

SANTA FE COUNTY
PUBLIC WORKS DEPARTMENT
REQUEST FOR QUALIFICATIONS
BASED PROPOSALS
FOR
DESIGN BUILD PROJECT DELIVER
SERVICES



**Design Build Public Safety Complex
Expansion Project located in Santa Fe,
New Mexico**

RFP #2015-0347-PW/BT

July 2015

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I. ADVERTISEMENT**SANTA FE COUNTY
Request for Qualifications Based Proposals
For
Design Build Project Delivery Services
Design Build Public Safety Complex Expansion
RFP#2015-0347-PW/BT**

Santa Fe County is requesting proposals from licensed, qualified Offerors to provide Design Build Delivery Services based on the scope of work outlined in this Request for Qualifications Based Proposal (RFP). All potential Offerors are to read, understand and accept the requirements of this RFP. All proposals submitted shall be valid for ninety (90) days subject to action by the County. Santa Fe County reserves the right to reject any and all proposals in part or in whole. A completed proposal shall be submitted in a sealed container indicating the proposal title and number along with the Offer's name and address clearly marked on the outside of the container. All proposals must be received by **2:00 PM (MDT) on Monday August 10, 2015**, at the Santa Fe County Purchasing Division (Second Floor), 142 W. Palace, Santa Fe, New Mexico 87501. By submitting a proposal for the requested services each Offeror is certifying that it is a qualified firm and its proposal complies with regulations and requirements stated within the Request for Proposals.

A **Pre-Proposal Conference** will be held on **Friday, July 24, 2015 at 2:00 PM (MDT)** at the Santa Fe County Public Safety Complex located at 28 Camino Justica, Santa Fe, New Mexico 87505. Attendance at the Pre-Proposal Conference is ***NOT mandatory***. All potential Offerors must attend the Pre-Proposal Conference as a requirement to submitting proposal. All potential Offerors are required to submit security clearance forms for the representative that will attend the pre-proposal conference no later than 2:00 PM on July 7, 2015 in order to receive clearance to enter the facility. Please contact Marissa Yniguez, Procurement Specialist, Senior at wtaylor@santafecountynm.gov to obtain the security clearance form.

EQUAL EMPLOYEMENT OPPORTUNITY: All qualified Offerors will receive consideration of contract(s) without regard to race, color, religion, sex or national origin, ancestry, age, physical and mental handicap, serious medical conditions, disability, spousal affiliation, sexual orientation or gender identity.

Request for proposals will be available by contacting Bill Taylor, Procurement Manager 142 W. Palace Avenue (Second Floor) Santa Fe, New Mexico 87501, by telephone at (505) 992-6753 or by email at wtaylor@santafecountynm.gov or on our website at: www.santafecountynm.gov/services/currentsolicitations.

PROPOSALS RECEIVED AFTER THE DATE AND TIME SPECIFIED ABOVE WILL NOT BE CONSIDERED AND WILL BE REJECTED BY SANTA FE COUNTY.

Santa Fe County
Published: July 8, 2015

II. INTRODUCTION

A. PURPOSE OF THIS REQUEST FOR PROPOSALS

Santa Fe County Public Works Department is requesting proposals for design and build project delivery services based on the scope of work described below. All potential Offerors are to read, understand and accept the requirements of this Request for Qualifications Based Proposal. It is the County's intent to select the most qualified Design Build Delivery Team using a two Phase evaluation process for recommended selection for the desired services.

Santa Fe County Public Works Department, Projects Division is authorized to plan, design renovate/construct and equip improvements to the Santa Fe County Public Safety Complex located at 35 Camino Justica located off State Highway 14 in Santa Fe, New Mexico. The project will be conducted in cooperation with the Santa Fe Public Safety Department (SFPS) and the Regional Emergency Communications Center (RECC).

Security clearances and background checks will be by required by the facility for the selected Design-Build Team, its employees and subcontractors and must be obtained prior to commencement of any work at the facility. The Design-Build Team must keep required security clearances for workers assigned to perform the work for this project prior to their arrival on site and through the duration of the project. The Public Safety Department reserves the right to deny any employee of the Design-Build Team, should the employee be in violation of any criteria required for the security clearance. Santa Fe County will obtain and maintain the security clearances.

The Projects and Purchasing Divisions have determined that the Design-Build delivery method is the most efficient and timely means to complete the renovation, upgrades and expansion of the infrastructure and footprint at the Public Safety Complex.

B. BACKGROUND

The Santa Fe County Public Safety Complex Facility (the Complex) was opened in 2002. The Complex occupies approximately 4.5 acres representing a portion of Tract 1 of the Rancho Viejo Partnership; tract 1 is 50 acres. The Complex is located on the north side of Camino Justicia.

The Complex facilitates the Regional Emergency Communications Center (RECC), Sheriff's Office, Fire Department and the Corrections Department. The RECC is a 24 hour, 7 days a week operation that receives calls and dispatches emergency information for Sheriff, fire, medical, animal control, emergency 911 and non-emergency calls for

three jurisdictions and is one of the more critical operations within Santa Fe County. This operation initiates all public safety communications and direction within Santa Fe County, including the City of Santa Fe.

A recent assessment of the operational functionality of the Complex has identified certain space and infrastructure needs at the facility.

C. SCOPE OF WORK

The Project will involve improvements to specific elements of the Public Safety Complex including RECC improvements for new administrative offices, a training room, break room, Dispatch area remodel and facilities to house the Information Technology Disaster Recovery Center (ITDRC); HVAC, electrical and IT connectivity improvements; and modification/expansion of parking facilities to replace lost capacity, including modification of Sheriff evidence impound area to maintain current capacity. The proposed upgrades will include a minimum 6400 square feet (sf) building expansion to the existing facility; outside secured area for vehicle evidence storage area of approximately 2500 square feet, and utility relocations for new additions including some or all of the following; Electrical, Natural Gas, Water, Communications, and Miscellaneous. In addition, the scope of work will include an additional Emergency Generator, a redundant network/data connection into the building for the RECC and the ITDRC and the modification/replacement of the Fire Alarm System, as necessary to accommodate the expanded facilities.

The intent of the project is to create an emergency facility environment that provides the highest-level possible operational efficiency, including ease of ingress and egress, ease of maintenance, as well as comfort and support for building users and visitors. It is also the intent of the Santa Fe County Projects Division that the expansion and improvements in the project integrate building materials and methods that promote environmental quality and energy efficiency with special consideration to renewable energy sources to offset operating cost, wherever possible.

The nature of operations at the Complex mandates certain unique design and construction considerations. As an emergency communications center, the facility must meet appropriate levels of security and resiliency and the provision of redundant systems for HVAC, electrical and communications. On-going operations of the RECC will need to be maintained continuously during the construction of improvements. Accordingly, construction will need to be phased to allow temporary relocation of critical communications equipment into new space in advance of remodeling of existing space.

The maximum allowable construction cost (MACC) is \$ 2,300,000.00 inclusive of NMGRT, with a substantial completion date of December 15, 2016 and with an occupancy date of January 15, 2017.

Santa Fe County reserves the right to revise the MACC for this project.

D. SCHEDULE OF SERVICES

The intent of the County is to have the project completed and in full service prior to calendar year 2017.

