



**CITY OF FREDERICKSBURG, VIRGINIA
REQUEST FOR PROPOSALS
For
COURTHOUSE AND COURT FACILITIES PPEA DESIGN AND CONSTRUCTION
CONCEPTUAL PHASE**

**Issue Date: November 29, 2010
CLOSING DATE: March 1, 2011, 4:00 P.M. EST
DEADLINE FOR QUESTIONS: February 14, 2011- BY 4:00 P.M. LOCAL EST**

The Request for Proposals (RFP) can be downloaded “free of charge” at:
<http://www.fredericksburgva.gov/>

NOTE: ALL ADDENDA CAN BE ACCESSED AT THE WEBSITE ADDRESS ABOVE

**For general inquiries contact: Mr. Robert K. Antozzi, Ed.D., CPRP
Email: rkantozzi@fredericksburgva.gov**

ISSUED BY:

**The City Manager
City of Fredericksburg
715 Princess Anne Street, Room 203
P.O. Box 7447
Fredericksburg, VA 22401**

PPEA SOLICITATION REQUEST FOR PROPOSALS CONCEPTUAL PHASE

City of Fredericksburg, Virginia Courthouse and Court Facilities PPEA Design and Construction

1. INTRODUCTION/SUMMARY

- 1.1. The City of Fredericksburg (herein described as “Owner” or “City”) desires to contract with an experienced Private Entity under the Public Private Education Facilities and Infrastructure Act (PPEA) for the design and construction of new Courthouse and Court Facilities (herein referred to as “Project”). The Project is described in this Request for Proposals document (herein referred to as “RFP”). See Section 10 for proposal due date and time.
- 1.2. The Project includes the design and construction services to build a new Courthouse and expand existing Court Facilities. The project will include a new Circuit Court (2 courtrooms), District Court, Juvenile & Domestic Relations Court, secure parking, sally port, and Sheriff’s space. Costs for any required land acquisition or long term lease must be included. Solutions for existing facilities that will be vacated for adaptive re-use, or for land where facilities are demolished, are not required but highly encouraged.
- 1.3. The City adopted a document entitled, “Public-Private Education Facilities and Infrastructure Act of 2002 and Public-Private Transportation Act of 1995: Combined Guidelines for the City of Fredericksburg, Virginia” These guidelines were adopted by the City Council of the City of Fredericksburg, Virginia on September 27, 2005.
- 1.4. The City Council of Fredericksburg, VA adopted a Resolution in regular session on September 14, 2010 authorizing the issuance of a Request for Proposals under the Public-Private Education Facilities and Infrastructure Act of 2002 (“PPEA”) to obtain competitive negotiable proposals for various court development options to meet the long-term facility and space needs of the Fredericksburg court system. The City’s court functions are currently located in five separate buildings in the downtown area. The oldest of these buildings, the historic Circuit Courthouse, has been in use since the mid 1800’s, and was designed by the famous architect James Renwick, Jr. None of the existing court facilities meet courthouse standards enumerated in the *Virginia Courthouse Facilities Guidelines*, Second Edition, issued by the Judicial Council of Virginia. Steady court caseload growth, changes in court operations, and the critical need for safer and more secure court facilities has created the need for additional space for Fredericksburg to adequately house its courts and court-related functions. The City Council determined that PPEA may offer opportunities for innovative solutions to meet the needs of the City’s courts.
- 1.5. Several studies have been conducted since 2005 to develop options for court facilities. In 2007, Moseley Architects submitted its final report entitled “Court Facility Feasibility Study.” The City Council selected Glavé Holmes/Perkins Eastman Scheme 5 as the preferred approach to meeting the long-term facility and space needs of the Fredericksburg court system in November 2009. In August 2010, Herlong Architects presented “Concept H” to the City Council. Copies of these reports (except for “Concept H”) and background information are available at the City’s FTP site. Word versions of the forms attached to this RFP will be posted. This site can be accessed at <ftp://ftp.fredericksburgva.gov/> with User name

“Fredcourts” and Password “PPEA2010”. Click on the “Courts” folder to access the sub-folders and files. Some of the information included is as follows:

- 1.5.1 Courthouse and Court Facilities Master Planning and Design (Glavé and Holmes; Perkins Eastman)
- 1.5.2 Court Facility Feasibility Study (Moseley Architects)
- 1.5.3 Public-Private Education Facilities and Infrastructure Act of 2002 and Public-Private Transportation Act of 1995, Combined Guidelines for the City of Fredericksburg, Virginia
- 1.5.4 Site Information collected in conjunction with Glavé and Holmes study
- 1.5.5 General District Court and Fire Station #1 Plans
- 1.5.6 Circuit Courthouse Plans
- 1.5.7 Executive Plaza Office Building and Café Plans and EP SF Report 2010
- 1.5.8 EBI Consultants Report (property condition assessment of Executive Plaza)
- 1.5.9 US Courts Design Guide – Judicial Conference of the United States, 2007
- 1.5.10 Virginia Courthouse Facility Guidelines – Second Edition
- 1.6. City Council stated it would consider proposals that provide conceptual phase design and guaranteed maximum pricing for: (1) Glavé and Holmes “Scheme 2”; (2) Glavé and Holmes “Scheme 5”; (3) Howe/Herlong/Brown “Concept H”; and (4) any variation on the aforementioned planning options that provides court facilities downtown along Princess Anne or Caroline Streets, or in close proximity thereof. Cost estimates for these solutions previously ranged from \$35M to \$39M.
- 1.7. Proposals and facilities provided therein should meet the following minimum criteria:
 - 1.7.1 Conceptual phase design for a proposal which will meet the long-term facility and space needs of the Fredericksburg court system.
 - 1.7.2 Comply with the *Virginia Courthouse Facilities Guidelines*, Second Edition, issued by the Judicial Council of Virginia.
 - 1.7.3 Compatible architecturally with adjacent historic properties.
 - 1.7.4 Express a civic presence as a monumental structure.
 - 1.7.5 Be worthy of a design award.
 - 1.7.6 Gain the approval of the Fredericksburg Architectural Review Board.
 - 1.7.7 Meet standards enumerated in The U.S. Courts Design Guide, 2007, for Magistrate Judge Courtrooms.
 - 1.7.8 Be designed to provide necessary security and protection, lighting and acoustics, electrical systems, mechanical systems, fire protection systems, structural systems, data/telecommunications systems, and audio-video systems in accordance with nationally recognized court design standards. Include life-cycle costs for unusual elements (solar, etc).
 - 1.7.9 Achieve a minimum LEED Silver eligibility from the USGBC.
 - 1.7.10 Include all relocation costs for existing tenants (of at least \$18/SF).
- 1.8. The project will require phasing during construction to maintain continual operation of the

existing City of Fredericksburg Courthouse properties.

- 1.9. Public-Private Education Facilities and Infrastructure Act of 2002 and Public-Private Transportation Act of 1995 Combined Guidelines for the City of Fredericksburg are being followed for this PPEA selection, which provide for a two part proposal submission process consisting of an initial “Conceptual Phase” Request for Proposals (RFP), and subsequent “Detailed Phase” Proposals.
- 1.10. The objective of this RFP is to select a short list of highly qualified Private Entities to receive a Request for Detailed Proposals. The City of Fredericksburg may, at any time, require the proposer to provide additional information, additional copies of prior submissions, and/or clarification to any submission. Since this is a solicited proposal, there is no proposal review fee required from the Private Entity.
- 1.11. A stipend may be paid to those Proposers selected to participate in the “Detailed” phase and who submit satisfactory proposals.
- 1.12. The City intends to enter into a Comprehensive Agreement with the successful Proposer that will have specific contract provisions that may include: an initial Contract Cost Limit for all project costs (land, design and construction); temporary relocation costs; fixed fees; Guaranteed Maximum Price at 65% design; “open book” contracting; design review process; incentives such as “shared savings”; and liquidated damages. A draft Comprehensive Agreement will be provided to firms short listed to receive a Request for Detailed Proposals. The principal member of any business association, such as a joint venture or limited liability corporation, must provide a performance guaranty in accordance with section VII.D of the City’s PPEA/PPTA Guidelines.
- 1.13. Milestones - These dates are preliminary and are subject to change:
 - 1.13.1 Issue Request for Proposals (RFP) – November 29, 2010
 - 1.13.2 Pre-Proposal Meeting – December 15, 2010, 1:00 PM EST
 - 1.13.3 Last Day for Questions on RFP – February 14, 2011 4:00 PM EST
 - 1.13.4 Submit Letter of Intent to Propose – February 21, 2011, 4:00PM EST
 - 1.13.5 Proposals Due – March 1, 2011, 4:00 PM EST
 - 1.13.6 Presentations to City Council and Public - Date (s) To Be Determined
 - 1.13.7 City Council Approves Short List of Successful Proposals – March 22, 2011
 - 1.13.8 Issue Request for Detailed Proposals – March 25, 2011
 - 1.13.9 Sign Comprehensive Agreement with Successful Proposer – July 2011

2. CONTACTS

This Request for Proposals is issued on behalf of the City of Fredericksburg. There should be no contact with City staff, Court Judges or their staff without the prior approval of Mr. Robert Antozzi.

2.1. Issuing Office:

The City Manager

City of Fredericksburg
715 Princess Anne Street, Room 203
P.O. Box 7447
Fredericksburg, VA 22401

2.2. Contact:

Mr. Robert K. Antozzi, Ed.D., CPRP
Director
Department of Parks, Recreation, and Public Facilities
Phone: (540) 372-1086, Ext 209
Fax: (540) 372-3475
Email: rkantozzi@fredericksburgva.gov

2.3. Program Management: Owner's Consultant

ARCADIS
9861 Broken Land Parkway
Columbia, Maryland 21046
Mr. Warren Walker, AIA, Vice President
Phone: 410-381-1990 x37 or 1-888-842-2000 x37
Fax: 410-381-0109
Email: warren.walker@arcadis-us.com

3. GENERAL INFORMATION

- 3.1. Mr. Robert Antozzi listed above shall be the sole point of contact with the Owner for the purposes of preparation and submission of the RFP proposal.
- 3.2. A Pre-Proposal Meeting is scheduled for December 15, 2010 at 1:00 PM EST in the City Council Chambers, lower level, City Hall. This meeting is not mandatory. The purpose is to review the administrative requirements of the RFP, steps for completing the proposal, and to receive any questions concerning the RFP process.
- 3.3. The evaluation of a Request for Proposals takes a considerable effort to complete, and the effort depends on the number of proposals received. The Owner will attempt to meet the milestone dates stated in Section 1.13; however, that may not be achievable. The City will announce by letter the short list of the most highly qualified Successful Proposers that will be asked to respond to the Request for Detailed Proposals for the Project.

