bid response. If forms are not completed and submitted, the bid may be considered nonresponsive.

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 Effort** and reporting requirements for the term of the contract. The County particularly urges general contracts to give emphasis to subcontracting with local area firms. For information of the program or M/WBE contractors/vendors please contact **Ms. Arneja Riley, Chatham County Minority and Women Business Coordinator, 124 Bull Street, Suite 310, Savannah, Georgia 31401, (912) 652-7860 phone, (912) 652-7849 fax, or email: alriley@chathamcounty.org.**

SECTION II GENERAL CONDITIONS

- 2.1 SPECIFICATIONS:** Any obvious error or omission in specifications shall not inure to the benefit of the bidder but shall put the Proposer on notice to inquire of or identify the same to the County.
- 2.2 MULTIPLE PROPOSALS:** No Proposer will be allowed to submit more than one offer. Any alternate proposals must be brought to the Purchasing Agent's attention during the Pre-proposal Conference or submitted in writing at least five (5) days preceding the date for submission of proposals.
- 2.3 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 public office of agency and is subject to public inspection in accordance with the *Georgia Open Records Act, Official Code of Georgia Annotated, Section 50-18-070, et, Seq.,* unless otherwise provided by law.
- 2.4 GEORGIA TRADE SECRET ACT OF 1990:** In the event that a Proposer submits 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.
- 2.5 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 County contracts currently in effect and those which have been completed or closed up to three (3) years following completion.
- 2.6 OFFERS TO BE FIRM:** The Proposer warrants that terms and conditions quoted in his offer will be firm for acceptance for a period of sixty (60) days from bid date submitted, unless otherwise stated in the proposal. When requested to provide a fee proposal, fees quoted must also be firm for a sixty (60) day period.
- 2.7 COMPLETENESS:** All information required by the Request for Proposal must be completed and submitted to constitute a proper proposal.
- 2.8 LIABILITY PROVISIONS:** Where Proposers are required to enter or go into Chatham County property to take measurements or gather other information in order to prepare the proposal as requested by the County, the Proposer shall be liable for any injury, damage or loss occasioned by negligence of the Proposer, his agent, or any person the Proposer has designated to prepare the Offer and shall indemnify and hold harmless Chatham County from any liability arising therefrom. The contract document specifies the liability provisions

required of the successful Proposer in order to be awarded a contract with Chatham County.

- 2.9 CERTIFICATION OF INDEPENDENT PRICE DETERMINATION:** By submission of this Offer, the Proposer certifies, and in the case of a joint offer each party thereto certifies as to its own organization, that in connection with this procurement:
- A. Prices in this offer have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other competitor;
 - B. Unless otherwise required by law, the prices which have been quoted in this offer have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by the Proposer prior to opening, directly or indirectly to any other competitor; and;
 - C. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not submit an offer for the purpose of restricting competition.
- 2.10 AWARD OF CONTRACT:** The contract, if awarded, will be awarded to that responsible Proposer whose proposal will be most advantageous to Chatham County, price and other factors considered. The Board of Commissioners will make the determination as to which proposal best serves the interest of Chatham County.
- 2.11 VENDOR PERFORMANCE EVALUATION:** On April 11, 2008 the Board of Commissioners approved a change to the County Purchasing Ordinance requiring Vendor Performance Evaluations, as a minimum, prior to the contract anniversary date. Should the vendor performance be unsatisfactory, the appointed County Project Manager for the contract may prepare a Vendor Complaint Form or a Performance Evaluation to be sent to the Purchasing Agent.
- 2.12 PROCUREMENT PROTESTS:** Objections and 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. Protests must be filed prior to contract award.
- 2.13 NO EXCLUSIVE CONTRACT/ADDITIONAL SERVICES:** Consultant agrees and understands that the contract shall not be construed as an exclusive arrangement and further agrees that the County may, at any time, secure similar or identical services at its sole option.
- 2.14 DEBARRED FIRMS AND PENDING LITIGATION:** Any potential proposer/firm listed on the Federal or State of Georgia Excluded Parties Listing (Barred for doing business) **will not** be considered for contract award. Proposers **shall** disclose any record of pending

lawsuits, criminal violations (indictment) and/or convictions, pending lawsuits, etc., and any actions that may be a conflict of interest occurring within the last five (5) years. Any proposer/firm previously defaulting or terminating a contract with the County will not be considered.

****All proposers are to read and complete the Disclosure of Responsibility Statement enclosed as an Attachment to be returned with response. Failure to do so may result in your solicitation response being rejected as non-responsive.**

Proposer acknowledges that in performing contract work for the Board, proposer shall not utilize any firms that have been a party to any of the above actions. If proposer has engaged any firm to work on this contract or project that is later debarred, proposer shall sever its relationship with that firm with respect to Board Contract.

- 2.15 QUALIFICATION OF BUSINESS (RESPONSIBLE PROPOSER):** A responsible Proposer is defined as one who meets, or by the date of the acceptance can meet, all requirements for licensing, insurance, and service contained within this Request for Proposal. Chatham County has the right to require any or all Proposers to submit documentation of the ability to perform, the service requested.

Chatham County has the right to disqualify the proposal of any Proposer as being unresponsive or irresponsible whenever such Proposer cannot document the ability to deliver the requested service.

- 2.16 COUNTY BUSINESS LICENSE REQUIREMENT:** A current Chatham County or municipal business license (within the State of Georgia) is required unless otherwise specified. A firm need not have a Chatham County Business License prior to submitting a proposal. However, a license must be obtained by the successful vendor prior to award of contract.

Please contact the Chatham County Department of Building Safety and Regulatory Services at (912) 201-4300 for additional information.

