



**CAMDEN COUNTY**  
new energy. new vision.

**REQUEST FOR QUALIFICATIONS**

**FOR**

**CONSTRUCTION MANAGER AT RISK SERVICES (CMR)**

**NEW PUBLIC SERVICES FACILITY**

**January 13, 2017**

Address sealed proposals to Michael Brillhart, County Manager, Camden County, P.O. Box 190, Camden, NC 27921, and marked "RESPONSE TO RFQ: PUBLIC SERVICES FACILITY CONSTRUCTION MANAGER AT RISK"

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## **1 PROJECT DESCRIPTION / SCOPE OF WORK**

### **1.1 Public Notice**

This Request for Qualifications (RFQ) is issued by Camden County ("County") to acquire the services of a Construction Manager at Risk ("CMR" and/or "Proposer") for Camden's new Public Services Facility ("Project") located in Camden, North Carolina. The project will consist of the construction of an approximately 20,000 square foot building to serve as the County Public Services building. The project will include the colocation of the following departments: Management, Finance, Human Resources, Economic Development, Planning & Zoning, Tax Collector, Register of Deeds, Parks & Rec., Soil and Water Conservation, the Cooperative Extension, the County Library, and the construction of a Community Center.

The Guaranteed Maximum Price ("GMP") estimate is \$5 million. The County is accepting Statements of Qualifications (SOQ) from Proposers whose combination of experience and personnel will provide timely professional services to the County for this project. Information related to this solicitation, including any addenda, will be posted to the County's website at [www.camdencountync.gov](http://www.camdencountync.gov). The Proposers' Single Point of Contact for delivery of all communications during the procurement process is:

Michael Brillhart, County Manager  
Camden County  
330 East Hwy 158/P.O. Box 190  
Camden, NC 27921  
Direct: 252-338-6363 x 102  
Email: [mbrillhart@camdencountync.gov](mailto:mbrillhart@camdencountync.gov)

### **1.2 Background**

Camden County was ratified as a unified government in 2006. Camden County serves as the sole local government entity within the County jurisdictional boundaries. The 2015 population estimate is approximately 10,309. There are approximately 86 full-time employees and 36 part-time employees under the jurisdiction of the Board of Commissioners.

Administrative offices are located in three or more locations. The purpose of constructing a new Public Services building is to co-locate various departmental operations at one site location. Approximately 30-404 staff positions are planned to be housed within the new Public Services building.

It will be the responsibility of the successful CMR firm to deliver pre-construction services during late Programming and the Design phases, including but not limited to cost estimating; constructability review; advanced material procurement projections; site access/utilization; public bidding of first-tier subcontractors; and construction project scheduling.

The CMR firm selected for this project will report directly to the Public Works Director, in their role as Camden County Project Manager, and assume full responsibility for facilitating all aspects of pre-construction management services. It may be required to co-habitat the Pre-Construction staff with the Design Team to provide ongoing review and commentary. This requirement will be

negotiated with the successful CMR and Design Team leadership.

The purpose of this document is to provide the detail of the CMR services required for this project and establish the basis for the contract agreement between Camden County and the CMR service provider. Although unforeseen circumstances may require departures from this directive; any deviations require prior written approval or direction from the Camden County Project Manager.

### **1.3 CMR Project Description**

The County intends to use Construction Manager at Risk delivery for construction of the Public Services Facility.

The County's objectives in using the CMR delivery method for this Project are twofold:

- First, the County expects that the design and Project development work prior to construction will benefit greatly from the continual and collaborative involvement of the CMR with both the County and the Architect during the Pre-construction Phase as the CMR provides constructability reviews, risk identification and mitigation proposal, cost and schedule estimates, and value engineering like suggestions.
- Second, the County expects that the cost of this Project will be controlled and reduced by using a risk management methodology that calls for risk identification and clear allocation of risks between the County and the CMR.

The County has published a Request For Qualifications for services to develop a program document to be used as the basis of design.

*Preconstruction Services Fee, CMR Fee, Overhead, and General Conditions – The Owner plans to negotiate fees with the most qualified firm. If these negotiations fail the Owner will then proceed to negotiate with the next most qualified firm; until an agreement can be made. If Rural Development funding is provided the AIA A133-2009 w/ Agency attachment will be the form of contract. Initial negotiations will be for a lump sum fee for preconstruction services. Percentages will also be negotiated for the CMR fee, overhead, and general conditions. These percentages will be established as lump sum figures when the final GMP is approved.*

### **1.4 Scope of Work Overview**

**(a) General** - The CMR shall provide consulting, scheduling and estimating, and cost control services, and will function as one of the three (3) key team members ("Communications Team"), along with the County and the Architect's Consulting Team. The CMR will collaborate with all members of the Communications Team in the assembly of logical Work Packages to break the Project into tasks and will manage the Work related to the Project. As part of its duties as a general contractor, the CMR will be responsible for:

- Development of a Guarantee Maximum Price (GMP) to construct the Public Facility and related work at several phases during the Pre-construction Phase
- Performing and delivering the Project to the County within the approved GMP
- Scheduling, estimating, and performing portions of the Work
- Recommending optimal construction phasing and sequences

- Participate in design meetings with County and Design Team
- Review Geo-technical data
- Review constructability of building systems and site constraints
- Revise Schematic and Design (SD) project schedule to meet County's milestone dates
- Review Architectural and Engineering space/system plans
- Present preliminary constructability report for County's review

**(b) Pre-construction Phase Services** – Pre-construction Phase Services shall include, but are not limited to the following:

**Construction Document Phase**

- Developing and updating Project schedules
- Developing detailed cost estimates
- Collaboration with County and Architect in development of Early Work Packages
- Performing constructability review services
- Participate in design meetings with County and Design Team
- Review constructability of building systems and site constraints
- Revise Design Development (DD) project schedule to meet County's milestone dates
- Review Architectural and Engineering space/system plans
- Present final constructability report for County's review
- Update the preliminary GMP and if estimates are over budget the CMR shall provide options for reducing costs.
- Submit plans to the NC Department of Insurance for review and approval
- Collaboration with the County and Architect to develop the Project
- Identification and mitigation of risk through analysis and assessment

**Project Bidding**

- Prepare Contract Documents and review with Camden County for compliance with procurement requirements.
- Assure compliance with any MBE/WBE requirements as defined by the County's procurement procedures.
- Provide final cost estimate for the project.
- Advertise the project and circulate the plans to Contractors and plan review locations such as the NC Institute of Minority Economic Development Center. Advertisements will meet any MBE/WBE requirements.
- Conduct a Pre-Bid conference and prepare minutes of meeting as well as any addenda required to clarify any issues that arise during the bidding process.
- Conduct the Bid Opening.
- Review the bids and check licensing references and financial status of the Contractors as needed.
- Prepare bid tabulation and make a formal Recommendation of Award to Camden County.
- Following award of the project, prepare contract documents and ensure proper execution of the documents.

**(c) Construction Phase Services** - Upon execution of an Early Work Amendment or GMP Amendment, the CMR shall provide Construction Phase Services as provided in the Contract Documents, including without limitation:

- Collaborate with the County and Architect to execute the Project
- Develop and update Projectschedules
- Provide reporting and Project management of CMR forces
- Provide construction management services during construction
- Review and Approval of Schedule of Values for any large lump sum items.
- Preparing for and conducting pre-construction meetings and construction progress meetings. Construction progress meetings to be held at a minimum on a bi-weekly basis at a location to be determined.
- Preparation and distribution of minutes from pre-construction meeting and construction progress meetings.
- Review of Contractor's payment application, including detailed review of the stored materials and work completed per pay period as well as quantities to-date.
- Review of Contractor's Safety Program.
- Review, negotiation and recommendation of Change Orders.
- Receipt and packaging of submittal data and equipment manuals (paper and digital).
- Review of project close out documentation
- Review and recommendation of final pay application.
- Review of plans and specifications for familiarity particular to project.
- Providing pre-construction dialog with the contractor to ensure proper knowledge of Engineer's design intent.
- Thorough daily inspection of work in progress for compliance to Contract Documents and the standards of Camden County and NCDEQ.
- Review of submittals for comment and approval.
- Review and response of RFs.
- Provide daily reports of Contractor activity, work completed and job conditions.
- Provide weekly summaries of all Contractor work.
- Field measurement of quantities installed for evaluation of payment application.
- Receipt of truck quantity tickets for unit price items.
- Pre-measurement of trucks hauling select materials and load/haul reporting.
- Review of traffic control devices and layout. Ensure adequate and appropriate access to homes and businesses.
- Review of state permits and enforcing compliance by the Contractor.
- Recording of as-built locations via red line drawings or with surveying equipment as deemed necessary by the CMR.

## **1.5 Changes in CMR Scope or Criteria**

During the design and/or construction phase, it may be necessary for County to make modifications or additions to the project scope or criteria. In such cases, the County Project Manager will request a change proposal from the appropriate party. Changes will not be executed until a receipt of a change order or contract alteration is signed by an authorized County representative.

## 1.6 Changes Initiated by the CMR

Camden County encourages the CMR to submit recommendations for procedures or design changes that will reduce project cost, improve functionality of the completed facility, and/or shorten the project schedule. However, any such changes are subject to approval by County and must meet the same functional and technical requirements that are included in this RFQ.

## 1.7 Schedule of Events

Provided below is the anticipated schedule of events. The County reserves the right to adjust the schedule and add or remove specific events to meet the unique needs of this Project.