Proposed Project Schedule:	<u>Phase</u>	<u>Estimated Schedule</u>
	Property Acquisition.....	N/A
	Contract Execution.....	January 15, 2016
	Construction Documents.....	8 weeks
	Owner Review Periods.....	2 weeks
	Estimated Construction Period.....	26 weeks

Project MACC using the definition provided herein: Two million three hundred thousand dollars, (\$2,300,000.00) which does include applicable NMGRT.

Proposed Lump Sum Cost: To be submitted in Phase Two of the RFP process by shortlisted Offerors only.

E. INSURANCE REQUIREMENTS

Please refer to the attached Professional Services Agreement Section 27 for the insurance requirements found in Appendix C of this RFP.

F. PROCUREMENT MANAGER

The County has designated a Procurement Manager who is responsible for the conduct of this procurement whose name, address, and telephone number is listed below. All deliveries via express carrier should be addressed as follows:

Bill Taylor
 Santa Fe County Purchasing Division
 142 W. Palace Avenue, Second Floor
 Santa Fe, NM 87501
 (505) 992-6753
 Email: wtaylor@santafecountynm.gov

Any inquiries or requests regarding this procurement should be submitted to the Procurement Manager in writing. Offerors may contact ONLY the Procurement Manager regarding the procurement. Other County employees do not have the authority to respond on behalf of the County.

G. DEFINITION OF TERMINOLOGY

This section contains definitions and abbreviations that are used throughout this Request for Qualifications Based Proposal (RFP), including appropriate abbreviations.

“Architect” means a member of the Design and Build Team who is a New Mexico licensed architect and is responsible for the architectural services.

“BCC” means the elected Board of County Commissioners whom all powers of the municipality are vested and who are responsible for the proper and efficient administration of the municipal government.

“Close of Business” means 5:00 PM Mountain Standard or Mountain Daylight Time, whichever is in effect on the date provided in the RFP.

“Construction Contractor” means a member of the Design and Build Team who is a New Mexico licensed general contractor and is responsible for the construction services and who will sign the Contract.

“Contract” or “Agreement” means a written agreement between a County Agency (the Owner) and a firm for the work covered by this RFP.

“County” means Santa Fe County.

“Design and Build Project Delivery System” means a procurement process by which a Using Agency/Owner contracts with one firm who has the responsibility for the design, construction and delivery of a project under a single contract with the Using Agency/Owner.

“Design and Build Team” or “firm” as the terms are used herein, are synonymous with one another and, within their broad definition mean any offeror, who may be a person, a legal entity, a consortium of experts, a joint venture, a team of persons who, through partnership, general or limited or other legal entity, corporation, association, other organizations, or any combination thereof, formally organized so that it may submit a qualified offer in response to a request for proposal and, as a result, who may be considered for a contract award for a design and build project delivery system with a Using Agency/Owner. No distinction is made between formally organized design/build firms and a project-specific design/build firm.

“Determination” means the written documentation of a decision by the Chief Procurement Officer including findings of fact supporting a decision. A determination becomes part of the procurement file.

“Desirable” The terms “may”, “can”, “should”, “preferably”, or “prefers” identify a desirable or discretionary item or factor (as opposed to “mandatory”).

“Evaluation Committee” or “Selection Committee” means a body appointed by the County management to perform the evaluation of Offeror proposals. A body constituted in accordance with Section 13-1-121 NMSA 1978 to evaluate proposals and make recommendations and or selections of the highest ranked Offerors based on qualifications and cost.

“Finalist” is defined as an Offeror who meets all mandatory specifications of this Request for Proposals and whose score on evaluation factors is sufficiently high to merit further consideration by the Evaluation Committee.

“MACC-design build definition” The maximum allowable construction cost which may include the estimated construction cost, the cost of design, gross receipts tax, utility connection fees, site development costs, built in equipment and furnishings, and a maximum contingency allowance of ten percent (10%), but excludes the cost of land, the cost of financing, and the costs required to operate and conduct business in the facility.

“Mandatory” The terms “must”, “shall”, “will”, “is required”, or “are required”, identify a mandatory item or factor (as opposed to “desirable”) of this RFP. Failure to meet a mandatory item or factor will result in the rejection of the Offeror’s proposal. Rejection of the proposal will be subject to review by the Selection Committee and a final decision on the rejection will be made by the County Chief Procurement Officer.

“Offeror” is any person, corporation, or partnership who chooses to submit a proposal in response to this RFP, with the intent of providing design/build services for this project.

“Owner” as defined in the Agreement between Owner and Design/Builder shall be Santa Fe County.

“Owner Team” is comprised of the Santa Fe County Facilities and Projects Division of the Public Works Department, a Project Manager, County Public Safety Staff, and the Owner’s Consultant.

“Procurement Manager” means the person or designee authorized by the County to manage or administer a procurement requiring the evaluation of competitive sealed proposals.

“Project Team”- all members of the firm, including consultants who will be responsible for the completion of the project.

“Purchasing Division” means the Santa Fe County Purchasing Division, Administrative Services Department.

“Proposal” is the Offeror’s phased response to this RFP.

“Request for Qualifications Based Proposals” or “RFP” means all documents, including those attached or incorporated by reference, used for soliciting proposals for this project.

“Responsible Offeror” or “Responsive Proposal” means an Offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that their financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal for this RFP.

“Responsive Offer” or “Responsive Proposal” means an offer or proposal which conforms in all material respects to the requirements set forth in the RFP as determined by the Selection Committee. Material respects of a request for proposals include, but are not limited to, quality, quantity or delivery requirements.

“Selection” A formal written notice by the chair of the Selection Committee that a firm has been selected to enter into a contract for services.

“Technical Irregularities” are matters of form rather than substance evident from the proposal document, or insignificant mistakes that can be waived or corrected without prejudice to other Offerors; that is, when there is no effect on price, quality or quantity. If discussion are not held or if best and final offers upon which award will be made have been received, the Selection Committee may waive such irregularities or allow an Offeror to correct them if either is in the best interest of the County. Examples include the failure of an Offeror to:

- a. Submit the number of signed proposals required by the RFP
- b. Sign the proposal, but only if the unsigned proposal is accompanied by other material indicating the Offeror’s intent to be bound; or
- c. Acknowledge receipt of an amendment involved had no effect on price, quality or quantity.

“Using Agency” means the Public Safety Department Staff for this RFP.

III. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP contains the schedule for the procurement, describes the major procurement events and the conditions governing the procurement.