- 2.17 INSURANCE PROVISIONS:** The selected CONSULTANT 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 Consultant, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Consultant's fee proposal. **Contract work will not proceed unless Chatham County has in their possession, a current Certificate of Insurance.**

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

- I. Name of Producer (Consultant'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 always to included 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.**

2.17.2 Limits of Insurance: Effective coverage shall have the following limits:

- A. *Commercial General Liability:* Provides protection against bodily injury and property damage claims arising from operations of a Consultant 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 of \$1,000,000 combined single limit general aggregate for bodily injury, and property damage per occurrence and annual aggregate.
- B. *Business Auto Liability:* Coverage insures against liability claims arising from the Consultant'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.
- C. *Worker's Compensation:* provides statutory protection against bodily injury, sickness or disease sustained by employees of the Consultant 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.
- D. *Malpractice and Professional Liability:* Insure errors or omission on behalf of architects, engineers, attorneys, medical professionals, and consultants. Minimum limits: \$1,000,000 per claim/occurrence. If claims-made, retroactive date must precede or coincide with the contract effective date or the date of the Notice to Proceed. The professional must state if tail coverage has been purchased and the duration of the coverage.

2.17.3 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 specially 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. *Severity of Interest:* Where applicable, any insurance coverage provided by any party other than Chatham County, and which may indemnify Chatham County, the limits stated under such coverage shall apply separately to Chatham County.
- D. *Reporting Provisions:* Any failure to comply with reporting provisions of any applicable policy shall not affect coverage, if any, afforded on behalf of Chatham County, its officials, officers, employees, or volunteers.
- E. *Cancellation/Non-Renewal Notification:* Each applicable insurance policy shall be endorsed to state the coverage shall not be suspended, voided, or cancelled, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to Chatham County.
- F. *Proof of Insurance:* The Consultant is required to carry insurance under this contract and shall furnish Chatham County with Certificates of Insurance with original endorsements affecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.
- G. *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 (5) year basis, the current total Best's rating will be used to evaluate insurer acceptability.
- H. *Lapse of Coverage:* A lapse of insurance coverage shall constitute ground for termination of this contract by the Chatham County Board of Commissioners.
- I. *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.

2.17.4 Additional Coverage for Specific Procurement Projects:

- A. **Professional Liability:** Insure errors or omission on behalf of architects, engineers, attorneys, medical professionals, and consultants.

<u>Minimum Limits:</u>	\$1 million per claim/occurrence
<u>Coverage Requirement:</u>	If claims-made, retroactive date must precede or coincide with the contract effective date of the date of the Notice to Proceed. The professional <u>must state</u> if tail coverage has been purchased and the duration of the coverage.

- 2.19 INDEMNIFICATION:** The Consultant agrees to protect, defend, indemnify, and hold harmless Chatham County, Georgia, its commissioners, officers, agents, and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to or death of any person or persons, or damage to the property or other rights of any person or persons caused by the Consultant or its subcontractors. The Consultant's obligation to protect, defend, indemnify, and hold harmless, as set forth herein above shall include, but not be limited to, any matter arising out of any actual or alleged infringement of any patent, trademark, copyright, or service mark, or any actual or alleged unfair competition, disparagement of product or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations. Consultant further agrees to investigate, handle, respond to, provide defense for, and to protect, defend, indemnify, and hold harmless Chatham County, Georgia, at his sole expense, and agrees to bear all other costs and expenses related thereto, even if such claims, suits, etc., are groundless, false, or fraudulent, including any and all claims or liability for compensation under the Worker's Compensation Act arising out of injuries sustained by any employee of the Consultant or his subcontractors or anyone directly or indirectly employed by any of them.

The Consultant's obligation to indemnify Chatham County under this Section shall not be limited in any way by the agreed-upon contract price, or to the scope and amount of coverage provided by any insurance maintained by the Consultant.

- 2.20 COMPLIANCE WITH SPECIFICATION - TERMS AND CONDITIONS:** The

Request for Proposal, Legal Advertisement, General Conditions and Instructions to Proposers, Specifications, Special Conditions, Proposers Offer, Addendum, and/or any other pertinent documents form a part of the Offeror's proposal and by reference are made a part hereof.

- 2.21 SIGNED RESPONSE CONSIDERED AN OFFER:** The signed Response shall be considered an offer on the part of the Proposer, which offer shall be deemed accepted upon approval by the Chatham County Board of Commissioners, Purchasing Agent or his designee. In case of a default on the part of the Proponent after such acceptance, Chatham County may take such action as it deems appropriate, including legal action for damages or lack of required performance.
- 2.22 NOTICE TO PROCEED:** The successful proposer shall not commence work under this Request for Proposal until a written contract is awarded and a Notice to Proceed is issued by the Purchasing Agent or his designee. If the successful Proposer does commence any work or deliver items prior to receiving official notification, he does so at his own risk.
- 2.23 PAYMENT TO CONSULTANT:** Instructions for invoicing the County for service delivered to the County are specified in the contract document.
- A. Questions regarding payment may be directed to the Chatham County Finance Department, at (912) 652-7900 or the County's Project manager as specified in contract documents.
 - B. Consultant will be paid the agreed upon compensation upon satisfactory progress or completion of the work as more fully described in the contract document.
 - C. Upon completion of the work, the Consultant will provide the County with an affidavit certifying all suppliers, persons or businesses employed by the Consultant for the work performed for the County have been paid in full.
 - D. Chatham County is a tax exempt entity. Every consultant, contractor, vendor, business or person under contract with Chatham County is required by Georgia law to pay State sales or use taxes for products purchased in Georgia or transported into Georgia and sold to Chatham County by contract. Please consult the State of Georgia, Department of Revenue, Sales and Use Tax Unit in Atlanta (404) 656-4065 for additional information.
- 2.24 VENDOR DEFAULT:** Chatham County reserves the right, in case of vendor default, to procure the articles or services from other sources and hold the defaulting vendor responsible for any excess costs occasioned thereby. Should vendor default due to a failure to perform or because a request for price increase, Chatham County reserves the right to remove the vendor from the County's bid/proposal listing for twenty-four months.
- 2.25 MERGERS:** If a selected firm is sold or merged with another organization, the County will consider the contract binding regardless of any name changes. If there is a conflict of

interest, the County reserves the right to terminate said contract.