4. DEFINED TERMS

Terms used in this Request for Proposals have the meanings indicated below.

- 4.1. **Architect/Engineer (A/E)** – The Design/Build Entity's party who will be providing design professional services
- 4.2. **Comprehensive Agreement** – According to the PPEA Guidelines, the selected Private Entity shall enter into a Comprehensive Agreement with the City of Fredericksburg
- 4.3. **Contractor** – The Private Entity's party who will be providing construction contracting services.
- 4.4. **Engineer** – The Private Entity's party who will be providing design professional services (also known as Architect/Engineer or "A/E").

- 4.5. **Issuing Office** – see section 2.1 above
- 4.6. **Owner** – The City of Fredericksburg, Virginia (“City”)
- 4.7. **Owner’s Consultant** – Consultant hired by the City of Fredericksburg to assist with the RFP process.
- 4.8. **Private Entity** – the Proposer who the Owner will contract with for the Project.
- 4.9. **Program Manager** – The City of Fredericksburg consultant for Construction Management Services
- 4.10. **Project** – PPEA services including Design/Build for Fredericksburg Courthouse and Court Facilities as described herein.
- 4.11. **Proposal** – The Proposer’s document provided in response to the RFP
- 4.12. **Proposal Documents** - The Advertisement or Invitation, Request for Proposals, and Qualification Proposals, including all Addenda issued prior to acceptance of Qualification Proposals.
- 4.13. **Proposer** - One who submits a Proposal directly to the Owner.
- 4.14. **Qualification Exhibits**—Documents prepared by the Private Entity (Design/Build Team), which demonstrate the Proposer’s qualifications and that meets the Owner’s requirements as set forth herein.
- 4.15. **Request for Proposals (RFP)** – The initial Conceptual Phase submission as defined in the City’s PPEA Guidelines.
- 4.16. **Request for Detailed Proposals** – The subsequent Detailed Phase submission by firms shortlisted in the RFP stage, as defined in the City’s PPEA Guidelines.
- 4.17. **Successful Proposer** - The Proposer, to whom Owner, on the basis of Owner’s evaluation as hereinafter provided, qualifies for receiving the Request for Detailed Proposals for City of Fredericksburg Courthouse and Court Facilities.

5. COPIES OF PROPOSAL DOCUMENTS

- 5.1. This document, referenced documents, and attachments constitute the entire Request for Proposal package.
- 5.2. Copies of the RFP Documents made available are only for the purpose of obtaining Qualification Proposals for the Work and do not confer a license or grant to Proposers for any other use.

6. EXAMINATION OF SITE:

- 6.1. On request, Owner will provide each Proposer access to the Site to conduct such examinations and investigations as each Proposer deems necessary for submission of a Proposal.

7. QUESTIONS, INTERPRETATIONS AND ADDENDA

- 7.1. All questions about the meaning or intent of the RFP Document are to be directed to Mr. Robert K. Antozzi, in writing by fax or email, with a simultaneous copy to the Owner’s Consultant by fax or email.
- 7.2. Interpretations or clarifications considered necessary by Owner in response to such questions will be issued by Addenda and posted on the City’s website. Proposers are solely

responsible for checking this website regularly for all Addenda.

- 7.3. Questions received less than seven days prior to the date for opening of the RFP proposals may not be answered. Only questions answered by formal written Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
- 7.4. Addenda may be issued to clarify, correct, or change the Proposal Documents as deemed advisable by Owner.

8. MANDATORY CRITERIA (Minimum Qualifications)

An unsatisfactory response to any item in the category titled “Mandatory Criteria” will be considered sufficient cause to disqualify an applicant from further consideration for short-listing for this Project.

- 8.1 **Responsiveness to RFP** – Only responsive applications will be considered and evaluated. A responsive application must be completed according to the instructions, and include all required attachments and requested information as noted in Section 14.2 below
- 8.2 **Debarment Status** – By submitting an application, the Proposer certifies that neither it nor any affiliated entity is currently debarred from submitting bids or has otherwise agreed not to submit bids on contracts with any government or business entity. If the Proposer experiences a material change in its debarment status after the application is submitted and prior to the award of the contract for the project, the Proposer shall notify City of Fredericksburg of the change in writing at the time the change occurs or as soon thereafter as is reasonably practicable. If at any time during the evaluation process the Proposer is issued a debarment judgment then this will be considered grounds for automatic disqualification.
- 8.3 **License** – The Proposer must provide copies of their firm’s Commonwealth of Virginia Contractor’s and Architect’s Licenses with the RFP response.
- 8.4 **Bonding Capacity/Statement** – Proposers must provide a signed statement from their Surety stating that, based on present circumstances, the Surety will provide, at a minimum, a \$30 million (or value of the proposal, whichever is more) performance and payment bond for the Proposer in connection with the Project.