A. SEQUENCE OF EVENTS

The procurement Manager will make every effort to adhere to the following schedule

<u>Action</u>	<u>Responsibility</u>	<u>Date</u>
1. Issue of RFP	Purchasing Division	July 12, 2015
2. Pre-Proposal Conference	County/Offerors	July 24, 2015
3. Acknowledgement Form Due	Offerors - Purchasing	July 24, 2015
4. Deadline to Receive written Questions/Clarifications for Phase One of the RFP	Offerors - Purchasing	July 29, 2015
5. Response to Written Questions	Purchasing – Offerors	Aug.03, 2015
6. Submission of Phase One of Proposal	Offerors – Purchasing	Aug 10, 2015
7. Proposal Shortlisting	Evaluation Committee	Aug 11, 2015 thru Aug 21, 2015
8. Notice of Shortlisted Offeror Finalists	Purchasing, CPO	Aug 24, 2015
9. Release of Phase Two Documents to Shortlisted Offerors	Purchasing	August 28, 2015
10. Phase Two Mandatory Pre-Proposal Conference	Purchasing	Sept 3, 2015
11. Questions/Clarifications for Phase Two of RFP	Potential Offerors to Purchasing	Sept 10, 2015
12. Amendments/Response to Written Questions for Phase Two of RFP	Purchasing to Potential Offerors	September 17, 2015
13. Phase Two Proposals Due	Potential Offerors	Oct. 9, 2015
14. Review of Proposals	Selection Committee	Oct. 12, 2015 Thru October 26, 2015
15. Interviews of Shortlisted Offerors	Selection Committee	Oct. 27, 2015
16. Final Selection	Selection	Oct. 28, 2015

	Committee	
17. Notice of Intent to Award	Procurement Mgr	Oct. 29, 2015
18. Contract Negotiations	County/Successful Offeror	Oct. 30, 2015

B. EVALUATION PROCESS

Background: Owner will utilize a two-phase request for proposal procedure for awarding the Contract as follows:

- a. During Phase One, the Selection Committee will evaluate each Offeror's experience, technical competence and capability to perform, the past performance of the Offeror's team and members of the team, and other appropriate factors submitted by the team or firm in response to the RFP. Qualifications of Offerors will be evaluated as described in Section VI.A., and a maximum of 3 firms will be short-listed in accordance with technical and qualification-based criteria in Section VI.A.
- b. During Phase Two, each shortlisted Offeror will receive Phase Two documents with the RFP requirements, guidelines and criteria. Owner will invite short-listed Offerors to submit detailed specific technical concepts of solutions, costs and scheduling. A mandatory Phase Two Offeror's Conference will be conducted to allow a short-listed Offeror the opportunity to submit questions of clarification. Short-listed Offerors will be evaluated by the Selection Committee using the criteria described in Section VI.C. Upon completion of the evaluation process, the selection will be made and the Contract awarded to the highest ranked Offeror.

The following paragraphs describe the activities listed in the sequence of events shown in Section III.A.

1. Issue of RFP – This RFP is issued by the Santa Fe County Purchasing Division in accordance with the provisions of Section 13-1-119 through 13-1-124 NMSA 1978. This and other RFPs will be posted on the County website www.santafecountynm.gov.
2. Pre-Proposal Conference

A Pre-Proposal Conference is scheduled to occur on the date indicated in the "Sequence of Events" at Section III.A. Questions may be submitted at the Pre-Proposal Conference and after up until the deadline indicated in the "Sequence of Events" at Section III.A. A public log will be kept of the names of potential Offerors that attended the Pre-Proposal Conference. Potential Offerors will be required to submit security clearance forms for the representative that will attend

the Pre-Proposal conference *no later than July 21, 2015*. *Attendance at the Pre-Proposal Conference is mandatory.*

3. Acknowledgement of Receipt Form

A potential Offeror should hand deliver, return by facsimile or e-mail the “Acknowledgement of Receipt Form” provided as Appendix A to have its name and firm placed on the procurement distribution list. The form should be signed by an authorized representative of the organization, dated and returned by close of business on the date indicated in the “Sequence of Events” at Section III.A.

The procurement distribution list will be used for the distribution of written responses to questions and any RFP addenda.

4. Deadline to Submit Additional Written Questions

Potential Offerors may submit written questions regarding this RFP until the close of business on the date indicated in the “Sequence of Events” at Section III.A. All written questions must be addressed to the Procurement Manager listed in Section II.E., and sent via facsimile or e-mail. **Any contact with any other County staff member other than the Procurement Manager named in this solicitation may be ground for rejection of a proposal.**

5. Response to Written Questions

Written responses to written questions and any RFP addenda will be distributed on the date indicated in the “Sequence of Events” at Section III.A, to all potential Offerors whose names appear on the procurement distribution list.

6. Submission of Phase One Proposal

Proposals must be submitted in sealed envelopes, addressed to:

Santa Fe County Purchasing Division
RFP# 2015-0347-PW/BT
142 E. Palace Ave.
Santa Fe, New Mexico 87504
ATTENTION: Bill Taylor, Procurement Manager

ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE NO LATER THAN **2:00 PM (MDT) ON Aug. 10, 2015**. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. Proposals must be addressed and delivered to the Procurement Manager at the address listed in Section II.D.

Proposals must be sealed and labeled on the outside of the package to clearly indicate they are in response to the County's Request for Proposals #2015-0347-PW/BT and refer to the RFP number. Proposals submitted by facsimile or other electronic means will not be accepted.

Proposals must be delivered to:

Bill Taylor, Procurement Manager
 Santa Fe County Purchasing Division
 142 W. Palace Avenue (Second Floor)
 Santa Fe, New Mexico 87501

A public log will be kept of the names of all Offeror organizations that submitted proposals. Pursuant to Section 13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed to competing Offerors prior to contract award.

- a) Receipt of Proposals: Purchasing will time-stamp proposals at the Purchasing Office and proposals will be held in a secure location. Proposals received after the deadline will be deemed non-responsive, and will be returned unopened to the Offeror.
 - b) Confidentiality of Proposals: Proposals will not be opened publicly and shall not be open to the public inspection until after an Offeror has been selected for award of the contract and conclusion of successful contract negotiations. An Offeror may request in writing non-disclosure of confidential data. Such data shall accompany the proposal and shall be readily separable from the proposal in order to facilitate eventual public inspections of the non-confidential portion of the proposal.
 - c) Non-Conforming Proposals: Proposals will be reviewed for completeness, format and compliance with the requirements of the RFP. If any proposal is deemed non-responsive by the Selection Committee, the Offeror will be notified in writing of such determination.
7. Phase One Proposal/Shortlisting– The Selection Committee will review each proposal. Points will be allocated per Section VI.A. of the RFP by each committee member. Member's point totals will be translated to a numeric ranking. The Selection Committee member rankings will be totaled to determine the overall ranking of the firms. The Committee shall determine the rankings without the possibility of a tie. A maximum of 3 firms will be short-listed.

The evaluation of proposals will be performed by an Evaluation Committee appointed by County Management. This process will take place during the timeframe indicated in the "Sequence of Events" at III.A. During this time, the Procurement Manager may initiate discussions with Offerors who submit

responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be accepted and evaluated without such discussion. Discussions SHALL NOT be initiated by the Offerors.

