

Project Minutes

Project:	Fuller Middle School Feasibility Study	Project No.:	17050
Prepared by:	Joel Seeley	Meeting Date:	11/5/18
Re:	CM Prequalification Committee Meeting	Time:	6:00pm
Location:	Fuller Middle School Library	Meeting No:	2
Distribution:	Attendees (MF)		

Attendees:

PRESENT	NAME	AFFILIATION
✓	Richard Weader II	Member of community with arch., eng., and/or construction experience
✓	Michael Grilli	Member of community with arch., eng., and/or construction experience
✓	Jennifer Pratt	Assistant Chief Financial Officer and SBC Member who is MCPPO certified
✓	Matt Torti	Director of Buildings and Grounds
✓	David Panich	School Building Committee Member
✓	Dr. Dale Hamel	School Building Committee Member
✓	Philip Gray	JLA, Architect
✓	Joel Seeley	SMMA, OPM

Item #	Action	Discussion
2.1	Record	Call to Order, 6:00 PM, meeting opened.
2.2	Record	A motion was made by D. Panich and seconded by J. Pratt to approve the 10/9/18 CM Prequalification Committee meeting minutes. No discussion, motion passed unanimously by those attending.
2.3	J. Seeley	<p>J. Seeley distributed and reviewed draft the Request for Qualifications (RFQ) attached. J. Seeley reviewed the City Solicitor's comments on the draft RFQ.</p> <p>Committee Discussion:</p> <ol style="list-style-type: none"> P. Gray requested item 14 on page 16 be expanded to include specific coordination requirements for the BIM model. <i>J. Seeley will include the expanded requirements.</i> <p>A motion was made by D. Panich and seconded by R. Weader II to approve the draft RFQ with the requested edits and authorize issuance to CMs.</p> <p>J. Seeley to finalize the RFQ.</p>
2.4	J. Seeley	J. Seeley to develop the draft Request for Proposal (RFP) for Committee and City Solicitor review.
2.5	Record	Next CM Prequalification Committee Meeting: December 4, 2018 at 6:00 PM at Fuller Middle School Library.
2.6	Record	A Motion was made by D. Hamel and seconded by M. Torti to adjourn the meeting. No discussion, motion passed unanimous.

Attachments: Agenda, Draft Request for Qualifications

The information herein reflects the understanding reached. Please contact the author if you have any questions or are not in agreement with these [Project Minutes](#).

1000 Massachusetts Avenue
Cambridge, MA 02138
617.547.5400

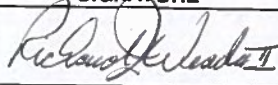

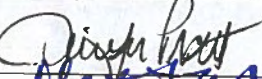
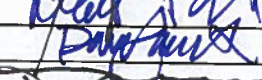
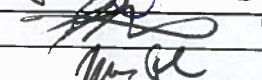
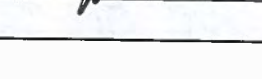
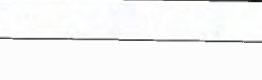

www.smma.com

SIGN-IN SHEET

Project: Fuller Middle School Feasibility Study
 Prepared by: Joel Seeley
 Re: CM Prequalification Subcommittee Meeting
 Location: Fuller Middle School Library
 31 Flagg Drive, Framingham, MA

Project No.: 17050
 Meeting Date: ~~10/9/2018~~ 11/5/18
 Time: 7:00pm
 Meeting No: 2 ↑

Distribution: Attendees, (MF)

SIGNATURE	ATTENDEES	EMAIL	AFFILIATION
	Richard Weader, II	weaders@aol.com	Member of community with architecture, engineering and/or construction experience
	Michael Grilli	mgrilli@beta-inc.com	Member of community with architecture, engineering and/or construction experience
	Jennifer Pratt	jaf@framinghamma.gov	Assistant Chief Financial Officer and SBC Member who is MCPPO certified, City of Framingham
	Matt Torti	mtorti@framingham.k12.ma.us	Director of Buildings and Grounds
	David Panich	david@panicharchitecture.com	School Building Committee Member
	Dr. Dale Hamel	dhamel@framingham.edu	School Building Committee Member
	Philip Gray	pgray@leviarc.com	Jonathan Levi Architects (JLA)
	Joel Seeley	jseeley@smma.com	SMMA

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Agenda

Project:	Fuller Middle School Feasibility Study	Project No.:	17020
Re:	CM Prequalification Subcommittee Meeting	Meeting Date:	11/5/2018
Meeting Location:	Fuller Middle School Library 31 Flagg Drive, Framingham, MA	Meeting Time:	6:00 PM
Prepared by:	Joel G. Seeley	Meeting No.:	2
Distribution:	Committee Members (MF)		

1. Call to Order
2. Review Draft RFQ
3. Next Meeting: November 19, 2018
4. Adjourn

Framingham Fuller Middle School September 20, 2018 (Updated October 25, 2018)

Construction Manager Selection Timeline

September 24, 2018	SBC Decide and Appoint CM Prequalification and Selection Subcommittee
September 24 – October 16, 2018	Develop Application to Inspector General
<i>October 9, 2018 – 6:00 PM</i>	<i>CM Prequalification Subcommittee Meeting: Review Process, Schedule and Draft IG Application</i>
October 16, 2018	Submit Application to Inspector General
October 16 – December 4, 2018	Develop Request for Qualifications (RFQ)
<i>November 5, 2018 – 6:00 PM</i>	<i>CM Prequalification Subcommittee Meeting: Review Draft RFQ</i>
<i>November 19, 2018 – 6:00 PM</i>	<i>CM Prequalification Subcommittee Meeting: Review Final RFQ</i>
December 4, 2018	Submit RFQ Advertisement to:
	1. Central Register, Local Newspaper and COMMBUYS
<i>December 4, 2018 – 6:00 PM</i>	<i>CM Prequalification Subcommittee Meeting: Review Draft RFP</i>
December 12, 2018	RFQ Advertisement Noticed in:
	1. Central Register, Local Newspaper and COMMBUYS
December 4, 2018 – January 7, 2019	Develop Request for Proposal (RFP)
December 19, 2018	Informational Meeting at Fuller Middle School and Tour – 3:30 PM
December 20, 2018	Deadline for Submission of CM Questions on RFQ – 2:00 PM
December 21, 2018	Deadline to Respond to CM Questions
January 3, 2019	CM Qualification Packages Due
January 3-14, 2019	Review CM Qualification Packages
<i>January 7, 2019 – 6:00 PM</i>	<i>CM Prequalification Subcommittee: Review Final RFP, Progress Review of CM Qualification Packages</i>
<i>January 14, 2019 – 6:00 PM</i>	<i>CM Prequalification Subcommittee Meeting: Prequalify CM Firms to Receive RFP</i>
January 15, 2019	Notice to Proceed with CM at Risk from Inspector General
January 15, 2019	Distribute RFP to Prequalified CM Firms
January 18, 2019	Deadline for Submission of CM Questions on RFP – 2:00 PM
January 25, 2019	CM Proposal Packages Due
January 25 – February 4, 2019	Review CM Proposals
<i>February 4, 2019 – 6:00 PM</i>	<i>CM Selection Subcommittee Meeting: Review CM Proposals, Finalize Questions for Interviews</i>
February 11, 2019	CM Interviews, Rank CM Firms
February 25, 2019	SBC Meeting: CM Selection Subcommittee to Recommend CM Firm



City of Framingham
Fuller Middle School Project

**Request for Qualifications for
Construction Management at Risk Services**

Date: December 12, 2018

Owner:

City of Framingham
150 Concord Street
Framingham, Massachusetts 01702

Architect:

Jonathan Levi Architects (JLA)
266 Beacon Street
Boston, Massachusetts 02116
Principal: Jonathan Levi, AIA

Owners Project Manager:

Symmes Maini & McKee Associates (SMMA)
1000 Massachusetts Avenue
Cambridge, Massachusetts 02138
Principal: Joel G. Seeley

Submission Deadline: 2:00 PM EST on January 3, 2019

Submit Statement of Qualifications to:

City of Framingham
c/o Purchasing and Procurement Department
Attn: Jennifer Pratt, MCPPO, Assistant Chief Financial Officer and Chief Procurement Officer
150 Concord Street, Room 123
Framingham, Massachusetts 01702

Request for Qualifications for Construction Management at Risk Services

I. General Information

A. Project Information

Awarding Authority: City of Framingham

Project Title: Fuller Middle School Project
31 Flagg Street
Framingham, Massachusetts 01588

Submission Deadline: 2:00 PM EST on January 3, 2019

Submit one (1) original, and nine (9) complete bound copies, one (1) set of financials in a separate envelope, and one (1) complete electronic copy on a CD (without the Financials) of the Statement of Qualifications (SOQ) with all required forms, attachments, supporting documentation and information to:

City of Framingham
c/o Purchasing and Procurement Department
Attn: Jennifer Pratt, MCPPO, Assistant Chief Financial
Officer and Chief Procurement Officer
150 Concord Street, Room 123
Framingham, Massachusetts 01702

Package must be labeled on the outside with the following information:

***“SOQ for Construction Management Services (CM at Risk),”
“Fuller Middle School, Framingham, Massachusetts,” and CM firm’s name, business address and
telephone number.***

Qualification Statements will not be opened or read publically.