9. EVALUATION FACTORS

In considering a Proposer for short listing, the City shall not be required to select the proposal with the lowest price offer, but will consider price as one factor in evaluating proposals received. The City will be the sole judge of the Proposer’s qualifications and experience, including experience with similar projects, demonstration of ability to perform work; leadership structure; project manager’s experience, management approach, financial condition, and project ownership. Evaluation factors are listed in no order of preference:

9.1. Qualifications and Experience

- 9.1.1. **Experience with similar projects/ability to perform work** – During the evaluation of experience and ability to perform the work, emphasis will be placed on a Proposer’s performance on recent projects of a similar size and nature to the Project, including Proposer’s ability to manage Owner’s project budgets, deliver a quality product, and meet scheduled completion dates. Preference will be given to firms with the following experience:

1. **Construction Experience** including the following:

- A. Successful completion (on time, within budget, and per client's specifications) of at least two (2) building construction projects of \$20 million or more in the last ten (10) years by the general contractor similar in scope to the Project in this RFP. Acceptable delivery methods include Design/Bid/Build, Design/Build, and CM at Risk.
 - B. LEED Experience - Completion of at least two (2) LEED registered projects.
2. **Design Experience** including the following:
- C. Courthouse Experience - Successful completion (on time, within budget, and per client's specifications) of at least one Courthouse design by the designated Design Project Manager.
 - D. Historic Experience - Successful completion (on time, within budget, and per client's specifications) of at least two (2) historic design/renovation projects by the designated Design Project Manager.
 - E. LEED Experience - Participation in at least two (2) LEED registered projects.
3. **Design/Build Team Experience** including the successful completion of at least one (1) design/build project, together as a team, similar in scope to the Project in this RFP.
- 9.1.2. **Resources.** Provide details explaining how the firm or firms involved have current resources available to perform this Project.
- 9.1.3. **Leadership structure/key personnel experience** – Provide resumes demonstrating that the qualifications of the persons proposed for the following positions have relevant experience on projects of similar size and scope. Proposer must dedicate all key personnel to the project and may not make changes without written approval from the City. No substitutions of the key personnel represented below will be accepted without prior approval by the City. Request for approval to substitute may be submitted by the Contractor only for reasons beyond the Contractor's control. Approval by the City will not be granted unless the Contractor can demonstrate that the reason for the substitution is justified and that the substituting individual has, at a minimum, an equivalent level of experience comparable to that of the individual being substituted.
1. **Key Personnel** include the following:
- A. Design/Build Project Manager – Experience on design/build projects of similar scope is required.
 - B. Design Project Manager - Experience with courthouse facilities is required.
 - C. Project Architect - Experience with courthouse facilities is required.
 - D. Construction Project Manager – Experience with projects of similar scope is preferred.
 - E. Construction Superintendent – Experience with projects of similar scope is

preferred.

2. **Other Team Members** include the following:

- A. Civil Engineer - Experience with City of Fredericksburg is preferred.
- B. Mechanical, Electrical Engineer(s) – Experience with LEED facilities is preferred.
- C. Security Consultant – Experience with courthouse facilities is required.

- 9.1.4. **Management Approach.** Provide a narrative explaining your approach to successfully manage the design and construction of the Project. Include a description and examples of how you will manage cost, quality and schedule.
- 9.1.5. **References** – The City may contact the Proposer’s references listed in the application and may contact other potential references if referred to them in the course of this evaluation. The City reserves the right to contact any party it deems appropriate. By submitting a response to this Request for Proposals, the Proposer releases the City and any references from all liability concerning this exchange of information.
- 9.1.6. **Financial Condition** – Financial data will be reviewed and compared to industry standards.
- 9.1.7. **Safety Performance** – Safety data will be reviewed and compared to industry standards.
- 9.1.8. **Claims/Final Resolution/Judgments** – Evaluation of this data will be based on the number of affirmative answers to the questions and the details provided in the explanation for each occurrence.
- 9.1.9. **Failure to Complete** – Evaluation of the Proposer’s failure to complete projects will be based primarily on the number of failure-to-complete occurrences and the explanations for the failure-to-complete occurrences.
- 9.1.10. **Other Relevant Criteria** – Any relevant information, included or not included in the proposal, deemed to be in the best interest of the City may be evaluated in determining whether or not to accept a Proposer’s submission. For example, the evaluation may also consider any additional references or experience with other Fredericksburg City projects when determining acceptability of an applicant.
- 9.1.11. **Optional Information** – Information not covered above, that the Proposer deems relevant, may be provided and may be considered by the City.
- 9.2. **Project Financing.** Proposers shall provide cost proposal(s) and financing information as required to meet or exceed the requirements of the City of Fredericksburg’s PPEA Guidelines.
- 9.3. **Project Characteristics.** Factors to be considered in determining the project characteristics may include, but shall not be limited to, a review of the proposed design and schedule. Proposers shall provide, as a minimum, the following:

- 9.3.1. Project description including the conceptual design. Describe the proposed project in sufficient detail so that type and intent of the project, the location, and the neighboring uses or communities that may be affected are clearly identified.
- 9.3.2. Project schedule to include detailed steps and milestones for design and construction. Include a list of all federal, state, and local permits and approvals required for the project and a schedule for obtaining such permits and approvals.
- 9.3.3. Proposed operation of the project once completed.
- 9.3.4. Proposed work to be performed by the City or any other public or private entity.
- 9.3.5. Description of applicable laws, regulations and standards that will be followed.
- 9.4. **Project Benefits and Compatibility.** Proposers shall provide information as required to meet or exceed the requirements of the City of Fredericksburg's PPEA Guidelines.
- 9.5. **Other Factors.** The City will consider the following additional factors in evaluation and selection of PPEA proposals:
 - 9.5.1. The general reputation, industry experience, and financial capacity of the private entity;
 - 9.5.2. Local citizen and government comments;
 - 9.5.3. Benefits to the public;
 - 9.5.4. The private entity's compliance with a minority business enterprise participation plan or good faith effort to comply with the goals of such plans;
 - 9.5.5. The private entity's plans to employ local contractors and residents.
 - 9.5.6. Other criteria that the City deems appropriate.

10. SUBMITTAL OF PROPOSALS

- 10.1. Twelve (12) copies of the Proposal, and an electronic copy on CD-ROM, shall be submitted to the City Manager's office, as listed in Section 2.1, on or before the due date and time listed in Section 1.13, in order to be considered. Late proposals will not be accepted. The proposals shall be addressed to the City Manager as indicated on page 1. Proposals shall be clearly identified with "Request for Proposals for the Fredericksburg Courthouse and Court Facilities."
- 10.2. Proposals shall be enclosed in an opaque sealed envelope or box, marked with the Project title and name and address of Proposer and accompanied by all required documents. If the Proposal is sent through the mail or other delivery system the sealed envelope or box shall be enclosed in a separate envelope or box with the notation "PROPOSAL ENCLOSED" on the face of it.
- 10.3. All Proposers should be available to give a presentation to the City of Fredericksburg with Key Staff present if required.

- 10.4. Submit a Letter of Intent to Propose to the City Manager on or before the due date listed in Section 1.13. The purpose is to enable City staff to set an agenda for presentations to City Council and the public, as listed in Section 1.13. These presentations are not mandatory, but highly encouraged.

11. MODIFICATION AND WITHDRAWAL OF PROPOSAL

A Proposal may be modified or withdrawn by an appropriate document duly executed in the same manner that a Proposal must be executed and shall be delivered to the address listed in Section 2.1 above prior to the date and time for the opening of the Proposals.

12. OPENING OF PROPOSALS

Proposals will be opened privately.

13. OWNER'S RIGHTS AND LIABILITIES

As set forth in the City's PPEA Guidelines, the City reserves all rights available to it by law in administering these Guidelines including, without limitation, the right in its sole discretion to:

- 13.1. Reject any and all proposals at any time;
- 13.2. Terminate consideration or evaluation of any and all proposals at any time;
- 13.3. Suspend, discontinue and/or terminate discussions regarding confidentiality agreements, interim agreements and comprehensive agreements at any time prior to the authorized execution of such agreements by all parties;
- 13.4. Suspend or eliminate conceptual phase review and proceed directly to detailed phase review;
- 13.5. Negotiate with a proposer without being bound by any provision in its proposal;
- 13.6. Negotiate with fewer than all proposers at any given time;
- 13.7. Request and/or receive additional information regarding any proposal;
- 13.8. Issue addenda to and/or cancel any RFP or IFB;
- 13.9. Revise, supplement or withdraw all or any part of these Guidelines;
- 13.10. Assess, retain and/or waive any and all fees required to be paid by proposers in accordance with these Guidelines;
- 13.11. Request revisions to conceptual or detailed phase proposals.
- 13.12. A Proposer who submits a proposal agrees to hold the City of Fredericksburg, its officers, employees, agents and volunteers harmless and free from all liability, loss, injury, and/or cost and expense which might be incurred by such Proposer in responding to, or as a consequence of the RFP, and agrees to waive any and all claims for damages arising in connection with the procurement process contemplated by the RFP.
- 13.13. A Proposer shall not employ any Subcontractor, Supplier, or other individual or entity against which Owner may have reasonable objection. A Proposer shall not be required to employ any

Subcontractor, Supplier or other individual or entity to furnish or perform any of the Work against which Proposer has reasonable objection.