8. Phase Two Proposal Requirements & Criteria – Each shortlisted Offeror will receive Phase Two documents with proposal requirements, guidelines, applicable portions of the Public Safety Complex Plan, building program, site and utility surveys, geotechnical report, design standards, conceptual criteria, special equipment and system standards, quality assurance and quality control requirements to the extent the information is known and available to Public Works Department, Project Division.
9. Phase Two Mandatory Pre-Proposal Conference – Provides shortlisted Offerors an opportunity to discuss the details of the project criteria with the Owner’s Team and their Consultant. **Selected Offeror’s are required to attend.**
10. Questions/Clarifications/Site Visits – Between issuing of Phase Two documents and submission of the Phase Two Proposals, prospective Offerors may contact the Procurement Manger, Bill Taylor with questions about the scope of the project or the RFP schedule. Any questions concerning the project or selection process must be in written form by contacting:

Bill Taylor, Procurement Manager
wtaylor@santafecountynm.gov

11. RFP Phase Two Amendments – If an RFP amendment is deemed necessary, it will be issued prior to the submission deadline. The Purchasing Division will distribute the amendment in writing to all shortlisted Offerors.
12. Submission of Phase Two Proposal – Proposals must be submitted in sealed envelopes, addressed to:

Santa Fe County Purchasing Division
RFP # 2015-0347-PW/BT
 142 E. Palace Ave.
 Santa Fe, New Mexico 87504
 Attention: Bill Taylor, Procurement Manager

- a) Receipt of Proposals: Purchasing will time-stamp proposals at the Purchasing Office and proposals will be held in a secure location. A public log will be kept of the names and submittal times of all proposals. Proposals received after the deadline will be deemed non-responsive, and will be returned unopened to the Offeror.
- b) Confidentiality of Proposals: Proposals will not be opened publicly and shall not be open to public inspection until after an Offeror has been

selected for award of the contract and conclusion of successful contract negotiations. An Offeror may request, in writing, non-disclosure of confidential data. Such data shall accompany the proposal and shall be readily separable from the proposal in order to facilitate eventual public inspections of the non-confidential portion of the proposal.

- c) Non-Conforming Proposals: Proposals will be reviewed for completeness, format and compliance with the requirements of the RFP. If any proposal is deemed non-responsive by the Selection Committee, the Offeror will be notified in writing of such determination.

13. Interviews/Award – Overall rankings after the interview shall determine the firm to be awarded the project. Notice to finalist will include the interview date, time, and location. The purpose of the interview is to allow the Offeror to present its qualifications, past performance, quality of proposed design, quality of construction approach, demonstrated response to program requirements, management plan for constructing the project, and cost and schedule. It will also provide an opportunity for the Selection Committee to seek clarification of the Offeror's proposal. Ninety (90) minutes will be allotted for each interview to include a forty five (45) minute question and answer session by the Selection Committee. Points will be allocated by each member of the Committee. Each member's point totals will be translated into a numeric ranking of the interviewed firms. Individual member rankings will be totaled together to determine the overall ranking after the interview. In the event of a tie for first, after the completion of interviews, the tie shall be broken by awarding to the firm with the higher ranking from the shortlist. All calculations of point standings shall occur during the Selection Committee meeting for this project with all members in attendance.
14. Notice of Intent to Award – The Procurement Manager will notify the selected Offeror in writing of the final intent to award. This notice will include the overall rankings for the project award. At this time, Purchasing will maintain at least one copy of each Offeror's proposal. Proposals are open for public inspection after the award and conclusion of successful contract negotiations. Any unsuccessful Offeror wishing to retrieve all copies of their proposal must do so within one month after Notice of Intent to Award.
15. Contract Negotiations – The Owner and successful Offeror will begin contract negotiations as soon as possible after the Notice of Intent to Award. If contract negotiations are not finalized within 30 days after Notice of Intent to Award, Owner may conclude negotiations with the selected Offeror and begin negotiations with the next ranked Offeror based on final ranking.

16. Right to Protest and Protest Period – In accordance with Section 13-1-172 NMSA 1978, any Offeror who is aggrieved in connection with a solicitation or the award of a contract may protest to the Procurement Manger of the County Purchasing Division. The protest must be submitted in writing within fifteen (15) calendar days after knowledge of the facts or occurrences giving rise to the protest. Protests must be submitted in written form to:

Bill Taylor, Procurement Manger
Santa Fe County
Attn: Procurement Office
P.O. Box 276
Santa Fe, New Mexico 87504

Protests must include the name and address of the protestant, the solicitation number, and the statement of grounds for protest, including appropriate supporting exhibits. Protests received after the deadline will not be accepted.

C. GENERAL REQUIREMENTS/INFORMATION

This section contains information about the RFP process and conditions under which this RFP is issued and how the intended project will be completed.

This procurement will be conducted in accordance with Chapter 13, NMSA 1978, NMAC 1.4.1, and Santa Fe County Procurement Regulations.

Roles and Responsibilities of the Design and Build Team – The following general services shall be provided by the Design and Build Team in connection with the Project. The Design and Build Team shall:

7. Become fully informed about the Project and have the experience and ability necessary to perform the required services;
8. Provide the human resources, equipment, and facilities necessary to furnish the required services through all phases of the Project. This will include, but not limited to:
 - a. All individuals must obtain and maintain security clearances with the Public Safety Department, including security clearance from the Sheriff and Corrections Departments throughout the duration of the project.
 - a. Coordinating and working closely with the Project Manager from Santa Fe County;
 - b. Site development planning;
 - c. Consider Owner's and Using Agency's staff input on conceptual design;

- d. Design development, i.e. 30%, 60%, 90% & final design documents;
 - e. Making presentations to and obtaining feedback from Owner's and Using Agency's staff;
 - f. Preparing plans, specifications and construction documents (all materials used in construction shall meet all applicable code and regulatory requirements);
 - g. Obtain approval for the Project budget and Design from the Owner's Team at the completion of schematic design, design development phases and construction documents phase;
 - h. Providing general architectural/engineering supervision and contract administration during construction; and
 - i. Provide on-site observation during construction.
9. Analyze alternatives and design the most suitable improvements consistent with economic feasibility, environmental characteristics, expected life of improvement, energy conservation, and state-of-the-art technology;
10.
Provide periodic estimate updates to assure Owner that the actual construction costs coincide with the Project budget;
11.
Perform required services in an expeditious manner to coincide with the Project schedule;
12.
Furnish qualified construction personnel who will keep Owner's Team advised on A/E matters pertaining to the construction of the Project, and who will work toward the goals of obtaining results prescribed by the plans and specifications. This will require cooperation between the Owner's Team and the Project Manager with meetings on a weekly basis to facilitate such cooperation;
13.P
Assess professional ethics and qualifications and represent Owner in accordance with a high standard of professional conduct; and
14.S
Secure all applicable building permits.

Roles and Responsibilities of Owner's Consultant – Santa Fe County Public Works has contracted with CDM Smith as an Owner's Consultant to assist in organizing and administering

the design-build selection process, and for other consulting services such as review of submissions for compliance with the Design-Build RFP to be developed by the Consultant. The Consultant also serves as the “design criteria professional: who develops the facility program, performance specifications and other Design-Build RFP components.

The Owner’s Consultant shall not be included as members of any Offeror’s Design and Build Team.

Roles and Responsibilities of the Owner’s Team – The Owner’s Team is also comprised of Public Works, Project Division and others in the Public Works Department, a Project manager and Public Safety Department Staff. The Owner’s Team shall:

1. Examine documents submitted by the Design and Build Team and shall render decisions promptly to avoid unreasonable delay in the progress of the project.
2. If the Owner observes or otherwise becomes aware of any fault or defect in the Project or nonconformance with the Contract Documents, prompt written notice thereof shall be given by the Owner to the Design and Build Team.
3. Santa Fe County reserves the right to provide an escort and/or full time supervision of the Design-Build Contractor and its employees during any or all phases of the project, should the user agency feel it is in the best interest of the County to provide these extraordinary security services.
4. The County reserves the right to escort any or all employees of the Design-Build Contractor off its property, for any inappropriate conduct or actions that jeopardize the safety, security or well-being of the facility. Any employee of the Design-Build Contractor

Acceptance of Conditions Governing the Procurement

Offerors must indicate their acceptance of the Conditions Governing the Procurement section in the Letter of Transmittal. Submission of a proposal constitutes acceptance of the Evaluation Factors contained in Section IV of this RFP.