The RFQ Informational Meeting will be held at 3:30 PM EST on December 19, 2018, at the Fuller Middle School, 31 Flagg Street, Framingham, Massachusetts 01702

Estimated Construction Cost: \$78,000,000
Estimated Construction Duration: 30 Months

Project Team: Owner’s Project Manager: Symmes Maini & McKee Associates (SMMA)
1000 Massachusetts Avenue
Cambridge, Massachusetts 02138

Designer: Jonathan Levi Architects (JLA)
266 Beacon Street
Boston, Massachusetts 02116

RFQ Interest Form:

Firms interested in this Project must submit an **RFQ Interest Form** with a copy of your firm's **DCAM Certificate** to City of Framingham c/o City of Framingham Purchasing and Procurement Department by mail, email or facsimile no later than 5:00 PM on December 20, 2018 to:

City of Framingham
 c/o Purchasing and Procurement Department
 Attn: Jennifer Pratt, MCPPO, Assistant Chief Financial Officer and
 Chief Procurement Officer
 150 Concord Street, Room 123
 Framingham, Massachusetts 01702
 Email: jaf@framinghamma.gov
 Fax: 508-532-5445

B. Introduction

Firms interested in providing Public Construction Manager at Risk Services (“CM” or “CM at Risk”) for the Fuller Middle School, (“Project”) are invited to submit a Statement of Qualifications (“SOQ”) to the City of Framingham (“Owner/ Awarding Authority). This CM at Risk services procurement is conducted pursuant to M.G.L. Chapter 149A, contained in Chapter 193 of the Acts of 2004. This Request for Qualifications (“RFQ”) is the first phase of a two-phase procurement process as set forth in MGL Chapter 149A. The School Building Committee is prequalifying firms interested in providing public CM at Risk services for the project through this RFQ process. The submitted SOQ’s will be evaluated based upon the identified evaluation criteria and the Prequalification Committee will select those respondents it deems qualified. Only those respondents deemed qualified will be invited to submit a Proposal in response to a detailed Request for Proposals (“RFP”) which will be issued in the second phase of the procurement process. The City of Framingham expects the RFP will be available in January 2019. The project delivery method for construction will be public CM at Risk with a Guaranteed Maximum Price (“GMP”) under M.G.L. Chapter 149A. **Firms interested in being prequalified must demonstrate that they have prior experience as a CM. In addition this firm must have constructed schools under M.G.L. ch.149A of similar cost, complexity, type and size, including phasing and adjacency to an occupied school.**

C. Project Description

The project consists of the construction of a new three-story Fuller Middle School on the site of the existing Fuller Middle School. The project replaces the aged existing middle school for grades 6-8.

The new school will contain 136,790 GSF three-story all new construction solution east of the existing Fuller Middle School. This concept strives for a compact building footprint while still providing small learning communities as envisioned during the planning stages. The design provides flexibility for multiple organizational concepts, currently as grade-level grouping. The building is clearly and intentionally zoned with public and private areas for safety and security reasons. The site provides adequate parking, fields, separation of cars and buses, and an access road around the building.

The City of Framingham has elected to pursue LEED V4 for Schools through the United States Green Building Council (USGBC). The project will strive to be certified as established under the LEED rating

system and maximize the Energy Efficiency incentive points allowed by the MSBA. The Construction Management Team will also be responsible for achieving these goals.

The project will be subject to the minimum wage rates set under the Massachusetts Prevailing Wage Laws. Workforce utilization percentages apply to the project.

The combined project Minority Business Enterprise (“MBE”) and Women Business Enterprise (“WBE”) is 10.4%.

Pursuant to M.G.L.c.30, 39S (a) (2) all employees to be employed on the Project must have successfully completed a course in construction safety and health approved by OSHA and of at least 10 hours duration. All Trade Contractors and Other Subcontractors on the project will also be required to provide written verification of compliance with Federal Department of Homeland Security Requirements, including but not limited to the Employment Verification (Form I-9) Process. All Contractors, Trade Subcontractors and other Subcontractors on the project will be required to complete a CORI check through the Framingham Public Schools Administration.

The selected Construction Manager will be required to utilize or implement project management system software for project communication, tracking, etc. that is accessible and useable by the Owner, OPM and Designer via the internet. This software must also be acceptable to the City of Framingham’s School Building Committee, Designer, and OPM.

Access to the school property is restricted.

Additional information is available on the project website: www.fullerschoolbuildingproject.

The City of Framingham makes no representation or warranty to the accuracy of any information received through the City and School websites.

D. Project Schedule

The architectural firm of Jonathan Levi Architects (JLA) completed the Schematic Design Documents, which were submitted to MSBA on September 12, 2018. The project anticipates a possible early site package to allow construction to start in the summer of 2019 with completion of the building for occupancy by June 2021 followed by demolition of the existing building and construction of the playfields, to be completed Winter 2021. (Note: These dates may be subject to change.)

E. Construction Manager at Risk Two-Phase Selection Process

The CM selection process is a two-phase process as set forth in M.G.L. c. 149A, contained in Chapter 193 of the Acts of 2004. Phase One, the Request for Qualifications (RFQ) phase, is the prequalification phase. Only firms selected during the Phase One prequalification phase will be permitted to participate in Phase Two, the Request for Proposals (RFP) phase used to select a CM firm. The RFQ phase will be used to pre-qualify construction management at risk firms. Interested firms must submit a Statement of Qualifications, (SOQ) by the deadline set for submission. The City of Framingham, through its School Building Committee has appointed and assembled a Prequalification Committee in accordance with the regulations to review and evaluate the SOQ’s received. The School Building Committee anticipates concluding the RFQ evaluation process within 30 days from submission of SOQ’s. **Only those firms**

determined to be qualified by the Prequalification Committee will be invited and permitted to submit a proposal in response to the Phase Two RFP. Firms that are not selected as qualified by the Prequalification Committee and firms that do not participate in the RFQ phase will be precluded from participating in the RFP CM selection phase.

This RFQ is Phase One of the procurement process. After the deadline for the submission of SOQs has passed, the School Building Committee and Owner's Project Manager will prepare a register of names of the firms submitting SOQs which will be available for public viewing. SOQ's will not be opened or read publicly. The Prequalification Committee will review and evaluate the SOQ's submitted, information contained in the DCAM certification files, information on current and prior project performance and its relevancy to experience requirements, information obtained from references, information obtained from government agencies and entities, and such other information as may be obtained. The City of Framingham's School Building Committee, at its sole discretion, may request additional information to clarify or supplement the information obtained from Architects, Owners, and Owner's Project Managers and from other town or city's School Building Committees, or other town or city departments from projects listed and/or not listed in your SOQ.

Based upon its review and evaluation of responses to established project parameters and specific and overall qualification criteria, the Prequalification Committee will determine which respondents are qualified to serve as Construction Manager at Risk for the Project, in the best interests of the City, its School Department and the Project. Such determination shall be based upon the criteria stated in this RFQ. The Committee shall prepare a written record of its determination with respect to each respondent. The Prequalification Committee shall endeavor to identify at least three CM firms which it deems qualified. If the Prequalification Committee does not rate at least three CM's as qualified, it will either repeat the RFQ process or procure the project under the provisions of the M.G.L. c. 149, §44A-44J. The School Building Committee shall complete the Phase One process by written notice to all firms advising them as to whether they were determined to be "qualified" or "not qualified" and those CM firms deemed "qualified" will be invited to participate in Phase Two (RFP) phase.