Anticipated milestone dates that are critical to the delivery of this project are as follows:

<u>Activity:</u>	<u>Milestone Dates:</u>
Posting of RFQ	01/13/2017
Submittal Deadline of Questions by proposing firms	01/31/2017
Submittal Deadline of RFQ	02/21/2017
Review of Qualifications by County	02/24/2017
Issue of selected firms list (Short List)	02/27/2017
Interview of Short List	03/08/2017
Recommend Selection	04/03/2017
Negotiate/Award	04/06/2017
Pre-Construction Contract Kick-off Meeting	04/17/2017
Programming Phase	04/18/2017
Design Development Phase	05/01/2017
Construction Document Phase 50%	08/01/2017
GMP submitted to County for review	08/16/2017
Negotiate/Award for Construction Contract	09/05/2017
Start of Construction	09/18/2017
Completion of Construction	To be determined

## 2 STATEMENT OF QUALIFICATION SUBMITTALS

### 2.1 Statement of Qualification Submission

Statement of Qualifications (SOQ) shall be enclosed in a sealed envelope or package, addressed to the Camden County Manager at the address below. The name and address of the prospective firm, including RFQ Title, shall be placed on the outside of the package. All items required for a responsive SOQ shall be included. It is the responsibility of the Proposer to ensure that the SOQ package is complete and received at the proper date and time. SOQs received after the due date and time will not be considered.

Submit/Deliver to:

Michael Brillhart, County Manager  
Camden County  
330 East Hwy 158/P.O. Box 190  
Camden, NC 27921

## 2.2 Interviews

An interview process may be used to clarify the information contained in the SOQ, but not to modify the SOQ. The SOQ evaluation committee may use the interviews to confirm or modify the scoring of the SOQs and to clarify any questions.

## 2.3 Statement of Qualifications (SOQ) Format

Interested Proposers must submit at least five (5) original SOQs, including all required forms and one (1) CD containing a digital copy of the complete SOQ package in PDF format.

SOQs are limited to a maximum of 20 sheets of paper, printed on two sides (40 numbered pages), excluding required forms and resumes. SOQs should be printed on 8-1/2" x 11" paper; however, pages with organizational charts, matrices, or diagrams may be printed on larger sheets. Type size should be no smaller than 11 points for narrative sections, but may be reduced for captions, footnotes, etc. while maintaining legibility. Non-conforming submissions may be removed from consideration. Please submit packages comprised of materials that are easily recyclable or reusable at the conclusion of the evaluation process.

## 2.4 Statement of Qualifications Content

These instructions outline the guidelines governing the SOQ and the approach to be used in its development and presentation. The intent of the RFQ is to encourage responses that clearly communicate the Proposer's understanding of the County's requirements. Only that information which is essential to an understanding and evaluation of the SOQ should be submitted. Items not specifically and explicitly related to the RFQ and Statement of Qualification, e.g. brochures, marketing material, etc. will not be considered in the evaluation.

*Failure to submit a Participation Plan for Utilizing Historically Underutilized and Small Business Enterprises will deem the SOQ nonresponsive and remove the SOQ from further consideration.*

All SOQs shall address the following items. Chapter headings shall be numbered and labeled as shown **(In this order only)**.

### Chapter 1 – Profile on the Proposing Firm

This Chapter shall include a brief description of the Proposer's firm size as well as the proposed local organizational structure. Include a discussion of the Proposer firm's financial stability, capacity, resources and bonding capabilities. Include all other firms participating in the SOQ, including similar information about the firms.

In this Chapter describe any unresolved claims or disputes with the County. Disclose any past or pending judgments. For purposes of this question, the term "Related Entity" means any parent, subsidiary, affiliate or guarantor of the Proposer. For all matters



involving the Proposer providing products or services to local, state or federal government, submit declarations of the current status of any past or pending criminal, civil, or administrative litigation against the Proposer or any Related Entity. For all matters involving the Proposer providing products or services to local, state or federal government, in addition, submit declarations of the current status of all pending criminal, civil or administrative litigation that commenced within the past five (5) years in North America, whether or not it involves local governments, against the Proposer or Related Entity. (For the purpose of the declarations, current officer shall be defined to include those individuals who are presently serving or who have served within the past two (2) years as an officer of the company.)

Please state whether there are any cases pending against the Proposer, a Related Entity, officer of either, that, if adversely resolved, would pose a material risk of insolvency to either the Proposer or Guarantor or materially affect the Proposer's or Guarantor's ability to perform their obligations.

The respondent may choose not to submit records for matters that were resolved prior to the time that the subsidiary or affiliate became associated with the parent company, as long as that subsidiary or affiliate will not be involved in the provision of Services to the County . All records for subsidiaries or affiliates of the parent company that may be involved in the provision of Services to the County must be included.

The County reserves the right to request additional information to explain any of the above citations/violations.