Incurring Cost - Any cost incurred by the Offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

Consultants and Subcontractors - Since the award is made on a qualifications-based evaluation process, replacement of consultants/subcontractors after award of and prior to the contract execution may cause the Offeror to be disqualified. The Construction Contractor must perform all work that may result from this RFP, and payments will be made only to the Construction Contractor. Use of consultants/subcontractors identified in the proposal is permitted, but since

the award of the contract is to be made on a qualifications-based evaluation process, subcontracting the responsibilities of the Construction Contractor portion of the work is not permitted. Use of subcontractors must be clearly explained in the proposal, and major subcontractors must be identified by name. The Contractor shall be wholly responsible for the entire performance whether or not subcontractors are used.

Amended Proposals- An Offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be completed replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. County personnel will not merge, collate, or assemble proposal materials.

Offerors' Right to Withdraw Proposal - Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The Offeror must submit a written withdrawal request signed by the Offeror's duly authorized representative addressed to the Procurement Manager. The approval or denial of withdrawal requests received after the deadline for receipt of proposals is governed by the applicable procurement regulations.

Proposal Offer Firm - Responses to this RFP, including proposal prices, will be considered firm for ninety (90) days after the due date for receipt of proposals or ninety (90) days after receipt of a best and final offer.

Disclosure of Proposal Contents - Proposals are not open to public inspection until after an Offeror(s) has been selected for award of contract.

An Offeror may request non-disclosure of confidential information in its proposal. Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted confidential financial information concerning the Offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA 1978. The price of products offered or the cost of services proposed shall not be designated as proprietary or confidential information.

If a request is received for disclosure of information for which an Offeror has made a written request for confidentiality, the Procurement Manager shall examine the Offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the Offeror takes legal action to prevent the disclosure, the proposal will be so disclosed. The proposal shall be open to public inspection subject to any statutory prohibition on the disclosure of confidential data.

No Obligation - This procurement in no manner obligates Santa Fe County or any of its departments to the use of any proposed professional services until a valid written contract is awarded and approved by the appropriate authorities.

Termination - This RFP may be cancelled at any time and any and all proposals may be rejected in whole or in part when the County determines such action to be in the best interest of the County.

Sufficient Appropriation - Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Such termination will be effected by sending written notice to the contractor. The County's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

Legal Review - The County requires that all Offerors agree to be bound by the General Requirements contained in this RFP. Any Offeror concerns must be promptly brought to the attention of the Procurement Manager.

Governing Law - This procurement and any agreement with Offerors that may result shall be governed by the laws of the State of New Mexico.

Basis for Proposal - Only information supplied by the County in writing through the Procurement Manager or in this RFP should be used as the basis for the preparation of Offeror proposals.

Contract Terms and Conditions - The contract between the County and the Contractor will follow the format specified by the County and contain the terms and conditions set forth in Appendix D. [Appendix D will be the Owners modifications to the DBIA Document #525 Form and will be made available in forthcoming RFP addendum]. Copies of the DBIA Document #525 Standard Form of Agreement Between Owner and Design/Builder Lump Sum as modified by the Owner are available from Purchasing. Any questions about the contract terms and conditions must be brought to the attentions of the Procurement Manager.

Contract Deviations - Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the County and the selected Offeror and shall not be deemed an opportunity to amend the Offeror's proposal.

Offeror Qualifications – The Selection Committee may make such investigations as necessary to determine the ability of the Offeror to adhere to the requirements specified within this RFP. The Selection Committee will reject the proposal of any Offeror who is deemed not a Responsible Offeror or fails to submit a Responsive Offer as defined in NMSA 1978, Sections 13-1-83 and 13-1-85, and herein.

The Evaluation Committee reserves the right to waive minor technical irregularities. This right is at the sole discretion of the Evaluation Committee, subject to Procurement Manager approval.

Clarifications from Offerors – The Selection Committee, after review of the proposals and/or interviews, may request clarifications on information submitted by any and all Offerors in a written format with a specified deadline for response.

Existing Information – One copy of project-related information in the possession of the County will be made available to the Design and Build Team subsequent to contract execution.

Release of Information – Only the Procurement Manager is authorized to release information about the Project covered by this RFP. Offerors must refer to the Procurement Manager any requests to release any information that pertains to the work or activities covered by any action or award related to this RFP.

Right to Waive Minor Irregularities - The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the mandatory requirements and/or doing so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee.

Change in Contractor Representatives - The County reserves the right to require a change in contractor representatives if the assigned representatives are not, in the opinion of the County, meeting its needs adequately. Any change in contractor representative must receive prior County approval.

Notice - The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.

County Rights - The County reserves the right to accept all or a portion of an Offeror's proposal.

Right to Publish - Throughout the duration of this procurement process and contract term, potential Offerors and contractors must secure from the County written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement or the subsequent contract. Failure to adhere to this requirement may result in disqualification of the Offeror's proposal or termination of the contract.

Ownership of Proposals - All documents submitted in response to this Request for Proposals shall become the property of the County. However, any technical or user documentation submitted with the proposals of non-selected Offerors shall be returned after the expiration of the protest period.

Electronic Mail Address Required - A large part of the communication regarding this procurement will be conducted by electronic mail (e-mail). It is recommended that Offeror should have a valid e-mail address to receive this correspondence.

Hold Harmless – If service delivered hereunder is covered by any patent, copyright, trademark or application thereof, the Design and Build Team will indemnify and hold Owner harmless from any and all losses, costs, expenses, and legal fees on account of any claims or legal actions filed for infringement of such rights by Design and Build Team.

Purchase Order – The Owner will not be responsible for any service performed without its written and approved purchase order, contract or approved change order signed by the authorized representative.

Compliance with Applicable Laws – The Design and Build Team shall comply with all federal and state laws and regulations pertaining to work under its charge and shall bear all expenses associated with such compliance. The Design and Build Team agrees to comply with state law and rules applicable to worker’s compensation benefits for its employees. If the Design and Build Team fails to comply with applicable worker’s compensation laws and rules, Owner may terminate the Contract. The Design and Build Team will be responsible for obtaining all required insurance.

Conflict of Interest – The Design and Build Team shall warrant that it presently has no interest and will not acquire any interest, directly or indirectly, which would conflict in any manner or degree with the performance of service under the award of the Contract.

Stipend – At the conclusion of Phase II of this RFP, those short-listed firms who were not selected for contract negotiations will receive a flat stipend of \$23,000, inclusive of NMGRT, payable within 30 days of a written Award of Contract, notwithstanding the provisions described under “Incurring Cost”. The stipend payment may be denied if the “non-selected”, short-listed firm fails to submit an acceptable design solution with their Phase II response.

Bid Bond – Security in an amount or not less than five percent (5%) of the total amount of the proposal submitted is required of each short-listed, selected Offeror. An acceptable Bond or Cashier’s Check must accompany each proposal as a guarantee that, if awarded the contract, the Offeror will enter into a contract promptly and execute the required Contract Documents. The successful Offeror’s security will be retained until they have signed a contract and furnished the required Payment and Performance bonds. The security shall become the property of the County as liquidated damages for delay and additional expenses caused thereby in the event that the contract is not executed and/or acceptable 100% Performance and Payment bonds are not delivered within the time set forth. The County reserves the right to retain the security of the next two ranked Offerors until the accepted Offeror enters into a contract or until forty-five (45) days after the receipt of proposals, whichever is shorter. All other security will be returned within seven (7) days of the selection announcement.