In Phase Two, a detailed Request for Proposals for CM at Risk will be issued to the CM Firms deemed qualified in the Phase One prequalification process. The RFP Selection Committee ("Selection Committee") will evaluate the proposals on multiple factors, which may include interviews or presentations, rank the proposals based on the composite ratings including their fee proposal and general conditions, and then make a recommendation for the preferred CM Firm to the City of Framingham's School Building Committee, and commence negotiations with the highest ranked CM at Risk firm. In the event negotiations with the highest ranked firm will not result in a contract acceptable to the City of Framingham, negotiations will be terminated and negotiations will commence with the next highest ranked firm, and the process will continue until the City of Framingham can reach an acceptable contract with one of the prequalified CM at Risk firms that submitted an advantageous proposal.

F. Treatment of Information submitted to the City of Framingham

The City of Framingham shall have no obligation to treat any information submitted in or in connection with an SOQ as proprietary or confidential, with the exception of the audited financial statement, which is deemed confidential. The City of Framingham's obligation with respect to protection and disclosure of such information shall at all times be subject to applicable laws, including the Massachusetts Public Records law. The audited financial statement shall remain confidential and shall not be a public record

to the fullest extent permissible under the law. The City of Framingham shall have the right to use all or portions of the SOQ and accompanying information, as it considers necessary or desirable in connection with the Project. By the submission of an SOQ, the respondent thereby grants to the City of Framingham an unrestricted license to use the SOQ, including all material submitted therewith, in connection with the Project.

The City will endeavor to keep the audited financial statement confidential but shall have no liability if it is disclosed.

The City of Framingham reserves the right to reject any or all SOQs and to waive any informalities or to take any other action that may be deemed necessary in the best interest of the City of Framingham.

The Respondent agrees that the City of Framingham, its agents, servants and employees shall not have any liability as a result of the review of the qualifications of the Respondent or the publishing of any evaluation of the Respondent.

G. Communication between the City of Framingham and Respondents

Unauthorized communications or contact between CM firms, their employees, agents or other related entities interested in submitting SOQ's and the City of Framingham, the OPM, the Designer, or any other person or entity participating on the Prequalification Committee or Selection Committee with regard to this project are strictly prohibited. The only authorized communication shall be 1) inquires to the City of Framingham through its Owner's Project Manager ("OPM") for general information about obtaining the RFQ, RFQ submission deadlines, and the existence of any relevant addenda to the RFQ, and 2) inquires made at the official RFQ Informational Meeting held by the City of Framingham. The City of Framingham's official RFQ Informational Meeting will be held at the date and time set above.

Any issues brought to the City of Framingham's attention must be done so in writing to City of Framingham c/o Symmes Maini & McKee Associates (SMMA). The City of Framingham will determine if additional clarification or interpretations will be addressed and if so, will respond by issuing a written addendum. The Owner may decline to answer any inquiry. Oral and other communications, clarifications, or interpretations will be without legal effect. All such addenda will be considered part of this RFQ, and the respondent shall be required to acknowledge receipt of all addenda on the RFQ Proposal Response Form attached to this RFQ. The City of Framingham's OPM will mail, fax or email the addenda to all respondents who have mailed, emailed, or faxed an RFQ Interest Form for the Project, or who received the RFQ. It shall be the sole responsibility of the respondent to ascertain the existence of any and all addenda issued by the City of Framingham.

From the date of issuance of this RFQ, any respondent that contacts directly or indirectly any member or employee of the City of Framingham, or the Designer or Owner's Project Manager, or any member of the Prequalification Committee in connection with the selection process or the contract contemplated herein for this project is subject to disqualification. Contact is only permitted with the City of Framingham's OPM for the purpose of obtaining a copy of this RFQ or submitting a request for clarification or information.

All questions must be submitted in writing to the City of Framingham, by mail, fax or email addressed to:

*City of Framingham
c/o Symmes Maini & McKee Associates (SMMA)
Attn: Joel G. Seeley
1000 Massachusetts Avenue
Cambridge, Massachusetts 02138
Email: opm@smma.com
Facsimile: 617-354-5758 or 1-800-648-4920*

The deadline for receipt of written questions is **2:00 PM EST on December 21, 2018**. The OPM will respond to all written questions which, in the City of Framingham's sole judgment, may have a material effect on the RFQ by faxing or emailing responses to all applicants that requested an RFQ.

H. Status of Request for Qualifications

This Request for Qualifications is solely a request for information. It does not represent an offer nor does it confer any rights on any respondent. The City of Framingham shall not be responsible under any circumstances for any costs incurred by any respondents to this RFQ. The City of Framingham reserves the right to modify, suspend or cancel this procurement at any time at its sole discretion. In the event a respondent modifies the forms and schedules to change the meaning of any terms or requirements, the original version, as contained in this RFQ, shall take precedence.

DRAFT

Request for Qualifications of Construction Management at Risk Services

II. Scope of Services for Construction Management

The Construction Manager at Risk (CM at Risk) shall be responsible for complete construction management services for all phases of the project for a guaranteed maximum price. At each phase, the City of Framingham, at its sole discretion, will determine whether it will proceed to the next phase or terminate the Construction Manager's services on the project. Certain trade construction work will be procured using procedures similar to the Mass General Laws Chapter 149 Filed Sub-bid laws after a prequalification process. This procedure is specified in Chapter 193 of the Acts of 2004 in the Massachusetts General Laws Chapter 149A. A detailed scope of services will be included in the Request for Proposals. The following is an outline of services anticipated.

NOTE: As stated above, the Project is expected to be a phased project. It is anticipated that the Pre-Construction Phase and the Construction Phase will run concurrently for portions of design and construction during the first Phase of the Project.

A. Pre-Construction (Design) Phase

1. Review and recommend revisions, if appropriate, to the project Master Schedule, Construction Budget and permitting plan developed by the School Building Committee (SBC) and/or OPM and the Designer.
2. Develop the scope of work and prepare bid packages in concert with the School Building Committee, Designer, and OPM for each Trade to be bid and participate in the prequalification and qualification of each of the Trade Contractors and other subcontractors as defined by law.
3. Attend the School Building Committee meetings. Schedule and lead periodic project meetings and special meetings for the exchange of information concerning the Project, and review, permits and approvals. All meetings shall be held at a time and place convenient to the Designer, OPM and SBC, and assist the Owner in obtaining all permits with all authorities having jurisdiction.
4. For each phase of design, participate in design review meetings as requested by the School Building Committee and/or OPM, perform constructability reviews and provide comments with the submission of cost estimates, provide value engineering recommendations (with cost and schedule support) at times as requested by the School Building Committee and/or OPM, provide an assessment of materials and equipment availability along with life cycle cost value, prepare an initial project construction schedule with updates submitted along with each cost estimate. The Construction Manager shall make such recommendations and value engineering options while cognizant of the LEED goals for the project and shall at no time jeopardize those goals. Note: the intent of the City of Framingham is to bring the Construction Manager into the project team as early as is possible during the Design Development phase. This will allow the Construction Manager to have a greater effect for input during the development of the documents, phasing and cost.
5. The CM shall perform periodic detailed cost estimates as deemed necessary (but at a minimum –at the Design Development, 60% CD and 90% CD phases) by the Owner's Project Manager for the entire construction and for phases or portions of the work as directed by the City of Framingham

and work with the Designer and Owner's Project Manager (who each will obtain independent cost estimates) to reconcile differences.

6. The CM will perform detailed value engineering analyses during the Design Development and Construction Documentation phase of the project to find ways to reduce cost without compromising quality.
7. The School Building Committee and/or OPM may require additional cost estimates to confirm budget due to modifications made during the design and construction phase. The CM shall work with the Designer and the Owner's Project Manager to reconcile differences.
8. The CM shall assign a professional project scheduler possessing building and site design and construction experience. If deemed qualified and upon written approval by the School Building Committee, the CM can assign an in-house scheduler. The scheduler shall develop a detailed Critical Path Method (CPM) schedule that identifies all design activities, permits and all other activities required to be completed before construction activities can begin, a preliminary construction schedule and a complete construction baseline schedule. The CPM project schedules shall be developed using Primavera or similar software as determined acceptable by the School Building Committee, Designer, and OPM.
9. In coordination with the School Building Committee and/or OPM, maintain a tracking system during the design phase with regular updates which clearly reflects the status of the construction budget. Develop an initial cash flow schedule based on the design development budget for the School Building Committee and/or OPM use. Provide the first cash flow projection within 30 days of award for submission to the School Building Committee and /or OPM, and subsequent cash flow projections monthly or other such intervals as set by the School Building Committee and/or OPM.
10. The CM shall provide a designated representative as approved by the School Building Committee and OPM to participate in the Subcontractor Prequalification Selection Committee. The CM shall conduct activities and solicit procurement relating to the award of Trade Contracts, Purchase Orders, and all other Subcontracts for the furnishing of labor, materials, equipment, or other services in connection with the construction of this project, in accordance with the procedures to be developed by the School Building Committee and/or OPM and in a manner that will meet Minority Business Enterprise and Women Business Enterprise percentages set by the School Building Committee for the Project.
11. The CM shall work with the School Building Committee, Design Team and OPM in the development of a project specific construction logistics and phasing plan. The plan shall include study of existing conditions, including the existing building, utilities and services for the development of a project logistics and phasing plan which provides the least impact to maintaining the existing Fuller Middle School in unaffected operation during construction. The CM shall work with the Design Team in identifying all necessary temporary construction measures as a result of the phasing for incorporation into the construction documents. The CM shall provide a detailed site logistics plan which address the following but not limited to: mitigation measures for issues such as construction access to the site, trade parking, construction deliveries, construction trailers and laydown areas, off-site dust control, construction noise mitigation, construction fencing locations, signage, lighting and safety measures with the full understanding that the CM will be performing construction Work adjacent to an occupied school and within a residential neighborhood.

12. Experience with (BIM). Participate in the development of a Building Information Modeling (BIM) Work Plan for implementation during the Pre-construction and Construction Phase Services.

B. Construction Phase

1. Obtain and pay for, with the exception of the building permit fees, all required construction related permits. Inspection fees will be paid for by the Trade Contractors and Other Subcontractors.
2. Furnish bonds and insurance as required by the contract documents.
3. In addition to providing the CM's construction site office requirements, the CM shall provide and maintain a construction site office for the Owner's Project Manager and the Designer. Office shall include provisions for a conference area to accommodate up to 20 people.
4. Provide a designated representative as approved by the School Building Committee and/or OPM to manage and coordinate all Trade Contractors and subcontractors and others engaged in the performance of Work.
5. Manage and meet the Minority Business Enterprise and Women Business Enterprise participation percentages and minority work force percentages for the Project, including providing monthly status updates.
6. Implement procedures for reviewing and processing requests for information or clarifications and interpretations of the contract documents; shop drawings, samples, and all other submittals, contract schedule adjustments, change order proposals, proposals for substitutions, payment applications, as-built drawings, and maintenance of logs using internet-based system software or similar software as determined acceptable by the School Building Committee, Designer and OPM.
7. Continuously supervise and observe all Work in progress so as to ensure that the Work is proceeding in accordance with the construction contract documents and amendments. Track all long lead items to ensure arrival on time for incorporation into the Work as scheduled. Bring to the attention of the Owner any issues with regard to materials delays, and any opportunities with regard to material procurement that could save the project cost and/or time.
8. Attend, schedule and conduct regular weekly project and construction progress meetings (Owner/Architect/Contractor or O/A/C). Attend design coordination meetings, School Building Committee, Conservation Commission, Planning Board, and any other project related meetings when requested by the School Building Committee and/or OPM. All meetings shall be held at a time and place convenient to the School Building Committee, Designer and OPM.
9. Develop and implement a change order control system for use during construction using internet-based system software or similar software as determined acceptable by the School Building Committee, Designer, and OPM.
10. Maintain budget control immediately advising the School Building Committee, Designer and OPM of any design changes or events which may lead to an increase and/or decrease in the construction budget.

11. Establish and maintain a Quality Control program including monitoring the quality programs of all Trade and Other Subcontractors in accordance with the construction documents. The CM is expected to assist the School Building Committee and/or OPM in the scheduling of all Owner required Quality Assurance testing and inspections during the duration and the post completion warranty period of the project.
12. Establish and implement a project-specific safety program for use during construction, including monitoring and enforcement of the program with Trade Contractors and Other Subcontractors, including a specific section regarding Indoor Air Quality (IAQ) as mandated by the MSBA. The CM is expected to provide a qualified safety representative independent of the Superintendent or Project Manager.
13. Provide a dedicated scheduler to develop, maintain and update the detailed CPM schedule. Monitor closely the progress of construction of each Trade Contractor and other Subcontractors against the baseline CPM schedule, ensure that adequate manpower is being employed to meet the progress of the work, provide a monthly updated construction schedule report detailing delays, change orders, etc. and, if necessary, prepare and submit recovery schedules.
14. Furnish monthly reports or at more frequent intervals as requested by the School Building Committee and/or OPM, concerning the progress of the work which address: (a) compliance with the construction schedule, (b) status of testing and inspection activities performed by the CM and subcontractors, (c) status of shop drawings, RFI's and submittals, (d) status of change orders, (e) status of MBE/WBE participation, and (f) other matters relating to the progress of work as directed by the School Building Committee and/or OPM, and the MSBA including assistance with procurement of delinquent Minimum Wage Compliance reports and Weekly Payroll reports, if needed.
15. Determine when each Trade Contractors or Other Subcontractor's work is substantially complete and prepare a list of incomplete work and work which does not conform to the requirements of the construction documents.
16. Maintain complete and accurate records, including (a) correspondence, (b) meeting notes and minutes, (c) shop drawings and submittals, (d) construction documents including change orders, (e) clarifications and interpretations of the construction documents issued by the project designer, (f) progress reports including observations of any testing preformed, (g) close out documents, as-built drawings, and (h) all other project related documents such as; SK's, RFI's, ASI's, PR's, etc, utilizing electronic construction document management software, internet accessible, as determined acceptable by the School Building Committee and/or OPM, and the Designer.
17. Cooperate and provide labor to support the Commissioning Agent assigned by the MSBA for the building commissioning outlined in the construction documents.
18. Building Information Modeling (BIM) shall be used as a means of improving the coordination, logistic, planning and quality of the overall project, and the CM shall participate in the application of BIM during the construction phase as outlined in the Work Plan developed either during Pre-construction Phase or at any time thereafter.

19. The CM will be required to agree to any “Pass Through” terms set forth by MSBA in the MSBA Project Scope & Budget Agreement and the Project Funding Agreement. For further information please refer to the MSBA website. (<http://massschoolbuildings.org/>) for sample copies of those agreements.

C. Post-Construction Phase

In accordance with the School Building Committee and/or OPM and Designer, develop and implement procedures for orderly completion of punch list items, checkout of utilities, operational systems and equipment including initial start, testing, balancing, commissioning and training. Preparation and delivery to the School Building Committee and/or OPM and Designer warranties, as-built drawings, maintenance manuals, and the like, and generally administer closeout of the project. Ensure performance of all warranty obligations, resolution of all claims, and other post-construction requirements. Coordinate and schedule a 12 month warranty inspection 11 months after Substantial Completion with all the appropriate parties and manage the closeout of any noted items.

DRAFT

Request for Qualifications for Construction Management at Risk Services

III. Submission Instructions and Requirements and Evaluation Criteria

A. Submission Deadline 2:00 PM EST on January 3, 2019

Submit one (1) original and nine (9) complete bound copies, one (1) set of financials in a separate envelope, and one (1) complete electronic copy on a disk (without the Financials) of the Statement of Qualifications with all required forms, attachments, supporting documentation and information to the City of Framingham on or before submission time and date set forth above. All envelopes must be labeled “**SOQ for Construction Management Services, Fuller Middle School**”, with the respondent firm’s name, business address and telephone number and be hand-delivered or mailed to the following address:

*City of Framingham
c/o Purchasing and Procurement Department
Attn: Jennifer Pratt, MCPPO, Assistant Chief Financial Officer and
Chief Procurement Officer
150 Concord Street, Room 123
Framingham, Massachusetts 01702*

Statements of Qualification received by the City of Framingham later than the submission deadline specified above will be rejected and returned to the respondent. Respondents are cautioned to allow sufficient time for mailed materials to be received. **Telecopied, faxed or emailed qualifications will not be accepted.** Immediately following the RFQ, after the deadline for the submission of SOQ’s has passed, the City of Framingham will prepare a register of names of the firms submitting SOQ’s which will be available for public viewing. Qualification statements will not be opened or read publicly.

B. Submission Requirements

The respondent **must** submit all of the information and documentation listed below. Selection of the respondents for Phase One, the prequalification process, will be based on the submitted information and materials, information on prior project performance, information obtained from references (including credit references), information obtained from government agencies and entities, information contained within DCAM certification files, and such other information may be obtained including information from Architects, Owners, Owner Project Managers, from other town or city’s School Building Committees, or other town or city departments, and from projects listed and/or not listed in the response to this RFQ. Respondents are urged to confirm the contact information of their references, both project and credit, before providing contact info. Lack of response from references may affect the review.

The City of Framingham will endeavor to keep the audited financial statement confidential but shall have no liability if it is disclosed.

The City of Framingham reserves the right to reject any or all SOQs and to waive any informalities or to take any other action that may be deemed necessary in the best interest of the City of Framingham.

The Respondent agrees that the City of Framingham, its agents, servants and employees shall not have any liability as a result of the review of the qualifications of the Respondent or the publishing of any evaluation of the Respondent.

Do not include superfluous material. Respondents must include the CM at Risk Statement of Qualifications Response Form attached below and signed by an authorized representative, and all of the forms and materials required for Schedules A through N. Respondents must give complete and accurate answers to all questions and provide all of the information requested. Respondents can not alter the text of the forms or schedules in anyway; any such alteration will be grounds for disqualification. Making a false or misleading statement and/or omission in this submission is grounds for rejecting a Statement of Qualifications submission and may subject respondent to other civil or criminal penalties.

1. Qualifications Application: Respondent **must complete** the CM at Risk Qualifications Application **Schedule A** attached to the SOQ below. Joint Ventures must provide information about each of the Joint Venture partners.
2. Executive Summary: Respondent **must attach** as **Schedule B** to the SOQ a cover letter or executive summary detailing the key elements and factors that differentiate the respondent firm from other firms. Joint Ventures must provide information about the nature of the Joint Venture including the approximate participation by each Joint Venture partner and the division of responsibility among the Joint Venture partners. This letter/executive summary should not exceed six (6) pages. Joint Ventures must include a signed copy of the Joint Venture agreement in a separate envelope, financial agreements can be redacted.
3. Management Personnel and Project Organizational Chart: Respondent **must complete Schedule C** attached to the SOQ below, and **must attach** at Schedule C *both*: i) an organizational chart which includes the amount of time each person has been with the firm, approximate percentage of time that each member will be assigned to the project *and* ii) a resume for each and every person who will have **any** management responsibility, direct or indirect, for the Project, including but not limited to project executives, project managers, field superintendents, field engineers, safety personnel, MEP coordinators & managers, project engineers and LEED coordinators. Joint Ventures must identify the company that employs each individual listed. The Construction Manager agrees that all personnel identified on the organization chart shall be available for the Pre-construction and Construction phases of the work and shall not replace any previously approved personnel without the prior consent of the School Building Committee and/or OPM.
4. Similar Project Experience: Respondent **must complete Schedule D** attached to the SOQ below, listing similar projects the firm has completed during the last five (5) years. The first part of Schedule D requests information for similar projects that used the construction manager at risk delivery method and the second part of Schedule D requests information on similar projects in general. For each project, respondent must include the name of the project, location, description of project, description of respondent firm's scope of work, original contract sum, final contract sum (with explanation), date completed and the name, organization, address and telephone contact information for the Owner, Owner's Project Manager, and project architect for each such project. For the purpose of this RFQ, "similar projects" shall mean projects where the construction cost is similar to, or greater than, the upper limit of the estimated construction cost

of this Project; projects that were completed under M.G.L. Chapter 149A procurement; the projects of similar size, complexity, type and scope including phasing and adjacency to an occupied school; projects that are MA-CHPS or LEED certified. The respondent may list only projects that the respondent has completed, they may not list what an affiliate or predecessor of the respondent completed. Joint Ventures must complete a Schedule D for each individual Joint Venture partner.

5. Terminations and Legal Proceedings: Respondent **must complete Schedule E** attached to the SOQ below. **Part A** of Schedule E requires a complete listing of each and every project on which the respondent firm was **terminated or failed to complete** the work within the past five (5) years. **Part B** of Schedule E requires a complete listing of any **convictions or fines** incurred by the respondent firm or any of its principals for violations of any state or federal law within the past five (5) years. **Part C** of Schedule E is divided into three (3) subparts. **Section 1 of Part C** requires a complete listing of **all litigation** involving a construction project or contract (excluding personal injury and workers' compensation) whether currently pending or concluded within the past five (5) years in which the respondent firm was a named party. **Section 2 of Part C** requires a complete listing of all **administrative proceedings** involving a construction project or contract, whether currently pending or concluded within the past five (5) years, in which the respondent firm was a named party. (**NOTE: Administrative Proceedings** shall include: (i) any action taken or proceeding brought by a governmental agency, department, or officer to enforce any law, regulation, code, legal, or contractual requirement, except for those brought in state or federal courts; (ii) any action taken by a governmental agency, department, or officer imposing penalties, fines, or other sanctions for failure to comply with any such legal or contractual requirement, or (iii) any other matter before an administrative body; (iv) and any injunctions imposed by the respondent against any owner for any reason for projects listed and projects not listed in this response). **Section 3 of Part C** requires a complete listing of all **arbitrations and/or mediations** involving a construction project or contract, whether currently pending or concluded in the past five (5) years, in which the respondent firm was a named party. Include information from the resulting determination. **The respondent must disclose and list in this section, any legal proceeding described in this section, for any entity which the respondent is in any way related, and any entity which owner or principal of the respondent had any interest in. These disclosures must be listed in Schedule E.** Joint Ventures must complete all parts and subparts of Schedule E for each individual Joint Venture partner.
6. Safety Record: Respondent **must provide** its experience modifier for the past three (3) years by writing it in on the SOQ in the space provided on **Schedule F** to the SOQ and attach documentation from its insurance carrier of its Workers' Compensation Experience Modifier for the past three (3) years. Include information on all Workmen's Compensation claims within the past five (5) years for all claims resolved, unresolved, negotiated, currently under negotiation, settled, and pending resolution with explanation for each claim. Include subcontractor claims where the applicant is named in the claim. Joint Ventures must complete a Schedule F for each individual Joint Venture partner.
7. MBE/WBE and Workforce Compliance Record: Respondent **must complete Schedule G** attached to the SOQ below providing information on the firm's compliance record with respect to Minority Business Enterprise and Women's Business Enterprise participation percentages and workforce inclusion percentages for each and every project completed within the past five (5) years that had contractual MBE/WBE participation percentages or minority and women workforce percentages. In addition, respondent **must attach** documentation provided by the project owner or Owner Project Manager supporting the actual participation and inclusion

amounts it reports on Schedule G. Joint Ventures must complete a Schedule G for each individual Joint Venture partner.

8. Audited Financial Statement: Respondent **must attach at Schedule H** to the SOQ a complete copy of its audited financial statement for the most recent fiscal year. Joint Ventures must complete a Schedule H for each individual Joint Venture partner.
9. Respondent must provide a list of at least five (5) credit references.
10. Letter from Surety Company Evidencing Bonding: Respondent **must attach at Schedule I** to the SOQ a letter from a surety company that is licensed to do business in the Commonwealth of Massachusetts and whose name appears on United States Treasury Department Circular 570 on the surety companies letterhead (or a letter from a surety agent with attorney in fact authority and an original power of attorney accompanying the letter) confirming that it will provide respondent firm with payment and performance bonds on the Project in an amount equal to or greater than 110 percent of the upper limit of the estimated construction cost of the Project. This letter can either reference the Joint Venture's bonding or submit separate letters from each individual Joint Venture partner.
11. Certificate of Eligibility and Update Statement: Respondent **must attach at Schedule J** to the SOQ **both i)** a current **Certificate of Eligibility** (issued by DCAM) showing respondent is certified in General Building Construction with appropriate single project limits and aggregate limits based on the upper limit or greater of the estimated construction cost as set forth above, **and ii)** a completed **Update Statement, on the current form of Update Statement available on DCAM's website**. Joint Ventures which are not yet DCAM certified as a Joint Venture must submit a Certificate of Eligibility and Update Statement for each individual Joint Venture partner.
12. Examples of Project Management Reports and Operating Philosophy: Respondent **must attach at Schedule K** specific examples (no more than 3) of Project Management Reports that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A. In addition, respondent **may**, at its option, include a brief statement of its operating philosophy. If information on respondent's operating philosophy is contained in its Executive Summary attached at Schedule B, the information should not be repeated at Schedule K, but can be referenced.
13. Examples of Prior Experience on Sustainable Construction and LEED certified buildings: Respondent **must complete Schedule L** attached to the SOQ below, listing prior similar project experience involving sustainable construction using Massachusetts Certified High Performance Schools and/or LEED certified buildings, including current contact information for the Owner, Designer, and Owner Project manager for each and every project listed. Joint Ventures must complete a Schedule L for each individual Joint Venture partner.
14. Provide examples if any, of Building Information Modeling (BIM) documents: Respondent **Must complete Schedule M** attached to the SOQ below with examples of BIM coordination, logistic, and planning documents used by the respondent on previous projects. List those projects and the depth of usage of BIM software. Include information on whether the process was performed internally or outsourced.

15. Lists of Projects currently in Process with estimated completion dates including identification of any management (field or project management) personnel on current projects which may be proposed for the Fuller Middle School project, Completed Projects and Certification Page from most recent DCAM Application for Certification: **Respondent must attach at Schedule N a copy of those portions of the most recent application for DCAM certification that contains the listings of respondent's Projects in Process and its Completed Projects.** Specifically, respondent must submit copies of 1) Section F. Projects in Process (including estimated construction volume for the next two years); 2) Section G. Completed Projects for the last three years; and, 3) a copy of the signed and dated final page, Section J. Certification, showing the date the application for certification was submitted to DCAM, all copied from their most recent Application for Prime/General Contractor Certificate of Eligibility submitted to DCAM's Certification Office.

C. Evaluation Criteria for Selection

The respondent must submit all of the information and documentation listed in this RFQ. Selection of the respondent for Phase One, the prequalification process will be based on the submitted information and materials, information on prior project performance, information obtained from references (including credit references), information obtained from governmental agencies and entities, information contained within DCAM certification files, and such other information as may be obtained, including information from Architects, Owners, Owner Project Managers, other School Building Committees or other town or city departments, and Engineers, from projects listed and/or not listed in your response to this RFQ. Respondents must include the CM at Risk Statement of Qualifications Response Form and all of the materials required for Schedules A through N. Respondents must give complete and accurate answers to all questions and provide all of the information requested. Altering the text of the forms or schedules in any way or making any false or misleading statement and/or omission in this submission is grounds for rejecting a Statement of Qualifications submission and may subject the respondent to other civil or criminal penalties.

1. Certification, Capacity and Bonding

a. Required Construction Manager at Risk Experience

All respondents must have prior experience as a CM. In addition this firm must have constructed schools of similar cost, complexity, type and size, including phasing and adjacency to an occupied school under M.G.L. ch.149A (CM) procurement.

The prior CM at Risk experience **must be** on projects with a total construction cost in an amount similar or larger than the estimated upper limit of the total construction cost of this Project and **must be** on projects that achieved MA-CHPS or LEED certification.

b. Bonding Capacity

The respondent **shall provide evidence of bonding capability** in an amount equal to or greater than 110 percent of the upper limit or greater of the estimated construction cost for this Project (as set forth in the General Information section above). The evidence of bonding capability shall be in the form of a letter from the surety company (or a surety agent with attorney in fact authority and an original power of attorney accompanying the letter). The surety company must be a surety licensed to do business in the Commonwealth of Massachusetts and whose name appears on the United States Treasury Department Circular 570.

c. DCAM Certification – Copy Form CQ7

The respondent **shall provide a copy of a current Certificate of Eligibility** (Form CQ7) issued by DCAM showing respondent is DCAM certified in General Building Construction with a single project limit in an amount equal to, or greater than the upper limit or greater of the estimated construction cost for this Project (as set forth in the General Information section above).

To submit a proposal in response to this RFQ, a Respondent, whether an individual firm or a Joint Venture, **must be certified in General Building Construction** by DCAM for a single project limit in the amount of the upper limit or greater of the Estimated Construction Cost set above for the Project or greater and must also be within the aggregate limit of its DCAM Certificate of Eligibility (Form CQ7), and a copy of the Respondent's current DCAM Certificate of Eligibility must be included in the SOQ. Note, however, that a Joint Venture team must be certified in General Building Construction by DCAM for a single project limit in the amount of the upper limit or greater of the Project Estimated Construction Cost or greater and must also be within the aggregate limits of its DCAM Certificate of Eligibility, a copy of which must be included in the SOQ at the time it submits its RFQ. If a respondent to the RFQ is a proposed Joint Venture ("JV") that is newly formed or is not currently certified, then i) each party to the proposed Joint Venture must be individually certified by DCAM and must submit a copy of its DCAM Certificate of Eligibility with its SOQ; ii) the JV respondent must state in the SOQ that it will seek Certification from DCAM as a Joint Venture in the category of General Building Construction for the required limits, and state that it understands and agrees that if JV respondent is selected to participate in the RFP phase it will be required to submit a DCAM Certificate of Eligibility for the Joint Venture with its response to the RFP; iii) at least one of the parties of the Joint Venture must be certified by DCAM in the category of General Building Construction for a single project limit in the amount of the upper limit or greater of the Estimated Construction Cost for the Project and must be within the aggregate limits of its Certificate of Eligibility at the time the SOQ is submitted; and iv) the JV respondent shall provide evidence satisfactory to the City of Framingham of bonding capacity, in the form set above and satisfactory to the City of Framingham, for the proposed Joint Venture in the amount equal to or greater than 110 percent of the upper limit of the Estimated Construction Cost for the Project. In the second phase of the selection process the RFP phase, a JV respondent that has been selected in the RFQ process, will be required to have obtained a DCAM Certificate of Eligibility for the Joint Venture and must submit its DCAM Certificate of Eligibility for the Joint Venture meeting the above requirements with its proposal in response to the RFP.

For certification forms and additional information see DCAM's website:
(<http://www.state.ma.us/cam/dlforms/eligible.pdf>)

Or contact the Certification Office at:

DCAM Contractor Certification Office
One Ashburton Place
Boston, Massachusetts 02108
Telephone Number (617)727-4050 ext. 415

d. DCAM Update Statement – Use Form CQ3

A complete and signed update statement must be submitted as part of the SOQ. For the City of Framingham's analysis of the Aggregate Work Limit for this RFQ, the Estimated Construction Cost for the project as set forth above will be used with a construction duration for the Project as set forth above. The City of Framingham will compare the above numbers with the respondent's current annualized value of all incomplete work to determine eligibility within the Aggregate Work Limit.

If a respondent to the RFQ is a proposed Joint Venture and the proposed Joint Venture is not yet certified, then: i) each party to the proposed Joint Venture must be certified by DCAM and each must submit its own signed update statement (Form CQ3) as part of its SOQ; ii) at least one of the parties to the Joint Venture must be certified by DCAM in the category of General Building Construction for a single project limit equal to or greater than the upper limit of the Estimated Construction Cost of the Project and must be within the aggregate limits of its Certification of Eligibility. When the second phase of the selection process is undertaken through an RFP, a Joint Venture respondent that has been selected in the RFQ process will be required to submit its Certificate of Eligibility for the Joint Venture meeting the above requirements with its proposal to the RFP.

For the required Update Statement Form and individual information see DCAM website:
(<http://www.state.ma.us/cam/dlforms/eligible.pdf>)

Or contact the Certification Office at:

DCAM Contractor Certification Office
One Ashburton Place
Boston, Massachusetts 02108
Telephone Number (617)727-4050 ext. 415

Firms meeting the minimum experience criteria set forth above, submitting a completed SOQ with Schedules and required attachments and the required Certificate of Eligibility, Update Statement Tax Compliance Certificate, and letter evidencing bonding capacity will be evaluated on the following criteria:

- **Prior Similar Project Experience.** Respondent's ability to demonstrate that they possess the capability, capacity and experience to perform construction management services for

a project of the size and scope of the Project and on the terms set forth in this RFQ, including specifically the advisory services required for the Pre-Construction Phase and the construction, management, oversight and cost control services required during the Construction Phase. **In addition this firm must have constructed schools of similar cost, complexity, type and size, including phasing and adjacency to an occupied school under M.G.L. ch.149A (CM) procurement.**

- Management Team and Organization for the Project. Respondent's ability to demonstrate that the proposed Project Superintendent, Project Manager and Team possess the capability, capacity and experience with projects of similar size, scope and delivery method are qualified to meet the specific requirements of this Project.
- Respondent's ability to demonstrate an understanding of Project goals, particularly the quality standards required, the dates for substantial completion of each phase, and an ability and commitment to meet those goals and dates.
- Respondent's references from Owners, for projects listed and/or not listed in your response to this RFQ as well as with Architects, Owner Project Managers, other town's School Building Committees or other town or city departments, and or Engineers indicating that they have completed work similar to the project for which this Proposal is being submitted in a satisfactory and timely manner. If delays occurred, evidence explaining and exonerating the Respondent shall also be provided.
- Respondent's record of harmonious, cooperative, non-adversarial and honest relationships with Owners for projects listed and/or not listed in this RFQ as well as with Architects, Owners Project Managers, from other town's School Building Committees, or other town or city departments, and Engineers, Consultants, Subcontractors and Suppliers on the current and prior projects.
- Financial Status
- Prior Project Experience, including quality of performance on prior projects
- Litigation and Performance/Termination History/Mediation
- Safety Record
- Volume of current work.
- History of Compliance with MBE/WBE participation and workforce percentages
- Quality of performance on prior projects
- Reference Information
- Experience with sustainable construction MA-CHPS and LEED-certified buildings
- Similar projects with phasing and experience, if any, with schools operating on site during construction
- Experience with utilization of BIM.

Respondents are urged to confirm the contact information of their references, both project and credit, before providing contact info. Lack of response from references may affect the review.

As provided by law, the School Building Committee decision on prequalification shall be final and binding and shall not be subject to appeal except on grounds of arbitrary and capriciousness, fraud or collusion.

CM AT RISK RFQ INTEREST FORM
(For Submission to City of Framingham Immediately)

Instruction: If your firm is interested in responding to this RFQ for Prequalification of CM at Risk firms for this Project then you MUST fill out this CM at Risk RFQ Interest Form and submit it to **City of Framingham** by facsimile, mail or email as soon as possible and **BEFORE** you submit your response to the RFQ. Please note that this form may be faxed, mailed, or emailed to the **City of Framingham**. However the Statement of Qualifications (“SOQ”) with all required forms, attachments, supporting documentation and information submitted in response to this RFQ, can not be faxed, it must be either hand-delivered or mailed to **City of Framingham**, and be received by the time and date set forth in the RFQ.

Awarding Authority: **City of Framingham**

Project Title: **Fuller Middle School**

Mail, Fax or Email this CM at Risk RFQ Interest Form to:

***City of Framingham
c/o Purchasing and Procurement Department
Attn: Jennifer Pratt, MCPPO, Assistant Chief Financial Officer
and Chief Procurement Officer
150 Concord Street, Room 123
Framingham, Massachusetts 01702
Fax: 508-532-5445***

By submitting this CM at Risk RFQ Interest Form the below identified firm is expressing its interest in the above-referenced public building project and is requesting that it be added to the list of firms that will receive any addenda to the RFQ on the Project. **City of Framingham assumes no responsibility for a firm’s failure to receive any addenda or other correspondence related to this RFQ due to the firm’s failure to submit an RFQ Interest Form to City of Framingham as directed above, or for any other reason.**

Firm Name _____

Address _____

Telephone _____

Fax Number _____

Email address _____

By: _____
(Signature of Authorized Representative)

(Print Name/Title)

Date

STATEMENT OF QUALIFICATIONS SUBMISSION CHECKLIST
for Prequalification of CM at Risk Firms

PLEASE NOTE THAT INCOMPLETE OR LATE STATEMENTS OF QUALIFICATION FOR CM at RISK PREQUALIFICATION WILL NOT BE CONSIDERED. THEREFORE, BEFORE SUBMITTING YOUR FIRM'S RESPONSE TO THIS RFQ PLEASE REVIEW THE FOLLOWING:

- Respondent has hand-delivered or mailed its CM at Risk RFQ Interest Form.
(If not, see form in this RFQ package, fill it out and hand deliver or mail it immediately.)
- Respondent completed the SOQ Form and all schedules and attachments in their entirety.
- Respondent has completed *Schedules A through N* and attached required documentation (i.e., resumes of all management personnel, organizational chart, commitment letter from bonding company, letter evidencing workers compensation experience modifier, letter from Project Owner and/or Owner Project Manager documenting prior MBE/ WBE participation sample firm project management reports, etc.).
- Respondent has submitted current DCAM Certificate of Eligibility.
- Respondent has submitted complete Update Statement.
- Respondent has submitted Audited Financial Statement.
- Respondent has submitted Certificate of Tax Compliance
- Respondent submission package includes one (1) original and nine (9) complete bound copies, one (1) set of financials in a separate envelope, and one (1) complete electronic copy on a disk (without the Financials)
- Respondent has provided current contact information for its firm and all of its project Contacts/references, etc.
- Respondent addressed the SOQ envelope correctly (i.e., to reference the Project and other required information set forth herein).

CM at Risk Statement of Qualifications Form (SOQ)

Firm Name: _____

Mailing Address: _____

Street Address (if different from mailing address): _____

Telephone Number: _____ Fax Number: _____

E-mail Address _____

Contact Person: _____ Title: _____ Email: _____

Firm acknowledges Addenda numbered _____ (list all)

- A. Qualifications Application:** Respondent **MUST** complete the CM at Risk Qualifications Application **Schedule A** attached below. Joint Ventures must provide information about each of the Joint partners.
- B. Executive Summary:** Respondent **MUST attach as Schedule B** to the SOQ a cover letter or executive summary detailing the key elements and factors that differentiate the respondent firm from other firms. Joint Ventures must provide information about the nature of the Joint Venture including the approximate percentage participation by each Joint Venture partner and the division of responsibility among the Joint Venture partners. This letter/executive summary should not exceed six (6) pages.
- C. Management Personnel and Project Organizational Chart:** Respondent **must complete Schedule C** attached to the SOQ below, and **MUST attach at Schedule C both:** **i)** an organizational chart which includes amount of time each person has been with the firm, the approximate percentage of time that each member will be assigned to the project **and ii)** a resume for each and every person who will have **any** management responsibility, direct or indirect, for the Project, including but not limited to project executives, project managers, field superintendents, field engineers, safety personnel, MEP coordinators & managers, project engineers and LEED coordinators. Joint Ventures must identify the company that employs each individual listed. The Construction Manager agrees that all personnel identified on the organization chart shall be available for the Pre-construction and Construction phases of the work and shall not replace any previously approved personnel without the prior consent of the School Building Committee and/or OPM.
- D. Similar Project Experience:** Respondent **MUST complete Schedule D** attached to the SOQ below, listing similar projects the firm has completed during the last five (5) years. The first part of Schedule D requests information for similar projects that used the construction manager at risk

delivery method and the second part of Schedule D requests information on similar projects in general. For each project, respondent must include the name of the project, location, description of project, description of respondent firm's scope of work, original contract sum, final contract sum (with explanation), date completed and the name, organization, address and telephone contact information for the Owner, Owner's Project Manager, and project architect for each such project. For the purpose of this RFQ, "similar projects" shall mean projects where the construction cost is for an amount similar to or greater than the upper limit of the estimated construction cost of this Project; projects completed under M.G.L. 149A procurement, projects of similar size, complexity, type or scope including phasing, and adjacency to an occupied school, the projects achieving MA-CHPS or LEED certification. The respondent may list only projects that the respondent has completed, they may not list what an affiliate or predecessor of the respondent completed. Joint Ventures must complete a Schedule D for each individual Joint Venture partner.

- E. Termination and Legal Proceedings:** Respondent **must complete Schedule E** (all parts and subparts) attached to the SOQ below. **Part A** of Schedule E requires a complete listing of each and every project on which the respondent firm was **terminated or failed to complete** the work within the past five (5) years. **Part B** of Schedule E requires a complete listing of any **convictions or fines** incurred by the respondent firm or any of its principals for violations of any state or federal law within the past five (5) years. **Part C** of Schedule E is divided into three (3) subparts. **Section 1 of Part C** requires a complete listing of **all litigation** involving a construction project or contract (excluding personal injury and workers' compensation) whether currently pending or concluded within the past five (5) years in which the respondent firm was a named party. **Section 2 of Part C** requires a complete listing of all **administrative proceedings** involving a construction project or contract, whether currently pending or concluded within the past five (5) years, in which the respondent firm was a named party. (**NOTE: Administrative Proceedings** shall include: (i) any action taken or proceeding brought by a governmental agency, department, or officer to enforce any law, regulation, code, legal, or contractual requirement, except for those brought in state or federal courts; (ii) any action taken by a governmental agency, department, or officer imposing penalties, fines, or other sanctions for failure to comply with any such legal or contractual requirement, or (iii) any other matter before an administrative body; (iv) and any injunctions imposed by the respondent against any owner for any reason for projects listed and projects not listed in this response). **Section 3 of Part C** requires a complete listing of all **arbitrations and/or mediations** involving a construction project or contract, whether currently pending or concluded in the past five (5) years, in which the respondent firm was a named party. Include information from the resulting determination. **The respondent must disclose and list in this section, any legal proceeding described in this section, for any entity which the respondent is in any way related, and any entity which owner or principal of the respondent had any interest in. These disclosures must be listed in Schedule E.** Joint Ventures must complete all parts and subparts of Schedule E for each individual Joint Venture partner.

- F. Safety Record:** Respondent **MUST provide** its experience modifier for the past three (3) years by writing it in on the SOQ in the space provided on **Schedule F** to the SOQ and attach documentation from its insurance carrier of its Workers' Compensation Experience Modifier for the past three (3) years. Include Information on all Workmen's Compensation claims within the past five (5) years for all claims resolved, unresolved, negotiated, currently under negotiation, settled, and pending resolution with explanation for each claim. Include subcontractor claims where the applicant is named in the claim. Joint Ventures must complete a Schedule F for each individual Joint Venture partner.

<u>Year</u>	<u>Workers Compensation Experience Modifier</u>
_____	_____
_____	_____
_____	_____

- G. MBE/WBE and Workforce Compliance Record:** Respondent **MUST complete Schedule G** attached to the SOQ below providing information on the firm's compliance record with respect to Minority Business Enterprise and Women's Business Enterprise participation percentages and workforce inclusion percentages for each and every project completed within the past five (5) years that had contractual MBE/WBE participation percentages or minority and women workforce percentages. In addition, respondent **MUST attach** documentation provided by the project owner or Owner Project Manager supporting the actual participation and inclusion amounts it reports on Schedule G. Joint Ventures must complete a Schedule G for each individual Joint Venture partner.
- H. Audited Financial Statement:** Respondent **MUST attach** at **Schedule H** to the SOQ a complete copy of its audited financial statement for the most recent fiscal year. Joint Ventures must attach a Schedule H for each individual Joint Venture partner. **Respondent MUST provide a list of at least five (5) credit references.**
- I. Letter for Surety Company Evidencing Bonding:** Respondent **MUST attach** at **Schedule I** to the SOQ a letter from a surety company that is licensed to do business in the Commonwealth of Massachusetts and whose name appears on United States Treasury Department Circular 570 on the surety companies letterhead (or a letter from a surety agent with attorney in fact authority and an original power of attorney accompanying the letter) confirming that it will provide respondent firm with payment and performance bonds on the Project in an amount equal to or greater than 110 percent of the upper limit of the estimated construction cost of the Project. This letter can either reference the Joint Venture's bonding or submit separate letters for each individual Joint Venture partner.
- J. Certificate of Eligibility and Update Statement:** Respondent **MUST attach** at **Schedule J** to the SOQ **both i)** a current **Certificate of Eligibility** (issued by DCAM) showing respondent is certified in General Building Construction with appropriate single project limits and aggregate limits based on the upper limit or greater of the estimated construction cost as set forth above, **and ii)** a completed **Update Statement on the current form of Update Statement available on**

the DCAM website (www.mass.gov/dcam/certification). Joint Ventures which are not yet DCAM certified as a Joint Venture must submit a Certificate of Eligibility and Update Statement for each individual Joint Venture partner.

- K. Examples of Project Management Reports and Operating Philosophy:** Respondent **MUST attach at Schedule K** specific examples (no more than 3) of Project Management Reports that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A. In addition respondent **may**, at its option, include a brief statement of its operating philosophy. If information on respondent's operating philosophy is contained in its Executive Summary attached at Schedule B, the information should not be repeated at Schedule K, but can be referenced.
- L. Examples of Prior Experience on Sustainable Construction and LEED—Certified Buildings:** Respondent **must complete Schedule L** attached to the SOQ below, listing prior similar project experience involving sustainable construction using Massachusetts Certified High Performance Schools and/or LEED certified buildings, including current contact information for the Owner, Designer, and Owner Project manager for each and every project listed. Joint Ventures must complete a Schedule L for each individual Joint Venture partner.
- M. Provide examples if any, of Building Information Modeling (BIM) documents:** Respondent **Must complete Schedule M** attached to the SOQ below with examples of BIM coordination, logistic, and planning documents used by the respondent on previous projects. List those projects and the depth of usage of BIM software. Include information on whether the process was performed internally or outsourced.
- N.** Respondent **MUST** attach the Lists of Projects currently in Process, with estimated completion dates including identification of any management (field or project management) personnel on current projects which may be proposed for the Fuller Middle School project, Completed Projects and Certification Page from most recent DCAM Application for Certification: **Respondent must attach at Schedule N a copy of those portions of the most recent application for DCAM certification that contains the listings of respondent's Projects in Process and its Completed Projects.** Specifically, respondent must submit copies of 1) Section F. Projects in Process (including estimated construction volume for the next two years); 2) Section G. Completed Projects for the last three years; and, 3) a copy of the signed and dated final page, Section J. Certification, showing the date the application for certification was submitted to DCAM, all copied from their most recent Application for Prime/General Contractor Certificate of Eligibility submitted to DCAM's Certification Office

Failure to accurately and completely provide the information requested may result in the disqualification of a respondent.

Respondents are urged to confirm the contact information of their references, both project and credit, before providing contact info. Lack of response from references may affect the review.

This form **MUST** be signed by an officer of the firm or an individual so authorized by an officer of the firm who has personal knowledge regarding the information contained herein and submitted with the SOQ.

To the City of Framingham:

The undersigned declares that he or she has carefully examined all the documents contained in the CM at Risk Request for Qualifications (RFQ) solicitation for **Fuller Middle School, Framingham, Massachusetts**, and certifies to the best of his/her knowledge, that this Statement of Qualifications fully complies with all of the requirements of the RFQ and all addenda and clarifications issued in regard to the RFQ.

The undersigned further certifies that he or she (or, if he or she is the authorized representative of a company, the company) is the only person interested in this Statement of Qualifications and any subsequent proposal; that is made without any connection with any other person making any submission for the same work; that no person acting for, or employed by, the City of Framingham is directly or indirectly interested in this Statement of Qualifications or any subsequent proposal, or in any contract which may be made under it, or in expected profits to arise therefrom; that the undersigned Respondent has not influenced or attempted to influence any other person or corporation to file a Statement of Qualifications or subsequent proposal or to refrain from doing so or to influence the terms of the Statement of Qualifications or any subsequent proposal of any other person or corporation; and that this submission is made in good faith without collusion or connection with any other person applying for the same work.

The undersigned further certifies under pains and penalties of perjury that the undersigned is not debarred from doing public construction work in the Commonwealth of Massachusetts under the provisions of section Twenty Nine F of Chapter Twenty Nine, or any other applicable debarment provision of any other chapter of the General Laws or any rule or regulation promulgated thereunder, and further is not debarred from doing public construction work under any law, rule or regulation of the federal government.

The undersigned states that he or she has carefully examined all of the information provided and representative made in this Statement of Qualifications and the documents submitted with the SOQ including all schedules, forms and materials, and certifies to the best of his/her knowledge, that this Statement of Qualifications in its entirety is complete, true and accurate and has been submitted in good faith without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY

Signature: _____
(Signature of Authorized Representative)

Name: _____

Title: _____

Firm Name: _____

Date: _____

CERTIFICATE OF STATE TAX COMPLIANCE

Pursuant to Massachusetts General Laws, Chapter 62C, Section 49A,
 _____, authorized signatory for
 name of signatory _____, whose
 _____ contractor
 principal place of business is at _____,
 _____ does hereby certify under the pains and penalties of perjury that
 _____ contractor has paid all
 Massachusetts taxes and has complied with all laws of the Commonwealth of Massachusetts relating to
 taxes, reporting of employees and contractors, and withholding and remitting child support.

Signature required

Federal Identification No. of _____ contractor : _____ number

DRAFT