



Fishers, Indiana

REQUEST FOR PROPOSAL

For Construction Manager as Constructor for a
Pedestrian Bridge with Switchbacks project at
Fall Creek Woods Natural Area

Response Due December 2, 2021, by 11:00am

11595 Brooks School Road

Fishers, Indiana 46040

REQUEST FOR PROPOSAL CONSTRUCTION MANAGER AS CONSTRUCTOR

Fall Creek Township of Fishers, Indiana (“Fall Creek”) is seeking a Construction Manager as Constructor pursuant to Indiana Code 5-32-1-1 et. seq., for the construction of FALL CREEK WOODS NATURAL AREA PEDESTRIAN BRIDGE WITH SWITCHBACKS. Below are the Project Description, Overview, Project Schedule, Submittal Requirements, Selection Process and related information for interested entities wishing to submit qualifications for consideration.

Section I – Project Description:

Project Scope:

- A. Pedestrian Bridges and Switchbacks—see attached documents
- B. CMC to share similar vision of project as the respondent shall reflect in the response.
- C. The budgeted Cost of Work with Fee for the Construction Manager as Constructor is approximately **6% of costs**.
- D. The park size is to be within a range of TBD acres and construction shall include all site development.
- E. The project delivery method shall be Construction Manager as Constructor (“CMC”).
- F. The tentative date the Project shall be open is: Footers in place by Spring, 2022 with remainder of Project to open Summer, 2022.

Section II – Overview - Request for Proposals:

- A. Pursuant to IC §5-32-3-2(b): “Notice of a request for proposals shall be given as other notices are required to be given under the applicable public works statute.” Fall Creek has given notice of this Project via newspaper advertisements. The full advertisement is provided as an Attachment to this RFP.

Pursuant to IC §5-32-3-3(a): “A request for proposals must include at least the following: (1) A statement of the criteria, process, and procedures, which must include consideration of qualifications and fees, by which: (A) an offeror will be evaluated; (B) a CMC will be selected; and

- B. (C) a CMC contract will be awarded.”

Section III - Project Design and Construction Schedule:

- A. The preliminary milestones for a Project Schedule are shown below and include proposed early bid packages for site work, foundations and structural steel:

Schematic Design	completed
Design Development	completed
Construction Documents	completed
Bidding	January 6, 2022 to January 27, 2022
Begin Construction	Spring 2022
Completion	Fall 2022
Bridge and Switchbacks Fully Operational	July 30, 2022

B. Interested bidders can obtain copies o Fall Creek’s Schematic Design, Design Development and Construction documents by emailing suzanna@fallcreektwp.com. Please include the following in the email request: Name of Company, Contact Persons name, title, email address, and phone number.

Section IV – Submittal Requirements

Cover Letter – Cover letter should confirm that Offer’s submittal is in response to RFP. The Letter should clearly designate the offer’s preferred contact person (name, phone number, email address) for all correspondence through the RFP process.

A. Firm Information, Relevant Project Experience and CMC Approach:

1. Firm Identification:

Name of Firm
Year Established
Address
Phone
Website Address

B. Business Organization:

1. Business structure: _____ Individual _____ Partnership _____ Corporation
2. Number of years your firm has provided Construction Management services.
3. Number of full-time employees in your organization.
4. Provide a brief history of your firm.
5. List principals/officers of the firm.
6. Describe the bond capacity of the firm available for this Project. The selected Construction Manager as Constructor will be required to provide a Payment and Performance Bonds in the amount of the Guaranteed Maximum Price.
7. Provide a statement confirming your firm will meet the minimum insurance requirements for this project identified below in Section IV(F)H

C. Relevant Project Experience/References:

1. List Municipal, County, Township, and/or Parks projects completed as CMC in an open book contract delivery in the last five (5) years.
2. For each project listed above for experience, list the key people from your firm who were involved in the project and a main Owner’s representative with contact information.
3. Provide a list of three (3) architectural partners with contact names and information whom your firm has worked on municipal projects within the past five (5) years.
4. List the private projects your firm has served in the role of Construction Manager as Constructor, Advisor or General Contractor in last five (5) years.
5. Provide information detailing your firm’s history on the following related to diversity:
 - a. Firms hiring practices and programs related to increasing opportunities for minorities and women in the construction industry.
 - b. Contracting practices and programs that your firm uses for increasing involvement opportunities for minority, women, and veteran business enterprises.

D. Staffing:

1. Provide a proposed Project team chart.
2. Provide resumes of team members highlighting relevant project experience.

3. Provide Owner references for team members within the resume.

E. Project Approach:

Please address the following questions as they relate to this Project:

1. Briefly describe your approach to Pre-Construction Services with regard to Estimating, Value/Cost Management and Bidding for a project of similar size and type.
2. What is your approach to managing communications during design and construction?
3. What is your approach to involving the Fall Creek Township Trustee in the decision-making process?
4. How would you manage and staff this Project during construction?
5. Value Added Preconstruction – Provide examples of successful value-added services your firm has provided.
6. What is your GMP approach? Provide details of your approach to GMP development. Considerations should be given to: timing of GMP, percentages and types of contingencies in the GMP or incentives included in the GMP. This could include the “cost plus with GMP” or “GMP” options available under Indiana Code 5-32. Also state when you would recommend setting the GMP and why.
7. Describe your process for working with Owners to assist them in establishing a contractor-prequalifying program as allowed under the CMC statute and in addition to the requirements of IC 4-13.6-4.
8. Describe your contracting practices and programs that your firm would use on this Project to endeavor to create involvement opportunities for minority, women, and veteran business enterprises, including but not limited to partnering. Fall Creek Township encourages and promotes meaningful participation of such enterprises.
9. Would your firm self-perform any of the work? If so, Fall Creek Township will require a minimum of three (3) competitive bids including yours, to be sealed and submitted to Fall Creek for Public opening in accordance with Ind. Code §36-1-12-1 et. seq.
10. Describe your recommendation for handling construction contingencies.
11. Describe your approach to punch lists and project completions.
12. Does your firm intend to bid to perform any of the work of the project directly?
13. Identify any projects where the project owner was required to make any claims against your id bon or performance bond.

F. Insurance Requirements:

1. The Construction Manager shall carry the following minimum Insurance policies and limits:

The required coverages and limits which Contractor is required to obtain are as follows:

COMMERCIAL GENERAL LIABILITY

a.	General Aggregate (including Completed Operations)	\$2,000,000.00
	Each occurrence	\$1,000,000.00
	General Aggregate	\$2,000,000.00
b.	Bodily Injury & Property Damage (Combined Single Limit / Per Occurrence)	\$1,000,000.00
c.	Personal / Advertising Injury (Per Occurrence)	\$1,000,000.00

The Commercial General Liability Policy must be endorsed to provide that the general aggregate amount applies separately to each of Contractor's separate projects. ISO Endorsement *CG2503 Per Project Endorsement* or its equivalent shall be used to satisfy this requirement. .

- .1 COMMERCIAL AUTO LIABILITY (Owned, Non-Owned and Hired)
Bodily Injury & Property Damage (Per Occurrence) \$1,000,000.00
- .2 WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY
Coverage A (Worker's Compensation) - Statutory Minimum Requirements
Coverage B (Employers Liability) - \$500,000/each accident; \$500,000 Disease – each employee;
\$500,000 Disease policy limit.
- .3 EXCESS LIABILITY (Umbrella Form)
Each Occurrence \$5,000,000.00
- .4 PROFESSIONAL LIABILITY INSURANCE. The Contractor shall carry and maintain during the continuance of this Agreement, professional liability insurance in the amount of \$2,000,000 for single limit claims and \$2,000,000 in the aggregate. The Contractor's policy of insurance shall contain prior acts coverage sufficient to cover all Work performed by the Contractor for this Project. Upon Owner's request, Contractor shall give prompt written notice to Owner of any and all claims made against this policy during the period in which this policy is required to be maintained pursuant to this Agreement. If the insurance is written on a claims-made basis and coverage is cancelled at any time, the Contractor will obtain, at its cost, an extended reporting endorsement which provides continuing coverage for claims based upon alleged acts or omissions during the term of the Agreement until all applicable statute of limitation periods have expired.

All coverage provided above shall be endorsed to include the Owner as an Additional Insured except for the Worker's Compensation/Employer's Liability and Professional Liability policies. ISO forms *CG 2010 07 04* and *CG 2037* or equivalent endorsement forms must be used on the commercial general liability policy to provide additional insured status to the Owner and shall include coverage for completed operations. The policies for which the Owner is named as additional insured shall provide primary and non-contributing coverage and any valid and collectible insurance carried separately by the Owner shall be in excess of the limits provided by such policies and shall be non-contributory. All insurance requirements and limits contained in this Article 11 apply to all of Contractor's subcontractors, material suppliers, vendors and sub-subcontractors and Contractor is responsible to verify those insurance requirements and limits. The commercial general liability, automobile liability, and workman's compensation policies must be endorsed to provide a waiver of subrogation in favor of Owner.

G. Compensation Proposal:

Include separate fees for Pre-Construction and Construction Phase services for Construction Management (CMC) based on the proposed project scope.

1. Preconstruction Services Fixed Fee:
 - a. The proposed fixed fee for Pre-Construction Services to include: Planning and Scheduling, Continuous Estimating and Budget Management, Value Management, Quality Review, Preparing Contracts for Construction, Life-Cycle Costing, Front End Specifications, Bid Procurement, Tracking Costs Against the Budget, Design Meetings and other requirements to support Whitestown's decision making process.
2. Construction Services:
 - a. Provide a fee percentage for overhead and profit that will be multiplied by the Cost of the Work.

3. Items to be completed by other Consultants (Paid directly by the Owner):
 - CIVIL, Architecture and Engineering, Special Testing, Site Surveys, Soil Explorations, Material Testing, Permits for Construction

H. Submittal Format:

1. Please submit one electronic copy in PDF format and 3 hard copies.
2. Hard copies shall not exceed 8 ½” x 11” and shall be bound.
3. Please limit size of the RFP to no more than twenty-five pages of information.
4. Deadline -
 - a. **RFP submittals must be received no later than 11AM, December 2, 2021.**
 - b. Submittals shall be addressed to Fall Creek Township Trustee, and delivered to the 11595 Brooks School Rd, Fishers, IN 46037
 - c. Any late or non-compliant RFP’s will be disqualified.
5. Please contact Trustee for all questions regarding the RFP submittal in writing to above address. Only answers issued by Fall Creek Township in writing will be considered valid.
6. If Fall Creek Township chooses to proceed following the RFP process, the contract will be awarded based upon Ind. Code §5-32-3-6 and Ind. Code §5-32-4.

Section V – Selection Process:

A. Selection Criteria:

1. The Owner Evaluation Committee will evaluate proposals based on the following Criteria:
 - a. CMC experience
 - b. Key personnel and relevant experience
 - c. Project approach and alignment with Fall Creek’s mission and vision
 - d. Firm’s financial and staffing capacities.
 - e. References
 - f. Firm’s history of contracting with or hiring minority, women, and veteran business enterprises, and good faith efforts to fulfill the state’s goals for contracting with or hiring minority, women, and veteran business enterprises.
 - g. Fee Proposal
 - h. Interviews, if any

B. Selection Schedule:

1. The following is the selection process schedule:

Public Notice (1 st) in papers	December 20, 2021
RFP is available	December 14, 2021
Public Notice (2 nd) in papers	December 27, 2021
RFP submissions due	January 17, 2022

Evaluation Committee Meeting (review responses) January 31, 2022

Evaluation Committee Meeting (interviews, if required) TBD

Section VI – Miscellaneous Provisions:

- A. FALL CREEK TOWNSHIP reserves the right to terminate the RFP process for any reason, to be the sole judge of the responses submitted, to reject all responders to this RFP, and to waive any informalities or irregularities in any of the responses.
- B. FALL CREEK TOWNSHIP creates no obligation, expressed or implied, of any kind or description in issuing this RFP or receiving a response. Neither this RFP nor the response shall be construed as a legal offer.
- C. FALL CREEK TOWNSHIP assumes no responsibility or liability for any expenses incurred by the selected or prospective Construction Managers as Constructor, in connection with the preparation or delivery of a response, requested interview (if any) or any action related to the process of completing and submitting a response to this RFP.
- D. Prospective Construction Managers as Constructors shall, if requested by the Selection Committee, provide proof of bonding capacity, for completing the project if awarded.
- E. Bonds will be required for the work and will be the responsibility of the selected CMC pursuant to Ind. Code 5-32-6, Ind, Code 36-1-12 and other applicable concerning public works.

Section VII- Contract Form:

Modified AIA Document A 133 — 2009 will be the Form of Agreement between the Owner and Construction Manager (Attachment) and modified AIA Document A201 — 2007 (Attachment) will be the General Conditions of the Contract for Construction.

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