Preferences in Procurement by Santa Fe County **NOTE: Preferences will only apply in the Phase I/Shortlisting Evaluation of the RFP. General Contractor may receive Resident in-state or Veteran in-state preference and the Architect/Engineer Firm may receive a Santa Fe County Preference (Ex. Possible for D-B Team to receive a total of 15% in preference)**

a. *New Mexico In-State Preference*

New Mexico Law, Section 13-1-21 NMSA 1978, provides a preference in the award of a public works contract for an “**in-state resident business**”. Application of a resident business preference for any Offeror requires the Offeror to provide a copy of a valid and current certificate as a resident business. Certificates are issued by the state taxation and revenue department.

If an Offeror submits with its proposal a copy of a valid and current in-state resident business certificate, 5% of the total weight of all evaluation factors used in the evaluation of proposals may be awarded or added to the Offerors score.

Certification by the department of taxation and revenue for the resident contractor takes into consideration such activities as the business or contractor's payment of property taxes or rent in the state and payment of unemployment insurance on employees who are residents of the state.

OR

b. *New Mexico Resident Veteran Preference*

New Mexico law, Section 13-1-22 NMSA 1978, provides a preference in the award of a public works contract for a “**resident veteran business**”. Certification by the department of taxation and revenue for the resident veteran business requires the Offeror to provide evidence of annual revenue and other evidence of veteran status.

An Offeror who wants the veteran contractor preference to be applied to his proposal is required to submit with its proposal the certification from the NM Department of Taxation and Revenue and the sworn affidavit attached hereto as Appendix C.

If an Offeror submits with its proposal a copy of a valid and current veteran resident business certificate, 10%, 8%, or 7% of the total weight of all the evaluation factors used in the evaluation of proposals may be awarded or added to the Offeror's score, depending on the business' annual revenue.

The resident business preference is not cumulative with the resident veteran business preference.

c. *Santa Fe County Preference*

Santa Fe County Ordinance 2012-4 provides for a **County preference** for a “Santa Fe County business.” Application of the County preference in procurement requires an Offeror to obtain and provide a Santa Fe County Business Certificate issued by the Santa Fe County Procurement Manager. Certification by the Procurement Manger takes into consideration the business' corporate standing in the state, business licensure or registration, the duration of the business' primary office location and the payment of taxes.

If an Offeror submits with its proposal a copy of its Santa Fe County Business Certificate issued by the Purchasing Manager, 5% of the total weight of all the evaluation factors used in the evaluation of proposals may be awarded to the Offerors score.

The in-state, veteran or County preferences do not apply to procurement of services or goods involving federal funds or federal grant funds.

Double-Sided Documents

All submitted bids/proposal documents shall be double-sided, pursuant to Santa Fe County Resolution 2013-7, Adopting Sustainable Resource Management Principles, Section 2.A. "Waste Reduction and Reuse...all documents are to be double-sided, including those that are generated by outside entities using County funds and by consultants and contractors doing business with the County".

Living Wage

Contractor shall comply with the requirements of Santa Fe County Ordinance 2014-1 (Establishing a Living Wage).

IV. RESPONSE FORMAT, ORGANIZATION, AND SPECIFICATIONS

A. NUMBER OF RESPONSES

Only one proposal may be submitted by each Offeror for this project. Offerors shall provide six (6) identical copies of their proposal at the location specified in Section I.

B. PHASE ONE PROPOSAL FORMAT

The proposal shall be limited in format and length. Format will be 8-1/2" x 11" with foldout sheets allowed up to 11" x 17" in size. All foldout sheets, up to a maximum of 11" x 17" sheets will be counted as two pages and shall be labeled as such. Length of the proposal shall be limited to a maximum of twenty (20) numbered pages (printed sheet faces) of text no smaller than 10 point and/or graphics. If there is any question as to format requirements contact the Procurement Manager for clarification, prior to submittal of the proposal.

Material excluded from the twenty (20) page maximum count is limited to:

- Front cover (photos with captions on inside cover allowed)
- Divider pages (blank except for title information)
- Back cover (photos with captions on inside of back cover allowed)
- Submittal letter (two page maximum)

- Table of Contents page (one page maximum, number as page i)
 - Certificate(s) of Insurance (include as Attachment A)
 - Required Forms
1. Proposal Organization – All Pages shall be numbered except for those specifically excluded from the page count. All foldout pages shall be counted as two (2) pages and shall be numbered as such. Proposals shall be organized and tabbed in the same order as the evaluation criteria.
 2. Submittal Letter – (Two page maximum) Each proposal must be accompanied by a submittal letter. The submittal letter shall identify the Offerors as follows:
 - Identify the name and title of the person(s) authorized to contractually obligate the Offeror for the purpose of this RFP and the contract; and the name and license number of the A/E of record in New Mexico and the name and New Mexico License number of the General Contractor.
 - Identify the names, titles, and telephone numbers, fax and e-mail address of persons to be contacted for clarification questions regarding this RFP.
 - Shall represent that the information provided in the RFP proposal documents is truthful, accurate and complete and that the firm and individual responsible for the submission shall be fully responsible for and bound by all information, data, certifications, disclosures and attachments included in the RFP proposal documents.
 - Agree to compliance with all codes, regulations, facilities, Santa Fe County standards and requirements in laws
 - Be signed by a person authorized to contractually obligate the Offeror;
 - Acknowledge receipt of any and all addendums/amendments to this RFP.
 3. Completed Campaign Contribution Disclosure Form - (Refer to REQUIRED FORMS and include as Attachment B)
 4. Pre-award Survey of Offeror's Safety – (Refer to REQUIRED FORMS and include as Attachment C)

VII. INSURANCE

A. INSURANCE REQUIREMENTS

The minimum requirements for this RFP are:

- Architect's Professional Liability (Errors and Omissions): a minimum of \$250,000 per occurrence and \$1,000,000 in the aggregate. Please refer to the Agreement for actual requirements. With this proposal submit a certificate of Insurance showing current coverage equal to or greater than what is required in this RFP.

- Contractor’s Commercial general Liability Insurance: a minimum of \$1,000,000 per occurrence and \$2,000,000 aggregate.
- Umbrella Policy in the amount of \$5,000,000
- If the Design and Build Team is a joint venture and/or association, the required insurance coverage will be in the name of the joint venture or association.

VIII. EVALUATION

A. Phase One Evaluation Criteria

Phase One of this solicitation will result in a narrowing of Offerors to a maximum of three (3) firms based on the Phase One evaluation factors. A maximum of three (3) firms will be selected to then submit Technical and Price proposals for Phase Two.

Shortlisting – A maximum total of 1000 points are possible in scoring each proposal for the shortlist evaluation. The Selection Committee will evaluate the Phase One proposals applying for selection.