14. PROPOSAL CONTENT

- 14.1 Proposal documents are generally subject to the Virginia Freedom of Information Act (“FOIA”) except for specific exemptions of certain documents from public disclosure. See the City of Fredericksburg PPEA/PPTA Guidelines and the latest Code of Virginia regulations. Clearly mark any information that is considered confidential and proprietary.
- 14.2 The Proposals submitted shall be structured in the following manner addressing all Mandatory Criteria and Evaluation Factors listed in Sections 8 and 9 above. Information shall be satisfactory for posting and publication, unless expressly waived by the City, as follows:

14.2.1. Volume I – Qualifications and Experience, Project Financing, Other Factors

- A. Executive Summary or Letter of Introduction
- B. Table of Contents. Include a referenced page number for each section of the Table of Contents and number all proposal pages.
- C. Qualifications and Experience. Narrative including Attachments A and B.
- D. Resumes
- E. Management Approach
- F. Past Projects – Contractor. Narrative including Attachment C.
- G. Past Projects – Architect/Engineer. Narrative including Attachment D
- H. Cost Proposal with a breakdown including, but not limited to: Land Costs (if applicable), Sitework Costs, Building Construction Costs, Allowance for FF&E, Allowance for Audio/Visual Systems, Construction Contingency and Fixed Fees for Designer and Contractor.
- I. Optional information not covered above that the Proposer deems relevant

14.2.2. Volume II – Project Characteristics, Project Benefits and Compatibility,

For each proposed option provide the following items:

- A. Table of Contents. Include a referenced page number for each section of the Table of Contents and number all proposal pages.
- B. Narrative explaining project characteristics
- C. Project schedule
- D. Floor plans, block and stack diagrams

- E. Space program matrix showing provided and programmed square footages. For programmed square footages, use the “Courthouse and Court Facilities Master Planning and Design, Final Report Summary,” dated November 25, 2009 by Glavé and Homes Associates/Perkins Eastman. See Appendix B, “2030 Deployment Options” (page 13). Use column labeled “Option A, One (1) Building,” as the basis for programmed square footages for this RFP with a total intended 107,989 GSF (including secure parking). Additional detail for this breakdown is provided on pages 69-83 of the same study. Proposers are to complete a matrix showing the square footages from this study side by side with the proposed square footages for their design.
- F. Elevation of primary street facade (to scale) including neighboring buildings
- G. Concept rendering including all facades facing streets
- H. Site plan with circulation and proposed parking for a minimum of 10 secure spaces onsite for judges and staff and additional public parking (if option not located adjacent to city parking garage) and expansion capabilities
- I. Optional information not covered above that the Proposer deems relevant
- J. Each Proposer may also include other options to meet related challenges facing the City of Fredericksburg, including but not limited to: renovations to Executive Plaza, re-adaption of Historic Circuit Court Building to another use, or modifications to Juvenile & Domestic Relations Court Building.

15. ATTACHMENTS TO THIS REQUEST FOR PROPOSAL:

- A. Qualifications and Experience Form
- B. Applicant Information Form
- C. Past Projects – Contractor Form
- D. Past Projects – Architect/Engineer form

**CITY OF FREDERICKSBURG
REQUEST FOR PROPOSALS
FOR PPEA SOLICITATION
COURTHOUSE AND COURT FACILITIES**

**ATTACHMENT A
QUALIFICATIONS AND EXPERIENCE**

1. Proposer Name: _____

Provide all names under which the applicant does business: _____

Is the Proposer related to another firm as a parent, subsidiary, or affiliate? Yes___ No___

If yes, attach names and addresses for all affiliated, parent and/or subsidiary companies, and state the nature of each affiliation. _____

2. Address: _____

3. Tax Identification Number (EIN/SSN): _____

4. Is Proposer a corporation? Yes_____, No_____

If yes, what is the State of incorporation? _____

If not incorporated, specify method and date of organization: _____

If a partnership, attach partnership details (such as partner's names and individual contact information for each partner). If a Joint Venture (JV), attach the JV agreement and provide details of the intended role of each JV member, including appropriate additional attachments (at a minimum an Attachment C or D for each JV member).

5. Initial if: Minority Owned: _____, Women Owned: _____, Neither: _____.

If so, provide, as attachment, any governmental certifications thereof.

Specify the portions of the Work that the Proposer expects to subcontract: _____

Provide contact information including name, title, phone number and email address of the person who can respond authoritatively to any questions regarding this response: _____

6. List all companies in the Consortium of firms for this venture, and provide the following information for each:

a. Contractor _____

ATTACHMENT A (continued)
QUALIFICATIONS AND EXPERIENCE

Years in business _____ Size of Company (# of employees) _____

b. Design Firm _____

Years in business _____ Size of Company (# of employees) _____

c. MEP Engineer _____

Years in business _____ Size of Company (# of employees) _____

d. Civil Engineer _____

Years in business _____ Size of Company (# of employees) _____

e. Other _____

Years in business _____ Size of Company (# of employees) _____

7. List firm (s) that will provide completion guarantees and warranties:

a. Firm Name _____

Years in business _____ Description of Guarantees and Warranties _____

8. List Key Personnel as proposed for this project (attach resumes per Section 9.4.2):

a. Design/Build Project Manager _____

b. Design Project Manager _____

c. Project Architect _____

d. Construction Project Manager _____

e. Construction Superintendent _____

9. List Other Team Members as proposed for this project including the following:

a. Civil Engineer _____

b. Mechanical Engineer _____

c. Electrical Engineer _____

d. Security Consultant _____

**CITY OF FREDERICKSBURG
REQUEST FOR PROPOSALS
FOR PPEA SOLICITATION
COURTHOUSE AND COURT FACILITIES**

**ATTACHMENT B
APPLICANT INFORMATION
(PROVIDE FOR EACH PRIME FIRM)**

A. MANDATORY CRITERIA (Minimum Qualifications)

1. **Responsiveness to Request for Proposals** – Responsiveness is defined in the Request for Proposals, Section 8, entitled **Mandatory Criteria**.
2. **Debarment Status** – Has the applicant, or any affiliate, ever been the subject of any of the following actions:
 - a. Debarment Yes___ No___
 - b. Deletion from a Prequalified Bidders List Yes___ No___
 - c. Other action which resembles debarment Yes___ No___If yes, provide details on a separate sheet for each instance.
3. **License** - Attach copies of the Proposer's Commonwealth of Virginia Contractor's & Architect's Licenses.
4. **Bonding Capacity/Statement** - Attach a signed statement from applicant's Surety stating that, based on present circumstances, the Surety will provide performance and payment bonds for the Proposer in connection with the Project.

Total bonding capacity \$ _____

Available bonding capacity\$ _____

B. EVALUATION FACTORS – QUALIFICATIONS AND EXPERIENCE

1. **Project Performance**
 - a. Using a separate copy of Attachment C or D for each project, provide details of five (5) or more past projects that are most similar in size and scope to the Project.
 - b. Attach a list of any other relevant projects in the last five (5) years with a contract value greater than \$20 million.
 - c. **Preferred Construction Experience** – Provide on Attachment C.
 - d. **Preferred Design Experience** – Provide on Attachments D.
 - e. **Design/Build Team Experience** – Provide on Attachments C and D.
2. **Personnel Qualifications/Experience** – Attach resumes of Design/Build Project Manager, Design Project Manager, Project Architect, Construction Project Manager and Construction Superintendent. Emphasize years of design or construction experience, last employer, last position, and experience on similar projects. Higher consideration will be given in the evaluation if the key personnel have worked together on previous successful projects, have demonstrated experience on projects similar in type and scope to the Project, i.e., Courthouse design and construction, and have completed LEED certified or higher projects.

Attach resumes of other team members including Civil Engineer, Project Architect, Mechanical Engineer, Electrical Engineer and Security Consultant. Emphasize years and types of experience, last employer, last position, and experience on similar projects. Higher consideration will be given in the evaluation if the other

ATTACHMENT B (continued)
APPLICANT INFORMATION

team members have worked together on previous successful projects; have demonstrated experience on projects similar in type and scope to the Project, i.e., Courthouse design and construction..

3. **References** – Reference information is addressed on Attachment C and D.

4. **Financial Data**

a. Submit the Proposer’s (including each partner with an equity interest of twenty percent (20%) or greater) reviewed and audited financial statements from the past two years, preferably 2008 and 2009. Complete balance sheets and income statements must be included. The statements shall be enclosed in a separate sealed envelope and included in the application package and it should be noted if the statement is for a parent company.

Has the applicant, or any affiliate, ever been denied bonding or had bonding revoked? Yes___ No___

If yes, provide details on a separate sheet for each instance.

b. Provide a copy of your current credit rating.

c. What is your Dun and Bradstreet (DUNS) number (if applicable): _____

5. **Safety Performance (Contractor)** – Please provide the following information on a separate sheet of paper:

a. Experience Modification Factor (EMF) for past five years.

b. A list of OSHA citations levied during the past three years. Describe the infractions and indicate whether there was a warning or fine imposed and the dollar amount of each.

c. Details from your organization’s 2009 OSHA 200 log indicating:

- Number of lost workday cases
- Number of restricted workday cases
- Number of cases with medical attention only
- Number of fatalities

6. **Claims/Final Resolution/Judgments** – Have any of the following actions occurred on, or in conjunction with, any project performed by the Proposer, any affiliate, or their officers, partners or directors in the last five years?

a. Legal Action Implemented by Proposer against Owner Yes___ No___

b. Legal Action Implemented by Proposer against Subcontractor Yes___ No___

c. Legal Action Implemented by Owner Yes___ No___

d. Legal Action Implemented by Subcontractor Yes___ No___

e. Settlement or Close-Out Agreement in effect with Owner Yes___ No___

f. Judgments Yes___ No___

g. Arbitrations..... Yes___ No___

If the answer to any of items a. through g. above is yes, provide details on a separate sheet for each instance.

7. **Conflict of Interest** - Identify any persons known to the applicant who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to Virginia State and Local Government Conflict of Interest Act (Va. Code §§ 2.2-3100 *et seq.*). _____

ATTACHMENT B (cont)
APPLICANT INFORMATION

8. **Termination - Applicant** – Has your organization ever been terminated for work awarded to it? This includes termination for default or for the convenience of the Owner or any other reason for failing to complete a project. Yes___ No___

If yes, provide details on a separate sheet for each instance.

9. **Schedule Control** – Does your company normally use a CPM scheduling control system? If yes, identify the system(s): _____

10. **LEED Accreditation:** Provide a list of the names of all LEED Accredited Professionals on the Proposer’s team for this project.

11. **Bankruptcy:** Has your business filed for bankruptcy in the last seven years or is your firm currently the debtor in a bankruptcy case? If yes, please explain the circumstances:

12. **Liquidated Damages Assessment:** Has your company ever been assessed liquidated damages in the past five (5) years on a construction contract? If yes, please explain the circumstances:

13 **Performance Bond Implementation:** Within the last five (5) years has your firm ever required any performance bond surety company to complete, or arrange for completion (take-over), of any contract originally awarded to your firm? If yes, please explain the circumstances: _____

14 **Contract Termination:** Within the last five (5) years, has your firm had a contract terminated for cause and/or ever had rights to proceed under a contract terminated? If yes, please explain the circumstances:

ATTACHMENT B (continued)
APPLICANT INFORMATION

15. **Breach, Default, Debarred:** Within the last five (5) years, has your firm been disqualified, removed, or otherwise declared in material breach or default of any construction contract by a public agency, or debarred from participating in bidding for any construction contract? If yes, please explain the circumstances: _____

16. **Release from Construction Bid:** Has your company filed a request to be released from a bid on a construction contract within the last five (5) years? If yes, please explain the circumstances:

17. **Failure to Execute a Contract:** Has your company ever been awarded a construction contract in which you failed to execute the contract? This would include: the company not signing the contract documents; an inability of the company to obtain insurance and/or bond requirements; or failure of the company to submit required forms and attestations. If yes, please explain the circumstances:

Signed by: _____ Phone No. _____

Printed Name, Title: _____

Company: _____

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**ATTACHMENT C
PAST PROJECTS – CONTRACTOR**

(For **each** cited project, the Proposer shall use a separate copy of this form to provide details of projects that are most similar in size and scope to the Fredericksburg Courthouse and Court Facilities.)

1. Contractor Name: _____

If Contractor's Name is not the same as Proposer's name, state relationship (i.e. parent company, subsidiary, JV etc.): _____

Project Manager: _____

Superintendent: _____

2. Project Name: _____

Facility Name: _____

Project Location: _____

Contract # _____ Project # _____

Project Delivery System _____

3. Owner: _____

Address: _____

Contact Person: _____

Contact Title, Phone Number, and Email Address: _____

4. Engineer: _____

Address: _____

Contact Person: _____

Contact Title, Phone Number, and Email Address: _____

ATTACHMENT C (continued)
PAST PROJECTS – CONTRACTOR

5. Construction Manager (if any): _____

Address: _____

Contact Person: _____

Contact Title, Phone Number, and Email Address: _____

6. Contract Dates (completion dates should reflect substantial completion - if not indicate)

Notice to Proceed: _____

Contractual Completion: _____

Actual Completion: _____

7. Description of Project: _____

8. Original Contract Value: \$ _____

Final Contract Value: \$ _____

Value of Change Orders to Date: \$ _____

Value of Owner Change Orders

To Date: \$ _____

Outstanding Claims to Date: \$ _____

9. Bonding Company: _____

Address: _____

Contact Person: _____

Contact Title, Phone Number, and Email Address _____

10. Additional Comments: (attach if needed): _____

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**ATTACHMENT D
PAST PROJECTS – ARCHITECT/ENGINEER**

(For **each** cited project, the Proposer shall use a separate copy of this form to provide details of projects that are most similar in size and scope to the Fredericksburg Courthouse and Court Facilities project)

1. Architect Name: _____

If Architect Name is not the same as Proposer's name, state relationship (i.e. parent company, subsidiary, JV etc.): _____

Project Manager: _____

2. Project Name: _____

Facility Name: _____

Project Location: _____

Contract # _____ Project # _____

Project Delivery System: _____

3. Owner: _____

Address: _____

Contact Person: _____

Contact Title, Phone Number, and Email Address _____

4. Contractor: _____

Address: _____

Contact Person: _____

Contact Title, Phone Number, and Email Address _____

ATTACHMENT D (continued)
PAST PROJECTS – ARCHITECT/ENGINEER

5. Construction Manager (if any): _____

Address: _____

Contact Person: _____

Contact Title, Phone Number, and Email Address _____

6. Contract Dates (completion dates should reflect substantial completion - if not indicate)

Notice to Proceed: _____

Contractual Completion: _____

Actual Completion: _____

7. Description of Project: _____

8. Original Contract Value: \$ _____

Final Contract Value: \$ _____

Value of Change Orders to Date: \$ _____

Value of Owner-Initiated Change

Orders to Date: \$ _____

Value of Changed Condition Change

Orders to Date: \$ _____

Value of Change Orders due to

Architect errors to Date: \$ _____

Outstanding Claims to Date:

10. Additional Comments: (Attach if needed)