- 2.26 QUESTIONS REGARDING SPECIFICATIONS OR REQUIREMENTS:** It is the responsibility of the prospective proposer to review the entire request for proposal (RFP) packet and to notify the Purchasing Department if the specifications are formulated in a manner that would unnecessarily restrict competition. Any such protest or question regarding the specifications or bidding procedures must be received in the Purchasing Department not less than one (1) week prior to the time set for proposal due date/time.
- 2.27 SECURITY AND IMMIGRATION COMPLIANCE ACT AND SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE):** On July 1, 2008, the Georgia Security and Immigration Compliance Act (SB 529, Section 2) became effective. All contractors and subcontractors entering into a contract or performing work must sign an affidavit that he/she has used the E-Verify System. E-Verify is a no-cost federal employment verification system to insure employment eligibility. Affidavits are enclosed in this solicitation. You may download M - 274 Handbook for Employers at <http://www.dol.state.ga.us/spotlight/employment/rules>. You may go to <http://www.uscis.gov>, to find the E-Verify information.

O.C.G.A. § 50-36-1, requires Georgia's counties to comply with the federal **Systematic Alien Verification for Entitlements (SAVE) Program**. SAVE is a federal program used to verify that applicants for certain "public benefits" are legally present in the United States. Contracts with the County are considered "public benefits." Therefore, the successful bidder will be required to provide the Affidavit Verifying Status for Chatham County Benefit Application prior to receiving any County contract. The affidavit is included as part of this bid package but is only required of the successful bidder.

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 that the prices shown in his/her proposal are in accordance with all documents contained in this Request for Proposal package, and that any exception taken thereto may disqualify his/her proposal.

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

This _____ day of _____ 20 ____.

BY: _____
SIGNATURE

TITLE

COMPANY

ADDRESS

PHONE NO.

REQUEST FOR PROPOSALS

GENERAL CONDITIONS SECTION III

3.1 DESCRIPTION AND OBJECTIVES: Chatham County is requesting qualification proposals from qualified firms to perform Design and Engineering Services for the Expansion/Renovation for the Chatham County Juvenile Court.

3.2 METHODOLOGY. The procurement described herein is being conducted as a Request for Qualifications through professional services selection, a method of selecting professional services as provided in The Chatham County Purchasing Ordinance and Procedures Manual. This will be a three-step selection process, a summary of which follows:

STEP 1/ACCEPTANCE AND EVALUATION OF PROPOSALS: All technical requirements, unless otherwise specified, must be met by the proponent. The goal of Step 1 will be to accept, evaluate and score qualification proposals that meet technical requirements and develop a “short list” (finalists) usually of no more than three firms that represent the best of all proposals. Proposals will be evaluated by a committee comprised of county staff with experience in these types of projects as well as a representative from the courts. In consideration of the evaluation committee’s recommendation to the County Manager, the Board of Commissioners will then authorize the award of contract.

–In the interest of a fair, objective and competitive process, Chatham County intends to accept all qualified proposals and give them complete and impartial consideration.

–Any proposal which does not meet all technical requirements may be disqualified as being non-responsive.

– Proposals which are deemed to be incomplete as to substance and content may be considered non-responsive.

STEP 2/INTERVIEWS: The evaluation committee will interview each firm on the short list. Interviews will be scored as part of the overall evaluation. For each interview, a short list firm will be provided 30 minutes for their presentation and introduce key members of the proposed project team. Members of the evaluation committee will be afforded 30 minutes to review the proposals and ask questions.

STEP 3/NEGOTIATION OF FEE/SCHEDULE: The top-rated firm will enter into negotiations with the County regarding fee and schedule and the finalization of the Scope of Services. Should the negotiation with the top-rated firm not provide an acceptable fee based on the scope of scope, or the top-rated firm cannot meet schedule or quality control requirements, the County will send notice that negotiation will cease and move toward negotiating with the second- ranked firm. Should the negotiation not prove successful with the second-ranked firm, the process will then move to the third-ranked firm.

3.3 PRE-PROPOSAL CONFERENCE. A MANDATORY pre-qualification conference will be held at **2PM** on **DECEMBER 15, 2011** at the **Chatham County Juvenile Court, 197 Carl Griffin Drive, Savannah, Georgia, in the Training Unit Classroom.** Representatives from Chatham County will be in attendance. Your firm is encouraged to attend. Attendance assures that all competitors hear the same information, can ask questions and suggest constructive changes to the solicitation.

3.4 PROPOSAL DEADLINE. The response to this “Request for Qualifications” must be received by the Purchasing Division no later than **2PM, on JANUARY 5, 2012.** **Any proposal received after the time stipulated will be rejected.**

The County may extend the response schedule. Should such action occur, all proponents who attended the pre-proposal conference will receive an addendum setting forth the new date and time.

3.5 WITHDRAWAL OF QUALIFICATION PROPOSAL. Any proposal submitted before the deadline may be withdrawn by written request received by the County before the time fixed for receipt of qualification proposals. Withdrawal of any proposal will not prejudice the right of a proponent to submit a new or amended proposal as long as Chatham County receives it by the deadline as provided herein.

3.6 CONFIDENTIALITY OF DOCUMENTS. Upon receipt of a proposal by the County, the proposal shall become the property of the County without compensation to the proponent for disposition or usage by the County at its discretion (except for as provided by Georgia law for proprietary information). The details of the qualification proposal documents will remain confidential until final award or rejection of proposals and/or protected under the restraints of law.

3.7 FORMAT OF RESPONSES. To be considered, proponents must submit a complete response to the request for proposals. The format for responses is presented in Section IV. All responses must be presented in this format, which will not be negotiable.

The response to the RFP must be submitted in five copies to:

Mr. Robert Marshall
Senior Procurement Specialist
1117 Eisenhower Drive, Suite C
Savannah, Georgia 31406
(912) 790-1622
Fax (912) 790-1627
email: rmarshal@chathamcounty.org

Technical questions relating to the proposal may be directed by mail or telephone to:

Mr. Adam Kennedy
Juvenile Court Administrator
Chatham County Juvenile Court
197 Carl Griffin Drive
Savannah, Georgia 31405
(912) 652-6721
Fax (912) 652-6900
email: akennedy@chathamcounty.org

- 3.8 REJECTING QUALIFICATION PROPOSALS.** The County reserves the right to reject any or all proposals and will not be bound to accept any proposal should Chatham County consider that the proposal would be contrary to the best interest of Chatham County or this project.
- 3.9 COSTS TO PREPARE RESPONSES.** The County assumes no responsibility nor obligation to the respondents and will make no payment for any costs associated with the preparation or submission of the proposal.
- 3.10 EQUAL EMPLOYMENT OPPORTUNITY.** During the performance of this Contract, the CONTRACTOR agrees as follows:

The CONTRACTOR will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, national origin, place of birth, physical handicap, or marital status.

SECTION IV

SPECIAL CONDITIONS

- 4.1 Factors such as proponent's relevant experience, reputation, past performance on similar projects, excellence of the team and project manager to be assigned to the project, technical competence, ability to meet program goals and completion within a reasonable time will be considered in the shortlist and contract award. Commitment in the level of involvement of local M/WBE firms, consultants and employees will also be regarded in evaluating proposals.

Firms will be evaluated initially on the basis of the written qualification proposals. Thus, the proposal must be complete, concise and clear as to the capability and intent of the respondent. Further evaluation will include an oral presentation, which will be scheduled after receipt and the evaluation of the written proposals.

FORMAT AND ORDER OF RESPONSES TO THE RFP

As such, to maintain competitiveness and to ease evaluation, responses to the RFQ must be responsive to the following and presented in this format and order (summary):

- I. Introduction/cover letter
- II. Business Organization
- III. Experience/Capability
- IV. Project Understanding/Methodology/Schedule
- V. Project Team/MBE Participation/Local Outreach
- VI. Financial Strength
- VII. References

NOTE: All proposals will be presented as 8 ½" by 11" bound documents. The information must be tabbed according to each requested section and include the following:

- I. **INTRODUCTION/COVER LETTER:** Proponents will provide *no more* than a 2 page letter of introduction. The letter should highlight or summarize whatever information a proponent deems appropriate as a cover letter (perhaps why the team should be considered as the best qualified, highlight related project, experience with governments, award-winning projects, etc), but at the least, this section should include the name, address, telephone number and FAX number of one contact to whom any correspondence should be directed.
- II. **BUSINESS ORGANIZATION:** In this section, proponents will describe the organization of their team, including which firm will serve as the lead firm, which firms will serve as consultants, their respective roles, and their estimated percentage of participation (i.e. architectural, structural, mechanical engineering, plumbing/fire

protection, cost estimating, graphics, civil engineering, others).

A. **Organization.** State the full name, address and telephone number of the lead firm/organization(s).

1. Indicate whether those in the proposing group will operate as a sole proprietorship, individual, partnership, or corporation, and the state of its incorporation or license to operate.
2. As applicable, provide the name of the branch office or other subordinate element that will perform or assist in performing the services described herein.

B. **Major Participants.** Recognizing the scope of this project, interested parties may select to use joint venture partners or consultants or sub-consultants. Provide the following in list form on a summary page (specific information about each should be provided in the Appendix, if desired).

1. A list of major participants and complete addresses, and their role whether as a joint venture partner through legal arrangement or consultant.
2. Should any of the above participants include a Minority/Woman Business Enterprise (M/WBE), this should be noted.
3. Specific role in the project of all participants noted above (i.e. architectural, structural, mechanical engineering, plumbing/ fire protection, cost estimating, graphics, civil engineering, others) **and the percentage of participation of each.**
4. For each major participant, please note the % of minority employment within the firm. Minority employment should be applied in conformance with EEOC guidelines.

C. **Confirmation of Acceptance.** By written confirmation, please note the following acceptance within the proposal (a signed statement will be sufficient):

1. Your firm/organization/joint venture consents that proposals will not be accepted from any company, firm, person, or party, parent or subsidiary, against which the County has an outstanding claim, or a financial dispute relating to prior contract performance with the County. At any time the County discovers such a dispute during any point of evaluation, the proposal will not be considered further.
2. Through a statement of disclosure, your firm/organization/ joint

venture will provide sufficient detail of any relationship, especially financial, between members of your firm and any county employees or their family members. This will allow the County to evaluate possible conflicts of interest. However, it will remain at the county's discretion whether the extent of any conflict of interest remains substantial to disqualify any proposal.

3. Your firm/organization/joint venture consents that its proposal will remain valid for a period of not less than sixty (60) days from the due date of proposals and not less than sixty (60) days from notification of progress in each step of evaluation.

III. **EXPERIENCE/CAPABILITY**: In this section, proponents will provide a list of their work on projects the same as this one or similar to this one. The information will be presented first in summary form and then can be followed as appropriate by a narrative.

- A. **Same Projects**. On the first page(s) of this section, the following will be provided in summary form as a list for same projects (i.e. design and expansion/renovation of court facilities and public administrative office space) of this type, either completed or substantially completed:

NOTE: This should be completed for each major participant in the proponent's group (as noted in II-B above), preferably in table form:

- Name and location of same project(s)
- Dollar value in construction dollars
- Size of project (gross square footage)
- Involvement of what team members (team as noted in this proposal)
- Dollar value of design/engineering contract at signing plus number and total dollar value of change orders
- Date of contract execution for design work, date of project's construction award and date of Certificate of Occupancy/completion
- Notable design awards
- Percentage of minority participation on the team
- Name of client's project manager and telephone number
- Name of project manager (principal architect or engineer) and a note on whether the project manager still works for the lead firm

Detailed information of at least three examples of the above should then be provided following the summary page. This should include specific information about each of the cited examples.

- B. **Similar Projects**. As an option to III-A, or to provide additional information, proponents can provide information on their work on projects related to this one (i.e. similar in design, methodology, construction, local government client), either completed or substantially completed.

NOTE: This should be completed for each major participant in the proponent's group (as noted in II-B above), preferably in table form:

- Name and location of same project(s)
- Dollar value in construction dollars
- Size of project (gross square footage)
- Involvement of what team members (team as noted in this proposal)
- Dollar value of design/engineering contract at signing plus number and total dollar value of change orders
- Date of contract execution for design work, date of project's construction award and date of Certificate of Occupancy/completion
- Notable design awards
- Percentage of minority participation on the team
- Name of client's project manager and telephone number
- Name of project manager (principal architect or engineer) and a note on whether the project manager still works for the lead firm

Detailed information of at least three examples of the above should then be provided following the summary page. This should include specific information about each of the cited examples.

- C. Provide evidence of your firm's ability to design within budget. List at least three (3) recent projects with references that show accurate construction estimates.

IV. **DEMONSTRATED UNDERSTANDING OF PROJECT/CLIENT'S GOALS:**

In this section, proponents will discuss their understanding of the project and its goals and how they would approach the project.

- A. **Project Understanding.** Provide a narrative that demonstrates your understanding of the County's project goals and how you will meet them. More than just a narrative about space to meet estimated square footage requirements, please be specific about conceptual design plans which will translate into your proving a working knowledge of the purpose of the Juvenile Court. Because the project constitutes public interest, please include an acknowledgment of the special considerations of a public project of this scope, including its interest to judicial and other elected officers, citizens and media.
- B. **Methodology.** Provide a description or outline of the methodology, including how your project team will approach the project and its working relationship with others as part of the project team (i.e. owner and contractor).
--Be specific about how your project team can translate the methodology you propose to meet program goals and the relevance of the approach to County's

intent and needs.

--Be specific about how your project team will work with the County and its contractor as part of a team approach with the common goal of quality performance within the time schedule and within budget.

--Provide assurance as to cooperation in processing design documents for bidding in the preparation of design documents for bidding, process of bidding and evaluating bids and your keen awareness of the importance of earnest cost estimating.

--Be specific about your project team's role in construction administration.

--Be specific about your understanding of requirements to ensure conformance with ADA standards.

--Provide information on special services and techniques that you will offer that differentiates your proposal from any other.

C. **Schedule.** Assume all work will proceed in a prompt and orderly manner.

--Discuss the schedule for performing the required services and the length of time to complete the project.

--Cite your experience in completing similar projects and within what time frame.

V. **PROJECT TEAM.** While II and III relate to the firm, this section will present those within the proponent's proposal who deal directly on a day-to-day basis with this project (as presented in II-A and II-B) and other personnel who would be assigned to this project.

A. **Organizational Chart.** Provide an organization chart that provides a visual delineation of the organizational structure, and in particular, who will be interacting on a day-to-day basis between those on the design team, the County and the contractor. A narrative of personnel and responsibilities can be included, as the proponent deems appropriate.

--Proposals should clearly indicate each consultant's project manager with primary responsibility for coordination and managing the consultant firm's efforts with the other team members.

--Within the organization chart, please note participation of any Minority Business Enterprise (MBE) as well as any minority principals who will be involved in the project.

B. **Summary of Key Personnel.** On the first page(s) of this subsection, please provide a summary in list fashion of key personnel within each of the major proponents, their role in the project and a brief summary of their prior experience. This should be followed by a resume of each key staff person who will participate in the project, including key and relevant experience.

C. **Project Manager.** Indicate who the assigned project manager will be, the person's experience and background. This should be the individual from the project team who will be assigned to perform day-to-day responsibilities.

The project manager's resume should be included.

- VI. **FINANCIAL STRENGTH.** This section will provide information about the proponent's financial strength. Financial strength should indicate that your firm/partnership possesses the stability and wherewithal to undertake and complete successfully the project.
- VII. **REFERENCES.** References (at least five), including contact, relationship, address and phone number. Note: Chatham County reserves the right to contact any client about the proponent's performance.
- VIII. **MISCELLANEOUS.** This section provides an opportunity for the proponents to provide other information that the project team considers relevant. Be specific.
- IX. **APPENDIX.** The Appendix should serve as a section to provide addition or detailed information about your firm's project team, experience and background.

SECTION V: EVALUATION CRITERIA

The following guidelines will be used for establishing a numerical value to each category.

<u>Rating</u>	<u>Evaluation Value Points</u>
Excellent	5
Good	4
Average	3
Below Avg.	2
Poor	1

This value is multiplied by the number which will make the *excellent* rating equal to the number of points of the specific category. (See attached ***Evaluation Points Key*** for points breakdown). Each committee member will then submit his/her individual scores which in turn will be averaged together to establish the “Total Score” for that firm.

- 5.1 EVALUATION CRITERIA (STEP 1).** Based on requirements in Section II, responses will be evaluated by selected county staff, hereafter referred to as the evaluation team. While each proponent's proposal will be decided on its merits, the following will be regarded as assumptions applicable to each:
- Responses will follow the format and instructions within each section or subsection (proponents should consider Section IV as an outline or checklist).
 - Responses should be complete.
 - Responses should be presented in a clear and concise fashion.

Difficulty in reading any proponent's proposal because of confusing information, numerous errors or missing information considered as key to a fair evaluation can result in its consideration as not responsive.

The following evaluation criteria are considered key:

- I. **RESPONSIVENESS/QUALITY OF PROPOSAL/CAPABILITY.** Rated under this criterion will be general responsiveness to the "Request for Proposals." Considered important will be:
- Points
10
- A. Demonstrates understanding of project/strategy and project goals. An excellent evaluation will be awarded to a proposal that:
- Provides a clear and concise narrative that demonstrates an understanding of Chatham County's program goals and provides a convincing description of how the proponent's team could translate those goals into final design documents that would not only be functional but creative as well.
 - Demonstrates a succinct understanding of project needs to ensure logical space planning based on current space needs and projected future growth.
 - Demonstrates through narrative about plans and ideas for meeting the unique challenge of a public project, especially in recognition of the need to communicate and respond to judicial and elected officers, citizens and media.
- 10
- B. Demonstrates through detailed narrative or timeline a rationale approach to the project. An excellent evaluation will be awarded to proposals based on the following:
- Presents a narrative that clearly describes the relevance of the approach to this particular project and the County's needs.
 - Presents a convincing description of how the proponent will not only provide needed services in creating design documents for bidding but also provide assistance in helping the County prepare the documents for bidding and helping to evaluate the bids.
 - Provides a well-thought out presentation of key points of interaction between the proponent's project team, Chatham County and its contractor.
 - Provides a convincing narrative on the proponent's commitment to the spirit of partnering as a team with the goal of win-win project with performance goals of on-time and at or below budget with quality results.
 - Submits a quality control management plan, which indicates how the highest standards of quality control will be maintained throughout the project, including during construction administration. In addition, the quality control plan should include recommendations on dealing with a contractor should circumstances arise as to inferior quality, delays or cost overruns.
 - Demonstrates need for not only compliance with ADA requirements but also the importance of access for all citizens.
- II. **PAST PERFORMANCE/EXPERIENCE ON RELEVANT PROJECTS.** Rated under this criterion will be the experience and technical competence of the total team. Considered important will be:
- 30
- A. An excellent evaluation will be awarded to proposals that demonstrate considerable experience, established reputation and an unblemished record

of quality performance on projects the same as the one proposed under this RFP.

--Preference will be given to proposals whose experience includes at least three projects of the same type. "Same" projects include full-service design of a Juvenile Court facility, Juvenile Court facility expansion, and or major renovation of a Courthouse or other governmental office building.

- B. Notwithstanding "same experience" of at least three projects, next highest points will be awarded for proponents that demonstrate experience, established reputation and an unblemished record of quality performance on projects the same as to the one proposed under this RFP, but the proponent provides less than three examples. A "same" project could be mixed with "similar" projects as provided below to earn high points (depending upon the level of competition of firms with "same" projects).
- C. Notwithstanding "same experience" of at least three projects, next highest points will be awarded to proponents that demonstrate experience, established reputation and an unblemished record of quality performance on projects similar as to the one proposed under this RFP. Similar projects could include other local government projects, or smaller scope projects with administrative offices.
- D. Preference in points will also be awarded to proponents with a track record of minority participation in previous projects.

III. **QUALITY OF TEAM.** Rated under this criterion will be the quality of the team assigned to this project, including its experience, technical and professional qualifications, and appropriateness and quantity of staff necessary to perform the required services. Considered important will be:

- 20 (a&b) A. An excellent evaluation will be awarded to proposals that present a well-defined chart of the proponent's organization. It will provide a visual delineation of the organizational structure, and in particular, who will be interacting on a day-to-day basis between those on the design team, the County and its contractor.
 - An excellent evaluation will include on the chart all relevant members of the proponent's team, key personnel and project responsibilities.
 - An excellent evaluation will include on the chart the chain of command on the design/engineering team.
 - An excellent evaluation will include on the chart designation of Minority/Women Business Enterprise (M/WBE) and local firms.
- B. An excellent evaluation will be awarded to proposals that commit the quality and quantity of design and engineering professionals and support personnel needed to perform services in an exemplary manner and with experience in projects the same in size, scope and complexity as the one proposed, or

depending upon the field of proposals, then similar projects.

-An excellent evaluation will include a team with a strong lead professional firm and supported with necessary specialized consulting firms.

—Given the scope of this work, highest-rated proposals will include a strong representation of local and M/WBE firms.

—An excellent evaluation will include a clear statement as to the lead professional firm's acknowledging full responsibility for design, construction documents, construction contract administration and coordination of all team member's efforts.

--An excellent evaluation will include sufficient consulting firms required to prepare the design, contract documents and construction contract administration and administer related disciplines, including structural, mechanical engineering, plumbing/fire protection, cost estimating, graphics, civil engineering, historical consultant.

--An excellent evaluation will demonstrate the capacity of the proponent's team to perform the work as a turn-key project within the time schedule or performance period acceptable to Chatham County, especially in consideration of the project team's current and planned work load.

- 15 C. An excellent evaluation will be awarded to proposals that demonstrate a commitment to the project by designating a lead project manager with experience in projects the same in size, scope and complexity as the one proposed, or depending upon the field of proposals, then similar projects.
--Preference in points will be given to the qualifications of the chief architect/engineer assigned directly for primary design responsibility (project manager). The project manager should lead the design team and have primary responsibility for the coordination and management of all aspects of the project's design, construction documents and construction administration.
- 10 D. An excellent evaluation will be awarded to proposals that include a strong representation of local and M/WBE firms. Provides a strong commitment to minority and local participation through its team composition.
—As a secondary consideration, preference in points will be awarded to firms who have demonstrated a commitment to employment of minorities, especially at the professional level.
- 5 IV. **FINANCIAL CAPABILITY/REFERENCES.** Rated under this criterion will be the appropriateness of the business organization for this project, ability to handle it financially, clients' acceptance of previous work and general business expertise. Considered important will be:
- A. An excellent evaluation will be awarded to proposals that demonstrate the financial strength of the lead firm, including confirmation of the firm's ability to meet professional liability requirements for a project of this scope and size.

- B. An excellent evaluation will be awarded based on reference checks. Reference checks will include confirmation of information provided in the proposal; project completion in accordance with budget, schedule and quality; contact with previous clients about contract and change order history; and representation on behalf of the client on issues involving the contractor.
- C. Chatham County reserves the right to deduct points should reference checks generate concerns about contract versus change order history or other questions that might arise from reference checks. Should this information alter possible rankings of the short list, proponents will be provided an opportunity for further explanation.

5.2 EVALUATION CRITERIA (STEP 2). Based on an evaluation of proposals under Step 1, the highest-rated firms will comprise the "short list" (finalists). Proponents on the short list will be asked to attend an interview session with those on the evaluation committee. Short-list proponents will be provided 30 minutes to introduce team members and summarize their qualifications and experience. Members of the evaluation committee will be afforded 30 minutes to review the proposals and ask questions.

Points=25 A. An excellent evaluation will be awarded to firms that can best enhance their written proposal through a succinct presentation of why they could best provide the required services, introduce a project team that engenders confidence in their qualifications and experience and answer questions that will help to clarify the proposal.

5.3 STEP 3/CONTRACT AWARD: The evaluation committee will provide a final ranking of the short list based on Step 1 and Step 2. The top-rated firm will enter into negotiations with the County regarding fee and schedule and the finalization of the Scope of Services. Should the negotiation with the selected firm not provide an acceptable fee based on the scope of work, or the top-rated firm cannot meet schedule or quality control requirements, the County will send notice that negotiation will cease and move toward negotiating with the second highest-ranked firm. Should negotiations not progress with the second-ranked firm, the same process will then ensue with the third-ranked firm.

5.4 DISCRETION. The County shall have sole discretion in evaluating both the responses and qualifications of the respondents. **Please note that the evaluation committee will recommend the firm with the highest score after all steps are complete, but it is the Board of Commissioners which, after consideration of staff's recommendations, makes the final contract award decision.**

5.5 CONTRACT. The successful respondent will be expected to execute a contract within 30 days of notice of award.

5.6 ASSIGNMENT. The contractor shall not assign or transfer any interest in the contract without the prior written consent of the County.

- 5.7 PERFORMANCE AND APPROVAL OF SUB-CONSULTANTS.** The successful firm will perform the project as an independent contractor and not as an agent or employee of the County. Joint ventures, consultants and sub-consultant arrangements are not prohibited; however, the proponent shall secure written permission from the County before subcontracting any part of the project beyond those consultants, subconsultants or firms provided by in the proposal.
- 5.8 PERFORMANCE AND APPROVAL OF CHANGES IN PROJECT MANAGER.** As listed in the proposal, the successful proponent shall be bound to maintain the project manager and assigned lead design architect, project MEP engineer, structural engineer and civil engineer throughout the course of the project. Notwithstanding this provision, which is intended to ensure consistency in key project personnel and to recognize that the County based the evaluation process on these key personnel, the County may allow at its sole discretion a change in assignment for any of these personnel. The County will provide written approval by the County Manager or Assistant County Manager after either of them determines that the proposed changes in the successful proponent's key personnel meets or exceeds the professional qualifications and experience as presented in the proponent's proposal.
- 5.9 OTHER CHANGES.** In the event a contract is awarded, the County may, at any time during the contract period, make changes within the general scope of the contract and its technical provisions. Any changes in the project team, including consultants, will require prior approval of the County. At the least, replacements must be equal in experience and preserve commitment to local or MBE participants. If any such change causes any increase or decrease in the proponent's cost of performing any part of the contract, whether changed or not changed by any such notice, an equitable adjustment shall be made in the contract price, or in the time of performance, or in both, and a written memorandum of such adjustment shall be made. Any claim by the proponent for an equitable adjustment shall be supported by detailed cost and pricing data, which the County shall have the right to verify by audit of the proponent's records or, at the County's election, by other appropriate means. Any claim by the proponent for an equitable adjustment shall be made in writing and prior to proceeding with the additional services or capital investments. The County may accept and act upon claims made later if, in the County's sole discretion, circumstances justify so doing. Nothing in this clause shall excuse the proponent from proceeding with performance of this contract in accordance with its original terms and conditions and any approved changes.
- 5.10 TERMINATION OF CONTRACT.** The County shall have the right to terminate any contract to be made hereunder for its convenience by giving the proponent written notice 30 days in advance of its election to do so and by specifying the effective date of such termination. The proponent shall be paid for services rendered and not in question or dispute through the effective date of such termination. Further, provided a contract is awarded, if a proponent shall fail to fulfill any of its obligations hereunder, the County may, by giving written notice to the proponent at issue, terminate the agreement with said proponent for such default. If this agreement is so terminated, the proponent shall be paid only for work

satisfactorily completed.

- 5.11 ADEQUACY AND ACCURACY.** The professional and technical adequacy and accuracy of designs, drawings, specifications, documents and other work products furnished under contract, will be conducted in a manner of the profession. Where Chatham County must have work done by change order or addition resulting from an error or omission by the Architect/Engineer, the Architect/Engineer shall provide, at no cost to the County, all professional services attributable to the change order. This is in addition to the County's right to recover from the Architect/Engineer damages for the Architect's/Engineer's errors and omissions.

SECTION 6

GENERAL SCOPE OF WORK FOR DESIGN AND ENGINEERING SERVICES EXPANSION/RENOVATION TO THE CHATHAM COUNTY JUVENILE COURTHOUSE

6.1. GENERAL. Chatham County is seeking a qualified consulting firm to Design and Engineer, including bidding assistance and construction administrative services, the Expansion/Renovation of the Chatham County Juvenile Court, located at 197 Carl Griffin Drive. Modifications to current operations will occur to allow construction of the new addition while the existing facility remains open. The goal remains for the addition and renovations to the existing facility, to improve working conditions for employees, and improve accessibility for citizens. In early 2008, due to the lack of office space for staff, a modular village was placed on the grounds of the Juvenile Court complex. This modular village currently houses fifteen (15) staff members, as well as the Court's Training Complex. The goal is for all staff and services of the Juvenile Court to be located in the Juvenile Courthouse, also keeping in mind the need for additional space for other required responsibilities (i.e., maintaining all Juvenile Court records, etc.) and also additional space to address future growth.

Prior to starting design work, the selected consulting firm will conduct space planning and develop space needs for the expansion project. This will include planning in order to meet the Court's needs during the next 15 years.

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.

IV A drug-free workplace will be provided for the employees during the performance of the contract; and;

IV 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 **DESIGN AND ENGINEERING SERVICES FOR EXPANSION/RENOVATION TO THE CHATHAM COUNTY JUVENILE COURTHOUSE** 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, dispensation, 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 Presents, that I (We), _____,
_____, _____, Name Title
Name of Bidder

(herein after "Company") in consideration of the privilege to bid/or propose on the following Chatham County project procurement **(DESIGN AND ENGINEERING SERVICES FOR EXPANSION/RENOVATION TO THE CHATHAM COUNTY JUVENILE COURTHOUSE)** 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

Attachment C
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: _____

DPC Form #45

Attachment D
Chatham County
Minority and Women Business Enterprise Program
M/WBE Compliance Report

Name of Bidder: _____

Name of Project: _____ Bid No: _____

M/WBE Firm	Type of Work	Contact Person/ Phone #	City, State	%	MBE or WBE

MBE Total _____% WBE Total _____% M/WBE Combined _____%

The undersigned should enter into a formal agreement with M/WBE Contractor identified herein for work listed in this schedule conditioned upon execution of contract with the Chatham County Board of Commissioners.

Signature _____ Print _____

Phone () _____ Fax () _____

Attachment E

CONTRACTOR AFFIDAVIT AND AGREEMENT

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 contracting with (name of public employer) has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with (name of public employer), contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the (name of the public employer) at the time the subcontractor(s) is retained to perform such service.

EEV / Basic Pilot Program* User Identification Number

BY: Authorized Officer or Agent
(Contractor Name)

Date

Title of Authorized Officer or Agent of Contractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

____ DAY OF _____, 200__

Notary Public

My Commission Expires:

* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the "EEV / Basic Pilot Program" operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

SUBCONTRACTOR AFFIDAVIT

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 (name of public employer) has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

EEV / Basic Pilot Program* User Identification Number

BY: Authorized Officer or Agent
(Subcontractor Name)

Date

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

____ DAY OF _____, 200__

Notary Public

My Commission Expires:

* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the “EEV / Basic Pilot Program” operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

Attachment F

CHATHAM COUNTY, GEORGIA

**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 or 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

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____

Notary Public _____

My Commission Expires: _____

* Alien Registration number for non-citizens.

LEGAL NOTICE
CC NO. 165120

Chatham County, Georgia is seeking proposals from firms interested in providing **DESIGN AND ENGINEERING SERVICES FOR EXPANSION/RENOVATION TO THE CHATHAM COUNTY JUVENILE COURTHOUSE.**

Request for Proposal No. RFP 11-0040-4.

A **MANDATORY** pre-proposal conference will be conducted at **2PM, DECEMBER 15, 2011** at the Chatham County Juvenile Court, 197 Carl Griffin Drive, Savannah, Georgia, in the Training Unit Classroom. Your firm must be represented to submit a proposal.

Proposals are due by **2PM, JANUARY 5, 2012.** Responses must either be mailed or delivered to the Purchasing Office at 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406. The Purchasing Agent reserves the right to reject any and all proposals and to waive formalities.

All firms requesting to do business with Chatham County must also register on the County's website at <http://purchasing.chathamcounty.org>.

A copy of this Request for Proposal is available in the Chatham County Purchasing Office, 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406, or can be downloaded from the Chatham County website at <http://purchasing.chathamcounty.org>. For additional information concerning specifications, please contact Mr. Robert Marshall, Senior Procurement Specialist, at (912) 790-1622.

CHATHAM COUNTY RESERVES THE RIGHT TO REJECT ANY/AND 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
CHATHAM COUNTY, GEORGIA

- Savannah News- INSERT: Dec. 5, 2011
NEWS ONLY-

Please send two copies of affidavit to:
Chatham County Purchasing Department
1117 Eisenhower Drive, Suite C
Savannah, GA 31406
(912) 790-1622