The evaluation criteria to be used by the Selection Committee for the proposal shortlist and the corresponding point values for each criterion are as follows:

- 1) Specialized design and technical competence of the business, including a joint venture or association, regarding the type of structure required.**150 points**
- 2) Past Performance, documented record of performance of the team on projects of a similar nature relative to budget and schedule, quality of work and customer satisfaction, compliance with applicable laws and regulations, and safety record.
.....**150 points**
- 3) Project staffing/craft labor capabilities, reliable staffing sources, reliable project staffing.....**200 points**
- 4) Capacity and capability of the business, including any consultants, their representatives, qualifications and locations to perform the work, including any specialized services within the time limitations.**100 points**
- 5) Management Plan, management and administration of the team and team resources.
.....**150 points**
- 6) Health and Safety with respect to site safety and quality assurance/quality control.
.....**100 points**
- 7) Proximity, familiarity and experience with the Santa Fe area and project site.
.....**100 points**

- 8) New Mexico produced work**50 points**
- **Total 1000 points**

Evaluation Factors

A brief explanation of each evaluation category is listed below. Information in one category may overlap information in other categories. Offerors are encouraged to fully address each category completely, as points are assigned for responses to each. Responses to the RFP shall include information and past project experiences specific to the team submitting the proposal.

1. Specialized Design (150 points)

- Vision/mission and project delivery philosophy – Include expectation statements concerning:
 - Elements for successful partnering.
 - Proposed Design Period Peer technical/administrative review by Owner’s Team & Owner’s Consultant.
- Brief history of firm in New Mexico.
- List all design consultants and how they provide value to this project.
- Firm’s experience and ability to incorporate energy conserving and sustainable measures into project design and construction.

2. Past Record of Performance (150 points)

The Selection Committee will evaluate the quality of the Offeror’s past performance. The assessment of the Offeror’s past performance will be used as a means of evaluating the relative capability of the Offeror to successfully meet the requirements of the RFP. The Offeror must provide the information requested below for past performance evaluation or affirmatively state that it possesses no relevant, directly related, or similar past performance.

- Design Team: Submit past performance data on as many as three (3) projects that demonstrate design past performance, in performing work similar in scope, size and complexity to that described in the RFP. Include design awards, customer letters of recommendation, etc. with points of contact and telephone numbers.
- Construction Team: Submit past performance data on as many as five (5) projects that best demonstrate construction past performance in performing work similar to that described in the RFP. Include awards, customer letters of recommendation, etc. with points of contact and telephone numbers.
- Information on previous design/build projects to include clear descriptions of the specific roles of the design and construction teams owner’s project budget, final construction cost estimate, bid price including accepted alternates, total number and cost of Change Orders.
- Please explain any project difficulties and how the Offeror handled these issues.
- Attach Contractor’s “Final Application and Certification for Payment” (AIA Form G702 or equal) for these design-build project (include as Attachment D)

- Offerors are cautioned that the Selection Committee will use data provided by teaming partners as well as data obtained from other sources in the evaluation of past performance.
3. Project Staffing (200 points)
 - Provide an organization chart of key project personnel and also address how critical subcontractors will be selected and will be managed.
 - *Design Team*: Submits resumes for the Design Team Project Manager, Project Architect, Design Quality Control Manager, and other key members of the design team that will be assigned to this project. Also, describe as many as three (3) previous partnering/teaming arrangements with construction teams and any design-build projects.
 - *Construction Team*: Submit resumes for all key personnel (PM, QCM, Safety Manager and Project Superintendent) that demonstrate technical qualifications in all disciplines required to perform work similar to that described in the RFP. Also describe as many as three (3) previous partnering/teaming arrangements with the design teams and any design-build projects.
 4. Capacity and Capability (100 points)
 - Information regarding project team's past capability to meet schedules, meet budgets and meet project administration requirements.
 - Indicate relationship of the project team's current work load to the projected workload of this project and personnel in the New Mexico office.
 - Proof of ability to provide performance and labor/material payment bonds in amounts sufficient to cover the cost of the work on the Project.
 5. Management Plan (150 points)
 - Describe processes to minimize risk and to ensure that cost, schedule and quality status issues are clearly communicated with the team and the Owner's Team.
 - Firm's approach to project cost estimating and incorporation of Life Cycle Cost Analysis into design process.
 - Communication protocol and software to support the same.
 6. Health and Safety (100 points)
 - Describe the processes and/or the plan to effectively and efficiently provide Quality Assurance/Quality Control and manage site safety.
 - Submit insurance industry standard Experience Modifier Rate for each of the past three (3) years. If there are extenuating circumstances concerning your ratings, provide background information and referenced for validation.
 7. Proximity to and Familiarity with Santa Fe County and the Project site (100 points)
 - Provide information relative to the project's location and how members of the project team can respond to issues at the site and with the community at large.
 - Indicate previous projects completed in the close vicinity of this project.
 8. New Mexico Produced Work (50 points)

- The County's goal is to support New Mexico owned businesses. Indicate the volume of work to be produced by New Mexico firms, using New Mexico based employees on this project. Indicate the number of New Mexico based employees that will be part of the Project Team.

B. Phase Two Documents (NOTE: This information is tentative; the actual Phase Two Proposal Requirements Will Be issued With Phase Two of the Solicitation)

Offerors selected for the Phase Two short-list will be notified of their selection and of the mandatory Phase Two Offeror's Conference. The Phase Two documents will be distributed to each Offeror and will include, but not be limited to, the following:

Section 1: Brief description of the requirements of the Phase Two submission, and the general requirements for the quotes (using established wage rates, including NMGRT as a separate line item, conforming to all applicable laws, etc.); listing of requirements for all communications during the Phase Two proposal submission process; identification of general insurance requirements, liability and professional liability (Errors and Omissions) insurance requirements, as well as any special insurance information; bonding requirements;

Section 2: Detailed Program of Requirements documents with a breakdown of the specific scope of work required by the project.

Section 3: Staging area site map and specific requirements for Contractor's field office, Project Manager's field office, and other logistics/staging area requirements.

Section 4: General requirements for the Project, including the requirements for working in and around the Project, specific requirements for interfacing with the Owner's and Using Agency's staff, as well as with the Project Manager.

Section 5: Facility Design Guidelines, which provide outline specifications to help guide the Offerors with materials selections and setting standards of quality.

Section 6: The Bid/Proposal Form, which will require Construction Contractor's signature and will record the following:

Lump Sum: A lump sum amount for the design and construction of the work, per the requirements of the detailed scope of work and all other information. The NMGRT will be shown separately, as well as the total with the NMGRT included.

Schedule: A schedule showing the start and completion dates for all major activities and phases of the work, to include design, design reviews and approvals, permits and other agency reviews and approvals, construction by major activity, punch list and completion. This schedule will be a part of the information used in the evaluation process to select the Contractor;

Alternates: Quoted pricing for any identified alternates, with the acknowledgement that the lump sums quoted for each alternate includes all required labor, equipment, materials, associated materials and/or equipment items, profit, overhead, fees and general conditions and design/engineering costs to provide the work in a complete and timely manner;

Allowances: Listing of specified allowances and acknowledgement that they are in the lump sum quoted amount, to include all associated profit, overhead, fees and general conditions and design/engineering costs;

Additive & Deductive Change Orders:

- i. The percentage amount of mark-up (profit, overhead, general conditions, design and related costs) that will be applied to the Contractor's direct construction costs for any additive or deductive change order quotes and/or work;
- ii. The percentage amount of mark-up (profit, overhead, general conditions, design and related costs) that will be applied to the Contractor's direct construction costs for any additive or deductive change order quotes and/or work, where the design is provided by another entity;
- iii. The total amount of mark-up (profit, overhead, general conditions, design and related costs) the Contractor will allow on any subcontractor's or supplier's direct labor, equipment and/or material costs for any additive or deductive change order quotes and/or work.