## Chapter 2 – Firm's Qualifications

This Chapter shall include a brief description of the Proposer's and if applicable sub-Proposer's qualifications and previous experience on similar CMR projects. Specifically discuss the following:

Guaranteed Maximum Price (GMP) Development – This project may receive funding through USDA Rural Development. Provide specific details regarding how your firm plans to maintain initial budgets to help ensure that the final GMP for this project will be within the funds available. Provide examples from past projects where your firm was able to provide the Owner with a final GMP that was within the Owner's original budget.

Identify projects, currently in progress or completed in the past 5 years:

On Form B, list only projects involving the key team members or subcontractors proposed for this Project. For each project listed, identify the key team member or sub-contractor's role.

List projects in date order with newest projects listed first and include the following:

Project description

Firm's representative including contact name, phone, email, address Contract dollar amount and total time period involved

Discuss the methods, approach and controls used on the project in order to complete it in an effective, timely, economical and professional manner

List a maximum of five (5) relevant projects

List all other contracts the firm currently has in place for similar services; include the name and location of the entity and contract duration.

### Chapter 3 – Project Approach

This Chapter shall present a well-conceived work plan, specifically your Construction Manager at Risk methodology and approach. Discuss the firm's understanding of the project objectives and describe the proposed project approach to deliver the services in an effective, timely, economical and professional manner. Include a full description of major tasks and subtasks. This section of the SOQ shall establish that the Proposer understands the County's objectives and work requirements and Proposer's ability to satisfy those objectives and requirements. Succinctly describe the proposed approach for addressing the required services and the firm's ability to meet the County's schedule, outlining the approach that would be undertaken in providing the requested services.

Outline the project plans, structure and services to be provided and how and when these services shall be provided. This description should fully and completely demonstrate the Proposer's intended CMR methods for servicing the requirements of all aspects of the Scope of Work set forth herein.

Describe any support needed from County staff in order to execute the services.

### Chapter 4 – Project Staffing

Provide an organization chart of key team members, including any subcontractors, to be assigned specifically to this Project. Identify the Project Manager who will be empowered to make decisions for and act on behalf of the firm. If subcontractors are utilized, indicate if the subcontractor is a certified minority business.

In addition to Form B, firms may provide a resume for each proposed key team member. Resumes will not be counted towards the page limit.

Provide a list of projects citing the proposed key team members' or subcontractors experience working with government entities and list those projects, when possible specifically list Construction Manager at Risk projects. For each project listed, identify the key team member or subcontractor's role (you may duplicate information supplied in Form B).

Discuss successful collaboration by key team members on past projects.

### Chapter 5 – Participation Plan for Utilizing Minority Businesses

Refer to Section 4 of this RFQ.

### Chapter 7 – Familiarity with Local Conditions, Codes, and permitting offices

Describe your familiarity with local conditions, codes, permitting offices.

## Chapter 8 – Required Forms

The following forms shall be provided with this RFQ and shall be completed, signed when necessary, and submitted with each SOQ.

- Form A – SOQ Submission – Cover sheet
- Form B – Commercial Non-Discrimination Certification
- Form C – Work Authorization/Certificate
- Form D – Iran Divestment Act Certificate
- Form E – HUB Certification(s)

Required Forms will not count in page limits.

### **2.5 Evaluation Criteria & Process**

The County reserves the sole right to select the most qualified firm(s) deemed to be in the best interest of the County. Statement of Qualifications will **not** be evaluated unless they address Participation Plan for minority businesses.

Evaluation criteria include, but are not limited to, the following which are listed in relative order of importance:

- Proposer’s relevant past experience in providing CMR or similar services for similar projects;
- Key Team Members’ qualifications and relevant experience
- Current workload of firm’s personnel.
- Project quality control plan including recent experience with GMP, cost control, change orders, and maintaining design and construction schedules.
- Record of successfully completed projects without major legal or technical problems.
- Experience in Public bidding
- Experience with USDA funding
- Experience working on projects utilizing Construction Management at Risk construction delivery method
- Public Facility Projects understanding, methodology and approach;
- Familiarity with local conditions and codes as evidenced in previous projects;
- References
- Quality, completeness and readability of SOQ package
- Other factors that may be appropriate for the project.
- Minority/Women Owned Business.

SOQs will be evaluated based on the firm’s responses to the requirements of this RFQ. Evaluations will focus on relative strengths, weaknesses, deficiencies and risks associated with SOQ. Interviews with firms will be held at the option of the evaluation committee. The County reserves the right to obtain clarification or additional information with any firm in regards to its SOQ. The County reserves the right to select a responsive and responsible firm on basis of best overall value that is most advantageous to the County. Firms who submit SOQs will be notified of the selection results. Final recommendation of any selected firm is subject to the approval of County Council or County officials.

## **2.6 Failure to Comply with Instructions**

The County may choose to exercise the following options for SOQ packages that fail to comply with any requirement of this RFQ: a) assign a low rating; or b) deem the SOQ nonresponsive and remove the SOQ from further consideration.

## **2.7 Due Date for SOQs**

SOQs must be received no later than 5:00 PM Verizon Wireless Eastern Standard Time on February 21, 2017 at the place designated for delivery in Section 2.1.

## **2.8 Modification or Withdrawal of SOQs**

Firms may change or withdraw their SOQs at any time prior to the due date by providing written notice to the Contracts Specialist at the address provided in Section 1.1 above. In order to be effective, the intent of the notification must be clear and concise.

Withdrawal of a SOQ will not preclude a Proposer from subsequently submitting a new SOQ, so long as that new SOQ is properly submitted and received by the County's Contact prior to the SOQ Due Date.

## **2.9 Negotiations and Modification of Contract Documents**

The County may, at its option, conduct negotiations with the Proposer regarding any remaining issues pertaining to details of Contract performance, methods of construction, timing, assignment of risk in specified areas, the maximum not-to-exceed Pre-construction Costs, reduction in proposed CMR Fee, and other matters that may affect cost or quality, provided that the general Work scope remains the same and that the field of competition does not change as a result of material changes to the requirements stated in the RFQ. The County will make such modifications to the Contract Documents as it may determine, in the exercise of its sole discretion, to be necessary to fully incorporate the terms of the Proposer's Statement of Qualification, to correct any inconsistencies, ambiguities, or errors that may exist in the Contract Documents, and to clarify Contract terms, including technical requirements and Specifications, if any. If, in the County's sole discretion, it determines that the highest ranked Proposer is not responsive to the negotiation process, or that the parties will be unable to reach a mutually-acceptable Contract, the County may terminate negotiations with the Proposer. The County will then continue the process of negotiation with the next highest-ranked Proposer until the County either successfully negotiates a Contract or cancels the procurement.

Upon the County's completion of successful negotiations with the Proposer, the County will issue Notice of Intent to Award.

If the apparent highest ranked Proposer is not able to execute the CMR Contract within 10 Calendar Days of receipt of the Contract, or such later date as the County may authorize, County may enter into negotiations with the next highest ranking Proposer.

If all Statements of Qualifications are rejected, all Proposers will be promptly notified.

### **3 REPRESENTATIONS, CONDITIONS, AND COUNTY REQUIREMENTS**

#### **3.1 Communications**

With the exception of discussions contemplated during the Evaluation Criteria and Process discussed in Section 2 above, all communication of any nature with respect to this RFQ shall be addressed to the Camden County Manager. Other than communications with the Camden County Manager for this RFQ, firms and their staffs are prohibited from communicating with elected County officials, County staff and any evaluation committee member regarding this RFQ or SOQ from the time the RFQ is released until the selection results are publicly announced. These restrictions include “thank you” letters, phone calls, emails, and any contact that results in the direct or indirect discussion of this RFQ and/or the SOQ submitted by the firm/team. Violation of this provision may lead to the removal of the Proposer’s SOQ from consideration.

#### **3.2 Duties and Obligations of Firms in the RFQ Process**

Interested firms are expected to fully inform themselves as to all conditions, requirements and specifications of this RFQ before submitting a SOQ. Proposers must perform their own evaluation and due diligence verification of all information and data provided by the County. The County makes no representations or warranties regarding any information or data provided by the County. Proposers are expected to promptly notify the County in writing to report any ambiguity, inconsistency or error in this RFQ. Failure to notify will constitute a waiver of claim of ambiguity, inconsistency or error.

#### **3.3 Addenda and Question & Answers**

In order to clarify or modify any part of this RFQ, addenda may be issued and posted at the County’s official website listed in **Section 1.1**. Proposers must submit questions or requests for clarification or information in writing to the Camden County Manager by the “Due Date for Questions” stated in **Section 1.7 – RFQ Schedule of Events**. Questions and Answers are presented solely for informational purposes and do not change any elements or aspects of the RFQ document.

#### **3.4 Kick-Off Meeting**

The Camden County Manager will schedule a kick-off meeting with the A/E and CMR. It is mandatory that your project organization chart be established by the day of this meeting and that your Project Manager and all assigned pre-planning staff be in attendance. The CMR shall require that all the people that will be attending the kick-off meeting read the entire document and formulate questions regarding the areas that they will be responsible for and do not fully understand.

At this kick-off meeting the following items will be reviewed:

- a) Review of project scope.
- b) Review of, and the identification of, specific people from each organization for the items, services, tasks, etc. indicating roles and responsibilities.
- c) A preliminary schedule, by A/E - CMR, indicating functional review meeting dates, coordination meeting dates, completion of engineering dates, issue of bid dates, award of contract dates, and construction duration periods for each bid package.

### **3.5 No Collusion, Bribery or Conflict of Interest**

By responding to this RFQ, the Proposer shall be deemed to have represented and warranted that its SOQ submittal is not made in connection with any competing firm submitting a separate response to this RFQ, and is in all respects fair and without collusion or fraud. Furthermore, the firm certifies that neither it, any of its affiliates or subconsultants, nor any employees of any of the foregoing has bribed, or attempted to bribe, an officer or employee of the County, or other government official at the state or federal level, in connection with this RFQ.

### **3.6 Public Records**

Upon receipt by the County, each SOQ becomes the property of the County and is considered a public record except for material that qualifies as "Trade Secret" information under North Carolina General Statute 66-152 et seq. SOQs will be reviewed by the County's evaluation committee, as well as other County staff and members of the general public who submit public record requests after a selection result has been announced to the public. To properly designate material as a trade secret under these circumstances, each firm must take the following precautions: (a) any trade secrets submitted by the firm should be submitted in a separate, sealed envelope marked "Trade Secret – Confidential and Proprietary Information – Do Not Disclose Except for the Purpose of Evaluating this Qualification package," and (b) the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope.

In providing a SOQ, each firm agrees that the County may reveal any trade secret materials contained in such response to all County staff and County officials involved in the evaluation process and to any outside firm or other third parties who serve on the evaluation committee or who are hired by the County to assist in the selection process. Furthermore, each firm agrees to indemnify and hold harmless the County and each of its officers, employees and agents from all costs, damages and expenses incurred in connection with refusing to disclose any material that the firm has designated as a trade secret. Any firm that designates its entire SOQ as a trade secret may be removed from consideration.

### **3.7 Cost of SOQ Preparation**

The County accepts no liability for the costs and expenses incurred by Proposers responding to this RFQ, in preparing responses for clarification, in attending interviews, participating in contract development sessions, or in attending meetings and presentations required for the contract approval process. Each Proposer that enters into the procurement process shall prepare the required materials and submittals at its own expense and with the express understanding that the Proposer cannot make any claims whatsoever for reimbursement from the County for the costs and expenses associated with the procurement process. The RFQ does not commit the County to pay for any costs incurred prior to the execution of a final contract.

### **3.8 County's Reserved Rights and Options**

The County expects to select one or more Proposers, but reserves the right to request substitutions of any key team member, including staff and subconsultants. The County reserves the right to contact any Proposer if such is deemed desirable by the County to obtain any additional information including but not limited to experience, qualifications, abilities,

equipment, facilities, and financial standing. The County reserves the right to conduct investigations with respect to the qualifications and experience of any Proposer.

The County reserves the right to modify any part of this RFQ by issuing one or more addenda during the RFQ response period. The County reserves the right to reject any or all responses to the RFQ, to advertise for new RFQ responses, or to accept any RFQ response, in whole or part, deemed to be in the best interest of the County. The County reserves the right to waive technicalities and informalities.

This RFQ does not constitute an offer by the County. A response to this RFQ shall not be construed as a contract, nor indicate a commitment of any kind. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the County unless the County and the Proposer execute a contract. The County may select the Proposer to engage in further discussions. The commencement of such discussions, however, does not signify a commitment by the County to execute a contract or to continue discussions. The County can terminate discussions at any time and for any reason. No recommendations or conclusions from this RFQ process concerning the Proposer shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law, or statutory law of North Carolina.

### **3.9 Vendor Registration with Camden County**

All successful firms and their first-tier subconsultants and suppliers must be registered in the County's Vendor Registration System in order to receive payment for services and/or supplies provided under any County contract.

### **3.10 Financial Capacity; Insurance Requirements**

Successful firms must have the financial capacity to undertake the work and assume associated liability. The successful firm will be required to furnish proof of insurance coverage in the minimum amounts specified below:

- Professional liability insurance coverage in the minimum amount of \$1,000,000;
- Automobile liability in the minimum amount of \$1,000,000;
- Commercial general liability in the minimum amount of \$1,000,000; and
- Workers' compensation insurance as required by North Carolina statutes.

### **3.11 Registration with Secretary of State for North Carolina**

Any firm wishing to be considered for the Services must be properly registered with the Office of the Secretary of State at the time of submission of the SOQ. The firm(s) selected under this RFQ will be responsible for providing all professional, technical, managerial, and administrative staff with the appropriate skills and qualifications to perform the required Services. The engineers in responsible charge of the work must be Registered Professional Engineers in the State of North Carolina and must have good ethical and professional standing.

### **3.12 Ownership of Work Products**

The County shall have exclusive ownership of all intellectual property rights in all designs, plans and specifications, documents and other work product prepared by, for, or under the direction of the Proposer pursuant to any contract under this RFQ (collectively, the "Design Work"), including without limitation the right to copy, use, disclose, distribute, and make derivations of the Design

Work for any purpose or to assign such rights to any third party. The Design Work shall be prepared in the County's name and shall be the sole and exclusive property of the County, whether or not the work contemplated therein is performed. The County will grant the Proposer a royalty-free, non-exclusive license to use and copy the Design Work to the extent necessary to perform the contract.

**3.13 No Lobbying**

The Proposer certifies that it has not and will not pay any person or organization to influence or attempt to influence an officer or employee of the County or the State of North Carolina in connection with obtaining a contract under this RFQ.

**3.14 Compliance with Anti-Discrimination and Equal Opportunity Laws and Regulations**

Proposers must comply with all applicable anti-discrimination and equal opportunity statutes, regulations, and Executive Orders. Camden County is an Equal Opportunity Employer.

**4 Recruitment and Selection of Historically Underutilized Businesses**

Camden County follows the guidelines required for recruitment and selection of Historically Underutilized Business. The County does not discriminate on the basis of race, color, national origin, sex, religion, age, disability, sexual orientation, or genetic information in employment or the provision of or contracting for goods or services. The County is an equal opportunity and encourages Minority and Women Business Enterprises (M/WBEs) to participate in County contracting and sub-contracting opportunities through the North Carolina Historically Underutilized Business (HUB) Certification Program. Affidavits for HUB compliance have been provided for certification of Contractor/Subcontractor compliance with this initiative. Affidavits A and B, or C, must be included with the SOQ package.

Firms may read about the HUB Certification program at the [HUB Certification web site](#). To become HUB certified, vendor firms must register in the online [Interactive Purchasing System Electronic Vendor Registration](#) system. An e-mail address is required to register. Completion of the [HUB Statewide Uniform Certification Application](#) is required to become a HUB Certified Business. The online application must be printed out, completed and submitted by postal mail to the HUB office with additional required documents. For assistance with the HUB Certification process, please contact the NC HUB Office at 919-807-2330.



**FORM A – STATEMENT OF QUALIFICATIONS**

**Construction Manager at Risk Services  
For  
Camden County Public Services Facility**

<b>Company Full Legal Name:</b>	
<b>Contact Person for RFQ Process:</b>	
<b>Address:</b>	
<b>County /State/Zip:</b>	
<b>Telephone Number:</b>	
<b>Email Address:</b>	
<b>NC Engineering Firm License Number and Expiration Date:</b>	
<p>The person executing the SOQ, on behalf of the Company, being duly sworn, solemnly swears (or affirms) that neither he/she, nor any official, agent or employee of the Company has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of full and open competition in connection with any SOQ or contract, that the Company has not been convicted of violating North Carolina General Statute 133-24 within the last three years, and that the Company intends to do the work with its own bona fide employees or subcontractors and is not proposing for the benefit of another company.</p> <p>Submission of a response to this RFQ constitutes certification that the Company and all proposed team members are not currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Project by any State or Federal department or County . Submission is also agreement that the County will be notified of any change in this status.</p> <p>NC General Statute 133-32 and County Policy prohibit any gift from anyone with a contract with the County , or from any person seeking to do business with the County . By execution of this SOQ, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.</p> <p>The information contained in this qualification package, including its forms and other documents, delivered or to be delivered to the County , is true, accurate, and complete. This qualification package includes all information necessary to ensure that the statements therein do not in whole or in part mislead the County as to any material facts.</p>	
<b>Represented and Warranted By (Signature):</b>	
<b>Printed Name and Title:</b>	
<b>Date Signed:</b>	

**FORM B – COMMERCIAL NON-DISCRIMINATION CERTIFICATION**

**Project:**

**Construction Manager at Risk Services for Camden County Public Facility**

**Proposer:**

The undersigned Proposer hereby certifies and agrees that the following information is correct:

1. In preparing its qualification package, the Proposer has considered all SOQs submitted from qualified, potential sub-consultants and suppliers and has not engaged in discrimination as defined in Section 2 below.
2. For purposes of this section, *discrimination* means discrimination in the solicitation, selection, or treatment of any sub-consultant, vendor, supplier or commercial customer on the basis of race, ethnicity, gender, age, religion, national origin, disability or other unlawful form of discrimination. Without limiting the foregoing, *discrimination* also includes retaliating against any person or other entity for reporting any incident of discrimination.
3. Without limiting any other remedies that the County may have for a false certification, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the County to reject the qualification package submitted with this certification and terminate any contract awarded based on such qualification package.
4. As a condition of contracting with the County, the Proposer agrees to promptly provide to the County all information and documentation that may be requested by the County from time to time regarding the solicitation and selection of sub-consultants and suppliers. Failure to maintain or failure to provide such information shall constitute grounds for the County to reject the qualification package and to terminate any contract awarded on such qualification package.
5. As part of its qualification package, the Proposer shall provide to the County a list of all instances within the past ten years where a complaint was filed or pending against the Proposer in a legal or administrative proceeding alleging that the Proposer discriminated against its sub-consultants, vendors, suppliers, or commercial customers, and a description of the status or resolution of that complaint, including any remedial action taken.

By: \_\_\_\_\_

*Signature of Authorized Official*

Title: \_\_\_\_\_

**FORM C – E-VERIFY CERTIFICATION**

Project: Public Services Facility

Name of Company(Bidder): \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF CAMDEN

**AFFIDAVIT of COMPLIANCE  
with N.C. E-Verify Statutes**

I, \_\_\_\_\_ (hereinafter the "Affiant"), duly authorized by and on behalf of  
\_\_\_\_\_ (hereinafter the "Employer") after being first duly sworn deposes and  
says as follows:

1. Employer has submitted a bid for contract or desire to enter into a contract with the Camden County;
2. Employer understands that "E-Verify" means the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law.
3. \_\_\_\_\_ Employer employees 25 or more employees in the State of North Carolina, and is in compliance with the provisions of N.C. General Statute §64-26. Employer has verified the work authorization of its employees through E-Verify and shall retain the records of verification for a period of at least one year.  
\_\_\_\_\_ Employer employs fewer than 25 employees and is therefore not subject to the provisions of N.C. General Statute §64-26.
4. All subcontractors engaged by or to be engaged by Employer have or will have likewise complied with the provisions of N.C. General Statute §64-26.
5. Employer shall keep the Camden County informed of any change in its status pursuant to Article 2 of Chapter 64 of the North Carolina General Statutes.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Affiant

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

Sworn to and subscribed before me, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

[OFFICIAL SEAL]

My Commission Expires: \_\_\_\_\_

**FORM D – IRAN DIVESTMENT ACT CERTIFICATION**

Name of Counterparty: \_\_\_\_\_  
\_\_\_\_\_

**IRAN DIVESTMENT ACT CERTIFICATION  
REQUIRED BY N.C.G.S. 143C-6A-5(a)**

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As of the date listed below, the entity listed above is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 143-6A-4.

The undersigned hereby certifies that he or she is authorized by the entity listed above to make the foregoing statement.

---

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Title \_\_\_\_\_

North Carolina  
Camden County

**Affidavit A**  
**IDENTIFICATION of**  
**HUB PARTICIPATION**

I, \_\_\_\_\_  
(Name of Bidder)

do hereby certify that on this project, we will use the following Historically Underutilized Businesses as construction subcontractors, vendors, suppliers or providers of professional services. (Attach additional sheet if necessary)

Firm Name, Address and Phone #	Work Type	Minority Category

**Minority categories: (I)** American Indian, **(A)** Asian American, **(B)** Black, African American, **(F)** Female, **(H)** Hispanic, **(D)** Socially and Economically Disadvantaged.

**The total value of Historically Underutilized Business contracting will be (\$)\_\_\_\_\_.**

# Affidavit B

## GOOD FAITH EFFORT

North Carolina  
Camden County

County of \_\_\_\_\_

Affidavit of \_\_\_\_\_  
(Name of Bidder)

### I have made a good faith effort to comply under the following areas checked:

(A minimum of 50 points is required to have achieved a "Good Faith Effort")

(Y/N)

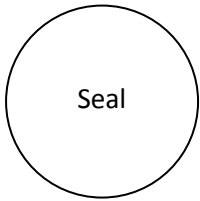
- \_\_\_ (1) Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed. **Value = 10 points.**
- \_\_\_ (2) Making the construction plans, specifications and requirements available for review by prospective minority businesses or providing these documents to them at least 10 days before the bid or proposals are due. **Value = 10 points.**
- \_\_\_ (3) Breaking down or combining elements of work into economically feasible units to facilitate minority participation. **Value = 15 points.**
- \_\_\_ (4) Working with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses. **Value = 10 points.**
- \_\_\_ (5) Attending any pre-bid meetings scheduled by the public owner. **Value = 10 points.**
- \_\_\_ (6) Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors. **Value = 20 points.**
- \_\_\_ (7) Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of minority business based on lack of qualification should have the reasons documented writing. **Value = 15 points.**
- \_\_\_ (8) Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily is required. Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit. **Value = 25 points.**
- \_\_\_ (9) Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible. **Value = 20 points.**

\_\_\_\_ (10) Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands. **Value = 20 points.**

In accordance with GS143-128.2(d) the undersigned will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon execution of a contract with the Owner. Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certified that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: \_\_\_\_\_ Name of Authorized Officer: \_\_\_\_\_



Signature: \_\_\_\_\_

Title: \_\_\_\_\_

State of \_\_\_\_\_, County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

North Carolina  
Camden County

Affidavit C  
INTENT TO PERFORM CONTRACT  
WITH OWN WORKFORCE

County of \_\_\_\_\_

Affidavit of \_\_\_\_\_  
(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the  
\_\_\_\_\_ contract.  
(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

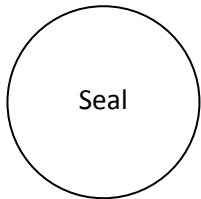
The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: \_\_\_\_\_ Name of Authorized Officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



State of North Carolina, County of \_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
Notary Public \_\_\_\_\_  
My commission expires \_\_\_\_\_