Section 7: Owner-provided information including, but not limited to site development plan, survey, geotechnical report, archaeological report, and traffic impact analysis.

C. Phase Two Evaluation Criteria (NOTE: This information is tentative; the actual Phase Two Evaluation Criteria will be issued with the Phase Two of the Solicitation)

A maximum of as many as three (3) Offerors will advance to Phase Two. Phase Two will be evaluated on the Offeror's technical proposal and price proposal. Offerors are required to submit separate technical and price proposals.

The successful proposal will be the one that provides the **best value to the County**, based on a total score calculated using the criteria listed below ("weighted criteria"). Criteria 3 and 4 below will primarily be evaluated considering the objectives stated in the project program, requirements stated in the performance specifications, building function and convenience, floor space quality of materials and equipment, service life span and guarantees, operating and maintenance costs, life cycle cost, appearance, optional fixtures and equipment.

- 1) Project Staffing (previous score as Phase I unless conditions changed).... 200 pts
- 2) Past Performance (previous score as Phase I unless conditions changed). 150 pts
- 3) Quality of design solution, including required technical submittals..... 150 pts

4) Quality of construction approach	100 pts
5) Management plan for constructing the project.....	150 pts
6) Cost and schedule.....	<u>250 pts</u>
Total Points	1000 pts

Evaluation Factors

A brief explanation of each evaluation category is listed below.

- 1) **Project Staffing** (same as Phase One unless conditions changed)
- 2) **Past Performance** (same as Phase One unless conditions changed)
- 3) **Quality of Proposed design solution, including required technical submittals (150 points)**

Evaluation will consider conformance to the Project Program Requirements including functional organization, space allocation and functional and operational requirements as reflected in site and building layout. Offeror is to prepare conceptual drawings and plans that illustrate the architectural image of the proposed facility. These images will show site plans, conceptual floor plans, building elevations and sections. Unique or unusual characteristics that the Offeror is proposing shall be shown separately to clarify intent.

- 80 – 100 points if proposal exceeds specified minimum performance or capability requirements in a way beneficial to the state; proposal must have one or more strengths and no deficiencies
- 30 - 79 points if proposal meets specified minimum performance or capability requirements delineated in the Request for Proposal; proposal must have no deficiencies but may have one or more strengths.
- 1 – 29 points if proposal does not clearly meet some specified minimum performance or capability requirements delineated in the Request for Proposal, but any such uncertainty is correctable.

4.) **Quality of construction approach: (100 points)**

Offeror is to describe the quality of products (building material, elevators, etc.) that have been included as part of the proposal. This discussion shall focus on those items that will either meet the quality requirements identified in the Design/Build Performance Criteria or exceed them. It will also include any system enhancements to reduce life cycle costs of the building, and describe sustainable design features incorporated into the project.

- 100 – 150 points if proposal exceeds specified minimum performance or capability requirements in a way beneficial to the County; proposal must have one or more strengths and no deficiencies.

- 30 – 99 points if proposal meets specified minimum performance or capability requirements delineated in the Request for Proposal; proposal must have no deficiencies but may have one or more strengths
- 1 – 29 points if proposal does not clearly meet some specified minimum performance or capability requirements delineated in the Request for Proposal, but any such uncertainty is correctable.

5) Management plan for constructing the project: (150 points)

Offeror is to provide any enhancements to the personnel and procedures identified in the Phase One Qualification Statement.

- Describe how the construction will be managed, including security and safety controls, staging areas, delivery routes, crane locations and interfaces required at the site with the Using agency.
- Address project specific criteria, risks that have been identified by the RFP and additional risks that the team has identified. State how those risks will be mitigated.
- Address protocol to support optimization of sustainability principles.
 - 80 – 100 points if proposal exceeds specified minimum performance or capability requirements in a way beneficial to the County; proposal must have one or more strengths and no deficiencies
 - 30 – 79 points if proposal meets specified minimum performance or capability requirements delineated in the Request for Proposal; proposal must have no deficiencies but may have one or more strengths.
 - 1 – 29 points if proposal does not clearly meet some specified minimum performance or capability requirements delineated in the Request for Proposal, but any such uncertainty is correctable.

6) Project Schedule and Cost: (250 points)

Offeror is to provide its proposed schedule dates for the Public Safety Complex Expansion Project including at a minimum the following:

- Indicate critical dates and other information in sufficient detail for the Selection Committee to determine if the time frames are reasonable.
- Describe ability of the firm to deliver the project within the construction time identified.

The proposal must address Final Completion and Certificate of Occupancy by December 1, 2016, but Offeror may propose an earlier date. Points will be awarded on basis of quality and viability of the schedule presented and the extent to which completion is within such December 1 date.

The total cost will be evaluated and substantiated for reasonableness and a realistic cost assessment in relation to the proposed conceptual design. Offeror may submit a price proposal that is below the MACC, but in no case should a proposal be submitted in

excess of \$ 2,300,000.00, inclusive of New Mexico Gross Receipts Tax. Lowest cost will be awarded 200 points. The following formula will be used to calculate points for each higher cost proposal:

Lowest Cost Receives 200 points
Higher Cost: $\frac{\text{Lowest cost}}{\text{higher cost}} = \%$, multiplied by 200 pts = total points

END OF REQUEST FOR PROPOSALS

ACKNOWLEDGEMENT OF RECEIPT FORM

**DESIGN-BUILD
2015-0347-PW/BT**

In acknowledgement of receipt of this Request for Proposal the undersigned agrees that he/she has received a complete copy, beginning with the title page and table of contents, and ending with Appendix D.

The acknowledgement of receipt should be signed and returned to the Procurement Manager no later than close of business on **July 24, 2015**. Only potential Offerors who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all Offeror written questions and the County's written responses to those questions as well as RFP amendments, if any are issued.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____ PHONE NO: _____

E-MAIL: _____ FAX NO: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SIGNATURE: _____ DATE: _____

This name and address will be used for all correspondence related to the Request for Proposal.

- Firm does intend to respond to this Request for Proposals.
- Firm does NOT intend to respond to this Request for Proposals.

Bill Taylor, Procurement Manager
Santa Fe County Purchasing Division
142 W. Palace Avenue (Second Floor)
Santa Fe, New Mexico 87501
(505) 982-6753
wtaylor@santafecountynm.gov

APPENDIX B

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of

services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“**Family member**” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“**Pendency of the procurement process**” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“**Person**” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“**Prospective contractor**” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“**Representative of a prospective contractor**” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

APPENDIX C

RESIDENT VETERANS PREFERENCE CERTIFICATION

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement.

Please check one box only:

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I agree to submit a report or reports to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

In conjunction with this procurement and the requirements of this business application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, which awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

I understand that knowingly giving false or misleading information on this report constitutes a crime.

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

(Signature of Business Representative)*

(Date)

*Must be an authorized signatory of the Business.

The representations made by checking the boxes constitutes a material representation by the business. Any finding that the statements are incorrect may result in denial of an award or un-award of the procurement involved.

SIGNED AND SEALED THIS _____ DAY OF _____, 2014.

NOTARY PUBLIC

My Commission Expires:
