

RPL George Bothwell Branch Renovations

Request for Proposal

Construction Management Services

Date: November 6th , 2015

**RPL GEORGE BOTHWELL BRANCH RENOVATIONS
RFP – CONSTRUCTION MANAGEMENT SERVICES**

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1.0 INVITATION

Regina Public Library (RPL) has identified the need for, and has prepared a schematic design for renovating the George Bothwell Branch identified as the RPL George Bothwell Branch to be located on the leased premises of the Southland Mall, Regina, Saskatchewan.

RPL is soliciting written responses (a “Proposal”) through this Request for Proposals (“RFP”) from qualified firms to provide construction management services (the “Construction Manager,” “Construction Management Firm” or “Proponent”) with respect to the planning and construction of RPL George Bothwell Branch Renovations.

1.1 GENERAL OBJECTIVE

The primary objective of the RFP is to enable RPL to select and engage the services of a qualified Construction Management Firm, which will work with a Project Management Team established by RPL (the “Project Management Team”) by undertaking all or some of the following activities as directed by RPL (the “Services”):

- Participate in pre-construction master planning & design activities;
- Provide value engineering analysis and research;
- Prepare cost control/budgeting estimates;
- Develop the Project construction schedule;
- Participate in the development of contracting strategies;
- Manage the progressive tendering process;
- Coordinate and manage all construction activities;
- Engage trade contractors directly by way of sub-contractor agreements;
- Undertake own forces work where requested by RPL;
- Participate in the commissioning process; and
- Provide warranty services.

To accomplish this general objective, the RFP shall include the following three-stage evaluation process conducted by persons appointed for such purposes by RPL:

- Stage I – Screening – This stage will include a screening of Proposals to ensure compliance with the requirements of the RFP;
- Stage II – Detailed Evaluation – This stage will involve a detailed evaluation and ranking of only those Proponents that pass Stage I; and
- Stage III – Interview – This stage will involve interviews with Proponents who have been short-listed as a result of the detailed evaluation conducted in Stage II.

For more information on the Detailed Evaluation Criteria, please refer to Appendix A.

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2.0 AN OVERVIEW OF THE RPL GEORGE BOTHWELL BRANCH RENOVATION

The RPL George Bothwell Branch is a high traffic, net-return branch that mainly serves south Regina neighbourhoods. The existing George Bothwell Branch was originally constructed in 1994 as an addition to the Southland Mall. The scope includes the renovation of 13,386 sq.ft. the existing library space and 3,287 sq.ft. of expansion space comprised of two adjacent retail bays. The retail bays are to be leased to RPL beginning February 1, 2016 with the lease of the entire space running until the end of 2024. The renovation and additional expansion space is intended to provide a remodeled branch to accommodate current library functions, address key operational and service needs and explore opportunities to provide additional services and programming. Project completion is targeted for August 2016.

2.1 PROJECT SCOPE

The RPL George Bothwell Branch Renovation (the Project) may include, but will not necessarily be restricted to or comprised of the following physical components:

- Removal of existing partitions, fixtures and millwork;
- Removal of existing floor, wall and ceiling finishes;
- Selective demolition of demising wall between existing space & service corridor which separates the existing Library and the retail bays;
- Selective demolition of exterior walls to provide new window & door openings;
- Replacement of mirrored exterior glazing with new glazing into existing frames;
- Selective floor trenching in structural slab (existing space) and slab on grade (expansion space) to suit new plumbing & electrical layouts;
- Install of fully reconfigured and updated washrooms including a new location for a centralized washroom bank;
- Install of new storefront glazing and book security gates at existing library entrance;
- New store frontage within the Southland Mall;
- Install of new floor, wall, ceilings, millwork & acoustic treatments;
- Coordination of systems furniture installation;
- Install of new wiring, power & data throughout for technology purposes;
- Install of new energy efficient lighting throughout;
- Full adjustment of existing heating, cooling & ventilation systems to improve used comfort;
- Modification of existing sprinkler systems to suit new layout.

Note on Expansion Space:

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Prior to the commencement of work, the Mall Landlord (the Landlord) will be responsible for the removal of existing partitions, plumbing and electrical fixtures and floor, wall & ceiling finishes, including the removal of the demising wall between the two retail bays. The Landlord will also remove the existing wall between retail bays and service corridor at the north end of existing Library to facilitate the new connection between the existing library and the expansion space.

It is intended that the Project scope will be accomplished through a phased construction approach developed by the Project Management Team and RPL in consultation with the Construction Manager whereby key components of the Project are delivered for occupancy and use in a phased manner based on pre-determined requirements and targeted time frames.

2.2 LOCATION

The Project is to be built at Southland Mall 2965 Gordon Road, Regina, Saskatchewan, S4S 6H7.

2.3 SCHEDULE

This initiative will require an aggressive Project schedule, which will include a progressive tendering environment and phased completion and delivery of key components of the Project.

The Project is to be planned, designed and constructed by August 2016. The tentative Project schedule includes the commencement of construction in 2016, phased occupancy, with the complete RPL George Bothwell Branch opening in August 2016. Design development and contract document production are to commence concurrently.

Immediately upon engagement, the successful Proponent will begin the process to engage the services of the primary subcontractors on a construction management basis, working in concert with the Project Management Team and RPL.

2.4 BUDGET

Preliminary cost models estimate the overall costs at \$2.98M Canadian. This is a total Project cost and is intended to include such costs as construction management fees, construction contingency, equipment and parking facilities costs. It is estimated that the construction costs comprise approximately 77.5% percent of the overall Project costs. These are only preliminary estimates and may fluctuate up or down depending upon a number of factors, including which components of the Project proceed.

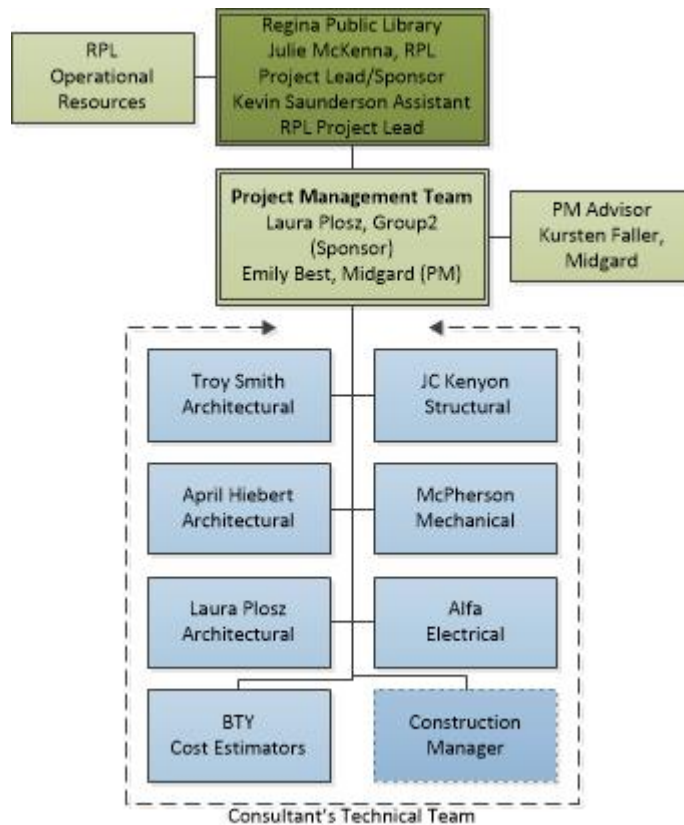
2.5 PROJECT MANAGEMENT TEAM

RPL has established a Project Management Team under the direction of Group 2 Architecture and Midgard Project Management Ltd. The Project Management Team will represent RPL in all design and construction matters relating to the Project. The Construction Manager will report to the Project Management Team throughout the duration of the Project.

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The Project administrative structure is proposed to be as follows:

RPL George Bothwell Branch Renovations – Organizational Chart



3.0 EXPECTATIONS & OBJECTIVES

To achieve the design, construction and operational objectives, the Project Management Team expects:

- The pursuit of innovative approaches and strategies in the planning, design, and construction processes;
- A highly cohesive and positive team approach;
- Programmers, building designers, the Construction Manager, and the primary subcontractors to use innovative thinking in defining:
 - the composition and organization of internal components;
 - the selection of building materials;
 - the delivery of the Construction Management Services;
 - the use of construction means and methods; and
 - the undertaking and completion of the Work.

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4.0 CONSTRUCTION MANAGEMENT SCOPE OF SERVICES

4.1 SUMMARY SCOPE OF SERVICES

The Construction Manager shall provide the Services for all stages of the Project as outlined in this RFP and as identified by RPL. It is intended that the Construction Manager shall perform those Services required to complete the Pre-Construction Services, or such portion thereof as directed by RPL, before proceeding with any further Services until and unless authorized in writing by RPL. The Construction Manager's scope of Services shall include, but not be limited to or necessarily comprised of the following until authorized by RPL to proceed:

- Participate in pre-construction master planning & design activities;
- Provide value engineering analysis and research;
- Prepare cost control/budgeting estimates;
- Develop the Project construction schedule;
- Participate in the development of contracting strategies;
- Manage the progressive tendering process;
- Coordinate and manage all construction activities;
- Engage trade contractors directly by way of sub-contractor agreements;
- Undertake own forces work where requested by RPL;
- Participate in the commissioning process; and
- Provide warranty services.

4.2 PRE-CONSTRUCTION SERVICES

The Construction Management Firm, under the direction of the Project Management Team will:

- Prepare a detailed cost plan estimate based on the program and preliminary design information available;
- With the Project Management Team, refine the scope of work throughout the design development phase to ensure construction costs remain within the approved Project budget constraints;
- Develop budget estimates for the following: design development; mid-January (50% construction drawings); and pre-tender.
- Develop a realistic schedule of activities based on the needs of RPL;
- Develop contracting strategies to respond to the Project construction schedule and budget needs;
- Assist with value engineering to maximize 'value for money', including researching alternative systems, building materials and construction methods;
- Participate in the development of outline specifications identifying building and civil components (site utilities and roadways), architectural, structural, mechanical and electrical systems;

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- With the participation of the Project Management Team, submit documentation for the City of Regina building permit process;
- Develop a schedule for progressive tendering to assist the Project Management Team with the timely development of contract documents; and
- Prepare pre-tender reports for all major tender packages comprising of a brief scope of work for all disciplines and a budget cost summary.

4.3 TENDERING STAGE

The Construction Manager will call for and manage all aspects of the sub-trade tendering process. The tendering process will be 'transparent' and on an 'open-book' basis. The Construction Manager's responsibilities will include, but not be limited to the following:

- For construction management obtaining firm price, unit price or other as agreed by Project Manager and Construction Manager;
- Pre-qualifying sub-trades and trade contractors;
- Preparing & issuing the required progressive tendering documents;
- Coordinating responses to bidders' queries;
- Issuing and tracking of addenda;
- Calling for, receiving and recording bid submissions;
- Reviewing and analyzing bids and preparing award recommendations with the Prime Consultant team; and
- Supporting the Project Management Team in preparing a post-tender report comprising of a bid summary, exceptions, list of alternative/separate prices to be accepted and bid recommendations.

4.4 CONSTRUCTION SERVICES

During the construction stage, the responsibilities of the Construction Management Firm will include, but not be limited to or necessarily comprised of the following:

- Providing services and associated materials including but not limited to the following:
 - site hoarding;
 - clean-up and construction site preparation;
 - waste disposal;
 - supply and maintenance of temporary project offices;
 - supply and maintenance of computers, photocopier, fax at the project office;
 - supply and maintenance of temporary toilet facilities;
 - hoisting;
 - supply of temporary services, including telephone, electrical power, heating, natural gas and potable water to the construction site; and

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- miscellaneous items for which a sub-contract bid is not usually called, including rough carpentry and assistance to other trades;
- Engaging trade contractors directly by way of subcontract agreements and managing all aspects of such subcontracts;
- Instituting a Project site safety program and ensure all contractors, sub-contractors and trades conform to the safety program procedures;
- Coordinating and managing all phases of construction;
- Ensuring all subcontractors are maintaining construction quality, adhering to the Project construction schedule, understanding the requirements of the Contract Documents and conforming to RPL policies and procedures regarding safety;
- Providing timely requests for all necessary interpretations and supplementary instructions including request for information, site instructions, notice of change and change orders to the Contract Documents;
- Ensuring that Substantial Performance of the Work and Total Completion of the Work as defined in the Agreement (outlined in Section 8.0) are achieved in a timely manner; and
- Providing the Project Management Team with regular detailed and timely reports regarding Project costs, budgets, schedules and progress.

4.5 COMMISSIONING & OCCUPANCY STAGE

The Construction Manager will cooperate with and assist RPL, the Project Management Team or any designate or agent thereof in developing and carrying out the necessary procedures and plans to ensure the orderly implementation of the building engineering systems during the commissioning and occupancy stage of construction.

4.6 PROJECT CLOSE OUT

At the attainment of Substantial Completion of the Project, or the completion and delivery of any key component or phase thereof portion thereof as required by the Project construction schedule and the Project Management Team, the Construction Manager shall:

- Provide complete and accurate hand-marked as-built drawings, shop drawings, technical information and equipment operating and maintenance manuals to the Project Management Team;
- Submit all operating and maintenance (O&M) manuals on CD-ROM disk using MS Word; and
- Ensure the performance of all warranty obligations and assemble and transfer all extended warranties to RPL.

4.7 WARRANTY PERIOD

The Construction Manager will use all reasonable efforts to ensure that Total Performance of the Work as defined in the Agreement is achieved according to the Project construction schedule and at least six months prior to the end of the one year warranty period. During

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the building warranty period, the Construction Manager shall be available, on site if required, to advise and assist in the rectification of any building construction deficiencies that might arise during the warranty period.

5.0 EVALUATION PROCESS

Submissions will be screened and evaluated by an Evaluation Team appointed by RPL. Interviews will be conducted by a Selection Committee appointed by RPL. Only those Proponents who are short-listed as a result of the evaluation process will be invited to be interviewed. Throughout all phases of the screening, evaluation and selection process, the Evaluation Team or the Selection Committee may, at its discretion:

- Seek additional clarification on any aspect of the Proposal submitted; and
- Perform reference checks as required to verify or clarify the information provided and to obtain additional performance information.

This overall evaluation process shall consist of three stages.

5.1 STAGE I – SCREENING

Written proposals will be screened by the Evaluation Team to ensure compliance with the requirements described in the RFP. Proponents will be required to confirm in writing their agreement to abide by the terms and conditions of the RFP. Proposals considered by RPL not in substantial compliance with the requirements of the RFP may be rejected.

Proposals shall also be screened to ensure they meet the following *minimum* requirements:

- The construction management services must be provided by an experienced team within a full-service and completely staffed local office;
- The Construction Management Firm must have experience with construction management services for library facility or other relevant projects underway or completed within the last five year period;
- The proposed core team, including key personnel, must be dedicated to the Project for its duration and have had experience with and have worked together on library facility or other relevant project(s);
- The Construction Management Firm must have experience with construction management services within a progressive tendering environment for projects underway or completed with a construction cost exceeding \$2 million, adjusted for inflation;
- The Construction Management Firm must demonstrate to RPL that the firm is financially stable to fulfill all obligations of the RFP and the Agreement; and
- The reference checks must attest to the information provided in response to Section 5.1 of this RFP.

Proposals that do not meet these minimum requirements shall be rejected.

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5.2 STAGE II – DETAILED EVALUATION

The Evaluation Team will evaluate the Proposals that pass Stage I using specific pre-defined evaluation criteria described generally in Section 5.0 of this RFP. The criteria will be weighted to determine an overall score to establish a numerical value reflecting the assessed merit of each Proposal. The ratings will be confidential. No totals or scores of such ratings shall be released to any Proponent. The final rating will result in the selection of a short-list of candidates who will advance to Stage III. The complete results of Stage II shall be reported to the Selection Committee.

5.3 STAGE III – INTERVIEW

Interviews with the Selection Committee will be held with Proponents short-listed from Stage II. Interviews are an opportunity for the selected Proponents to demonstrate their expertise and introduce key personnel that will be committed to the Project. It is also an opportunity for the Selection Committee to clarify any questions resulting from the detailed evaluation. No new information may be brought forward by the Proponent.

The Selection Committee shall make the final recommendation to RPL for the preferred Construction Manager. Proposal evaluation results are the property of RPL. RPL does not intend to disclose the evaluation results before, during, or after the RFP process. The decision of RPL with respect to these evaluations is final and will not necessarily be based upon the lowest fee proposed. The selection of the preferred Proponent may lead to contract negotiations, but does not ensure that an Agreement will be awarded and entered into with the preferred Proponent. The successful Proponent's proposal will form part of the Agreement with RPL and will be incorporated by reference.

6.0 RESPONSE GUIDELINES

Proponents may submit a Proposal that includes affiliations with other firms, which will complement or augment the Construction Manager's core skills, experience and expertise (the "Construction Management Team"). A joint venture entity created for the specific purpose of responding to this RFP will not be accepted.

The affiliation must be in the best interest of the Project. It must adhere to the requirement that the Construction Management Team have the necessary experience and expertise, and that key personnel shall be available locally for the duration of the Project to meet the demands and schedule requirements of the Project. Proponents must also ensure that the organization, management and communication structure for the Construction Management Team is seamless for RPL.

The following information must be provided in each Proposal and conform to the format indicated in this RFP. Additional information may be included at the Proponent's discretion but this must not detract from the ability of the Evaluation Team or the Selection Committee members to easily reference information for evaluation and selection purposes.

Proposals must be limited to twenty (20) pages excluding appendices. Supporting documentation such as specific details of previous projects, personnel resumes and references should be attached as appendices and cross-referenced to the appropriate

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section of the Proposal. Organizational charts or structures shall be included in the main body of the Proposal.

Proposals shall follow the same order and include the same headings as is requested of the information in Sections 6.1 through 6.6 of this RFP. Once opened, proposals and accompanying documentation become the property of RPL and will not be returned.

6.1 EXECUTIVE SUMMARY

Proponents shall include an Executive Summary of the key features of their Proposals. It shall include a brief description outlining how the Proponent considers itself to be uniquely capable of satisfying RPL's Project requirements as set out in this RFP and what key strengths it will bring to the successful completion of the Project.

6.2 COMPLIANCE WITH RFP TERMS AND CONDITIONS

Proponents must specifically confirm in writing their agreement to accept and comply with the requirements of this RFP.

6.3 PROPONENT CREDENTIALS

The information and documentation provided by a Proponent in accordance with this section shall be used in part to evaluate their Proposal. Refer to Appendix A for the weighted evaluation criteria.

6.3.1 Construction Management Firm – General Competency and Capacity

The Proponent shall provide the following information:

- Construction Management Firm's total number of staff, their general roles/responsibilities and their location;
- Principal owners and senior executives;
- Years in operation;
- Construction Management Firm's management and operating strategy;
- The technical and equipment resources available within the Construction Management Firm for assignment to the Project;
- A description of how the Construction Management Firm will support the team assigned to the Project;
- Current and pending projects, including status, size and estimated time of completion in relationship to the Construction Management Firm's total workload;
- Demonstrate and outline the Construction Management Firm's ability to meet the demands, needs and timelines of the Project in relation to current ongoing and pending projects;

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- Describe the Construction Management Firm's methodology and approach to understanding the goals and needs of RPL and the challenge and design objectives of this Project; and
- Describe the Construction Management Firm's philosophy for managing and reducing risk for RPL.

6.3.2 Construction Management Experience

The Proponent shall:

- List all library facility or other relevant projects each with a construction value where construction management services were provided by the firm and in what capacity;
- Provide details of each project, including the Construction Manager's role, project size, value, duration and year completed;
- Describe and give examples of the Construction Manager Firm's current knowledge of library or other relevant facilities; and
- Describe the Construction Manager Firm's approach to design, contract documentation and construction quality controls.

6.3.3 Construction Management Services within a Progressive Tendering Environment

The Proponent shall:

- Describe in detail the core competencies/skill sets resident in the Construction Manager's resources relating to major projects completed within the previous three years under a construction management framework within a progressive tendering environment;
- Provide a clear summary and outline of the philosophy of the Construction Manager Firm when providing construction management services within a construction management framework;
- Demonstrate your firm's understanding with the design, contracting and construction environment in Saskatchewan and specifically Regina
- List all other major projects underway or completed within the previous ten years where construction management services were/are provided by the Construction Manager and in what capacity;
- Provide details of each project, including the Construction Manager's role, project size, value, duration and year completed; and
- Elaborate on any special reasons why the Proponent wishes to undertake this Project.

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6.3.4 Project Team

The Construction Management Firm must have an experienced core Project team that has collectively worked together on library facility or other relevant projects, which will be dedicated to this Project. The following sub-sections of the team shall be described in the Proposal.

6.3.4.1 Team

The Proponent shall:

- Outline the Construction Management Team that will be assigned and dedicated to this Project (the Construction Manager will be asked to confirm in writing the availability and commitment of each individual);
- List all members, their individual roles and their expected involvement for the duration of the Project. Education, general experience and overall project and scale experience shall be included in an appendix format;
- List the benefits that the team can provide to RPL and this Project; and
- List those core team members who have worked together on library facility or other relevant projects and outline their respective roles.

6.3.4.2 Organization

The Proponent shall:

- Define how the team will be organizationally structured;
- Identify the Construction Management Firm's strategy for assigning team members to:
 - pre-design services commencing December 7, 2015;
 - value engineering;
 - cost planning/budgeting/reporting; and
 - full service construction services commencing February 1, 2016.
 - warranty compliance; and
 - commissioning processes.

6.3.4.3 Leadership

Identify the team members who will provide the following services:

- Project team leader; and
- Leadership for:
 - cost control;
 - schedule management;
 - contracting strategies;

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- tendering process;
- safety program;
- sub-contract management;
- mechanical/electrical coordination;
- contract document review;
- construction supervision;
- commissioning; and
- warranty services.

6.3.5 Construction Management Control Methodologies and Strategies

The Construction Management Firm must demonstrate a solid understanding of and experience in construction management services. The following subsections shall be described in the Proposal:

6.3.5.1 Control Methodologies

The Proponent shall:

- Describe the proposed construction management methodology and strategy to deliver this Project in a timely manner within a progressive tendering environment for the following:
 - construction management;
 - pre-design services;
 - value engineering;
 - progressive tendering;
 - contracting strategies;
 - schedule and deliverables management;
 - cost control/budgeting;
 - cost control reporting;
 - commissioning; and
 - warranty; and
- Describe the firm's philosophy for managing and reducing risk for RPL.

6.3.5.2 Contracting Strategies

The Proponent shall:

- Outline the Construction Management Firm's views and recommendations with respect to trade contractors that should or might be contracted on a construction management basis;
- Provide a clear summary and outline of the firm's philosophy respecting the management of trade contractors and how they

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relate to any of the decision-making, scheduling, and budgeting relative to the Project; and

- Provide information regarding the methods of contracting that would be possible.

6.3.5.3 Own Forces – Concrete Scope of Work

The Proponent shall provide information regarding the firm’s experience in performing concrete work relating to concrete forming (and related work), re-bar placement and concrete pouring and concrete finishing (scheduling and delivery management), and any other own forces work proposed to be performed by the Proponent. The supply of re-bar and concrete will be tendered separately with only construction management fees applying.

6.3.6 Cost Plans/Budgeting/Cost and Budget Control/Reports

The Proponent shall:

- Describe the proposed method of cost planning;
- Describe the firm’s method of integrating cost planning with the budgeting and how the transition is handled;
- Describe and explain the firm’s proposed method of budget and cost controls; and
- Describe and provide samples of proposed cost control systems.

6.3.7 Innovation and Value Added Services

The Proponent shall:

- Describe and provide up to two (2) examples where your firm has employed innovative approaches or methods that have provided additional value to clients that are similar to this Request for Proposal;
- Provide any information about the unique, specialized, additional value added services that your firm can offer to the project.

6.4 FEE SCHEDULE

The Proponent shall include the following fee information (one copy) in the Proposal, which shall be used in the evaluation process. The fee information shall be included in a separate sealed envelope clearly labeled “FEE PROPOSAL” including the name of the firm. Only the top ranked proponent’s fee proposal will be opened.

6.4.1 Base Construction Manager Fee

The Proponent shall:

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- Provide a fee proposal for Construction Management Services excluding GST with detailed breakdown as follows:
 - the construction management services fee expressed as a percentage of the estimated construction cost;
 - include a detailed breakdown of all products and services included in the fee as well as a detailed breakdown of products and services which may be required but are not included in the fee;
 - a fixed price for all pre-construction services;
 - propose mark-up percentage rates on authorized 'own forces' work;
 - based on the information in the Information Package and specifically the proposed budget, the Proponent shall identify the labour, facilities, and equipment, required for the Project along with a fee or fixed cost for all General Condition requirements;
 - propose mark-up percentage rates on General Condition and Division 1 work undertaken by the Construction Management Firm. Provide an estimate and a complete listing of the anticipated scope of work to be undertaken by the Construction Manager's 'own forces' under the General Conditions and Division 1 of the Contract Documents; and
 - labour rates and labour burden rates for all personnel involved in 'own forces' work, to the end of 2016. Indicate also the proposed method to increase/revise the rates due to changes in labour rates, subject to RPL approval.

RPL acknowledges a potential scheduling and quality benefit to the Project by including cast-in-place concrete placement and finishing in the Construction Manager's own forces scope of work. The Construction Manager is asked to provide a separate scope of work summary which will include construction services related to **concrete work** with regard to concrete forming and related work, re-bar placement, concrete pouring and finishing (scheduling and delivery management). The supply of concrete and rebar will be competitively tendered. The Construction Manager is asked to suggest management methods, which ensure a fair and competitive pricing process. RPL is aware of the processes by which the Construction Manager could either bid on the work, or alternatively, have its proposed prices reviewed by an objective third party.

6.4.2 General Fee

The Construction Manager fee will be fixed on the final construction costs, excluding contingency, based on the above expressed percentages and not inclusive of the Federal Goods and Services Tax (GST). The Proponent shall:

- Outline any restrictions, schedules or conditions which affect the proposed fee schedule; and

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- Identify and list all of those services excluded from the responsibilities of the Construction Management Team and not included in the fee.

6.5 FINANCIAL/BUSINESS PROFILE

The Construction Management Firm must have a sound financial and business profile and the resources to successfully undertake and complete the Project. The Proponent shall:

- Provide information regarding the firm's financial institution, insurance company, policy details and limits;
- Provide details of any outstanding claims or lawsuits against the firm that may materially impact on the firm's ability to perform the Services;
- Provide information regarding the firm's WCB coverage and OHS&E policies;
- Provide additional information regarding any other certifications received by the Construction Management Firm;
- Describe approach and examples for bonding, insurance and the related benefits to RPL; and
- Provide examples of mark-up rates, labour rates, and labour burden rates used on recent projects.

6.6 FULL DISCLOSURE

Proponents must provide a statement providing a full and complete disclosure of:

- Any personal relationship to any employee of RPL and /or the Evaluation Team, the Selection Committee, or the RPL Board of Directors who may potentially make a recommendation concerning the award of the Project contemplated in the RFP, or any employee (or immediate relative of any employee) of RPL with any direct, or indirect pecuniary interest, ownership or directorship with respect to the Proponent;
- Any business relationship with RPL, any of its staff, employees, officers, Board member;
- Any matter involving a dispute claim value in excess of \$50,000 which is subject of any current, pending or threatened mediation, arbitration or litigation proceeding; and
- Particulars of any proceedings involving the Proponent under the Bankruptcy and Insolvency Act (Canada), the Companies Creditor Arrangements Act (Canada) or similar legislation.

Proponents must specifically address the requirements of this section by either providing appropriate disclosure or by indicating that they have nothing to disclose in respect of matters listed above.

Proponents must advise the RFP Process Manager in writing of any change in the foregoing throughout the RFP process including any period up to and including the execution of the Agreement. RPL reserves the absolute right to eliminate any Proposal or

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terminate any resulting agreements or arrangements for failure to disclose the information required in this section or for disclosure at any time of proceedings in the nature of bankruptcy or insolvency by or against the Proponent.

6.7 CLIENT REFERENCES

The Proponent shall provide at least three (3) client references and contact information in relation to its abilities, and those of the lead individuals and key personnel of the team for each of the following:

- Library facility projects completed or underway within a Construction Management framework; and
- Major projects completed or underway utilizing a construction management framework, within a progressive tendering environment.

7.0 INSURANCE

Proponents will be required to adhere to the following insurance requirements.

7.1 INSURANCE BY THE CONSTRUCTION MANAGER

The Construction Manager shall, at its sole cost and expense, provide and/or require subcontractors to provide and maintain the following types of insurance:

- Workers' Compensation as required by The Workers' Compensation Act, 2013 (Saskatchewan);
- Automobile Liability Insurance;
- Commercial General Liability Insurance;
- Property Insurance – Contractors' equipment, tools, and temporary structures insurance and Temporary Structures and All Risks of Construction Insurance; and
- Such other insurance as is mutually agreed upon from time to time between RPL and the Construction Manager.

All deductibles shall be to the account of the Construction Manager or subcontractors.

7.2 INSURANCE BY RPL

Notwithstanding Clause 7.1, RPL can provide the following insurances subject to specific outlined credits by the Construction Manager:

RPL, at its sole cost and expense shall obtain and maintain in effect the following insurance on behalf of RPL, the Project Management Team, Construction Manager, sub-consultants, all contractors and subcontractors and all other specialty sub-consultants employed on the Project:

- "All Risks" Builder's Risk Insurance including Boiler and Machinery. With respect to the deductible provided under the "All Risks" Builders Risk Insurance, the first

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\$25,000.00 (\$10,000.00 for Boiler and Machinery) of any claim for physical damage sustained under this insurance shall be for the account of:

- the party at fault; or
- the party who suffers the loss, where fault cannot be reasonably attributed to one or more parties by reason of acts of God or likewise;
- Wrap-up General Liability Insurance.

8.0 AGREEMENT NEGOTIATIONS AND AWARD

Following the evaluation of short-listed candidates, a preferred Proponent may be identified and, upon notification, shall be required to negotiate an Agreement with RPL. The Agreement shall be in a form and contain the terms and conditions consistent with the requirements of this RFP, the Proponent's response to the RFP that are consistent with this RFP and accepted by RPL, and all attachments and any documentation, communication/clarification or correspondences immediately following the RFP submissions prior to any award.

The Proponent's Proposal shall be valid and irrevocable for a period of sixty days from the closing date specified by RPL for the receipt of Proposals.

A CCDC 5B shall form the basis of the Agreement.

The final Agreement shall be acceptable to RPL and the preferred Proponent each acting reasonably and in good faith. RPL may negotiate modifications or variations to the services or commercial terms proposed by a Proponent in their Proposal.

Upon successful negotiation and execution of the Agreement, the preferred Proponent shall thereupon be awarded the Project contract. If a discrepancy is found between this RFP and the attached Agreement during the Proposal submission and evaluation stages, the conditions of this RFP will supersede those of the Agreement. The attached Agreement will be finalized as required prior to execution to reflect all requirements contained in this RFP.

Should, in the opinion of RPL, negotiations fail to result in execution of an Agreement within a timely manner with the preferred Proponent, RPL reserves the right to negotiate with other Proponents who submitted Proposals in response to this RFP, or to recommence the Proposal review or RFP process. The selection of a preferred Proponent does not ensure that a Project contract will be awarded.

The Construction Manager shall enter into subcontract agreements with the required subcontractors for the Project. The conditions contained in the attached Agreement shall be incorporated into and form part of these Construction Manager/Subcontractor agreements.

9.0 PROPERTY OF THE PROJECT DOCUMENTS

RPL will be the owner of all documentation prepared by or on behalf of the Construction Manager and its subcontractors relative to the Project. The Construction Manager and its

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subcontractors retain the copyright but the actual ownership of the documents and information shall automatically be transferred to RPL. The Construction Manager and its subcontractors shall be required to grant an irrevocable royalty free license to RPL with respect to use of any and all such documentation. The ability of RPL to make use of the project documentation will include repair, maintenance, rehabilitation, occupancy, operation, alteration, modification and expansion of the Project.

10.0 RPL POLICIES

To ensure fairness, accountability, transparency and good business practices, this RFP process will adhere to RPL’s Purchasing Policy and procedure.

11.0 RFP TERMS AND CONDITIONS

Terms and conditions as outlined throughout this RFP will be used by RPL to govern the RFP process. Proponents are instructed to read carefully and understand all requirements detailed within this RFP. Failure to meet any requirement fully may jeopardize and possibly eliminate the Proposal from further consideration.

11.1 RFP SCHEDULE

The following are activity milestones for this RFP process:

<u>Activity</u>	<u>Target Date</u>
RFP Release	Friday, November 6, 2015
Deadline for Questions	Tuesday, November 24, 2015
Final Responses to Questions	Wednesday, November 25, 2015
RFP Closes	Friday, November 27, 2015
Notification of Short-listed Proponents	Wednesday, December 2 2015
Interview With Short-listed Proponents	Friday, December 4, 2015
Notification of Preferred Proponent	Monday, December 7, 2015

At its sole discretion, RPL reserves the right to modify any of the target dates.

11.2 SUBMISSION INSTRUCTIONS AND DETAILS

Five (5) coiled bound copies of the Proposal, and one (1) digital copy on a USB stick or CD ROM must be labeled and hand delivered no earlier than 0930 hours

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and no later than 1430 hours. Saskatchewan Time, Friday, November 27, 2015 (the “Closing ”) to the following person and address:

**Directors Office—2nd Floor
Regina Public Library, Central Branch
2311 12th Avenue
Regina, Saskatchewan S4P 0N3
Attention: Emily Best, RFP Process Manager**

It is the responsibility of the Proponent to deliver its Proposal to the address indicated above on or before the required time and date. Submissions that are not received at the above address on or before the required time and date will not be considered. Proposals submitted by facsimiles or e-mails will not be accepted.

Proposals received at the above address after the RFP Closing will be returned unopened.

A covering transmittal letter must be completed and signed by an authorized representative of the Proponent and attached to the Proposal. Unsigned Proposals will not be considered.

Notwithstanding anything else contained in this RFP, or any of the attachments:

- This RFP is and in all circumstances shall be deemed to be an “invitation to treat”;
- No legal obligation, duty or constraint on the part of RPL shall be created by the delivery to RPL or its agent of any resulting Proposal;
- RPL reserves the right at any time in and at any stage of this RFP process to seek clarification from a Proponent in making its evaluation;
- RPL reserves the sole right to deal with any Proposal received from Proponents in respect of this RFP in such manner and at such a time as RPL, in its sole and absolute discretion, deems appropriate; and
- Notwithstanding any custom, usage or agreement in the industry or trade or any other policy or practice, or any term implied or decision rendered at law to the contrary, RPL’s issuance of the RFP and the Proponent’s submission of a Proposal in response does not act to create a contract between RPL and the Proponent. It is understood that the Proposal is a unilateral offer to be bound by the terms and conditions of the RFP and no other contract exists between RPL and a Proponent unless and until written acceptance of a Proponent’s Proposal is issued by RPL in the manner set forth in the RFP and a contract is negotiated and executed by RPL and a Proponent.

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11.3 COMMUNICATIONS

All Proposals, interviews and Project correspondence will be conducted in English. All inquiries regarding this RFP from the date of release to the execution of the Agreement must be directed by e-mail exclusively to the RFP Process Manager at:

**Emily@midgardpm.com
Attention: Emily Best, RFP Process Manager**

Communication from all Proponents in relation to this RFP or the Project is restricted to the RFP Process Manager, or designate. Any communication with members of RPL's Board, Executive, staff experts, and other advisors to RPL, the Selection Committee or members of the Project Management Team other than the RFP Process Manager may result in the Proponent being disqualified.

Written questions will be accepted up to three days prior to the Closing and up to three days prior to the first scheduled interview. An e-mail response to questions will be provided to all Proponents who have requested the RFP. Responses will be sent up to forty-eight hours prior to the Closing and up to forty-eight hours prior to the first scheduled interview. All questions and subsequent answers from the RFP Process Manager will be provided to all Proponents.

The Proponent has the responsibility at all times to notify the RFP Process Manager by e-mail of any ambiguity, divergence, error, omission, oversight or contradiction contained in the RFP as it is discovered, or to request any instruction, decision or direction which may be required to prepare its Proposal. In order for RPL to deal effectively with any concern about any provision of this RFP, such concerns must be communicated to the RFP Process Manager at least five days prior to the Closing. Verbal responses to any inquiry will not be provided and will not be binding on RPL or the RFP Process Manager. The Process Manager assumes no responsibility or liability whatsoever to the Proponents for its involvement in the RFP process.

11.4 CONFIDENTIALITY

Information pertaining to RPL obtained by the Proponent, its officers, employees and agents as a result of its participation in relation to this RFP, is confidential and must not be disclosed by the Proponent, its officers, employees or agents, except as authorized in writing in advance by RPL, except if such information is publicly known, or except as may be required by the Proponent to respond to this RFP or undertake the Project, including disclosure to its proposed financiers, its subcontractors and its professional advisors.

11.5 DISQUALIFICATION

Proponents may be disqualified and not receive further consideration where:

- It is found, at RPL's sole and absolute determination, that a Proponent's Proposal contains substantially incomplete, false or misleading information or a conflict of interest exists;

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- Proponent's Proposal has failed to meet or has not been submitted in accordance with the instructions and the procedural requirements of this RFP;
- Proponent fails to cooperate in any attempt by RPL to verify any information provided by the Proponent; and
- RPL, in its sole determination, finds that a Proponent has contacted a person other than the RFP Process Manager, or designate, with respect to this RFP or the Project after the release date of the RFP.

Without limiting the foregoing, no attempt shall be made by a Proponent to contact any of the following persons to discuss any aspect of this RFP or the Project:

- A member of the Evaluation Team or Selection Committee;
- An expert or other advisor assisting RPL with respect to this RFP;
- A staff member of RPL or subsidiaries and/or affiliates, and/or;
- A member of RPL's Board;

The disqualification as a result of such contact may be made at any time during the RFP process, or any subsequent contracting process. In addition, in such an event and without any liability, RPL may, at its sole and absolute determination, in addition to any other remedies available at law, revoke the Proponent's status as a Proponent and reject any potential or actual Proposal forwarded by the Proponent.

The Proposal may also be disqualified where it meets any grounds for disqualification set out elsewhere in this RFP.

11.6 PROPOSAL REJECTION

RPL, in its sole and absolute discretion, may reject any or all Proposals or cancel and withdraw this RFP or the Project at any time or for any reason, and may, in its sole and absolute discretion, waive any non-conformance or non-compliance with the requirements specified in this RFP, the RFP process or any subsequent contracting process.

11.7 INCURRED COST / PROPOSAL RETURN

Neither RPL, its officers, directors or employees, nor the RFP Process Manager, or any other person or entity assisting RPL, or otherwise involved in the RFP process, shall be liable for any costs incurred by Proponents for the preparation or presentation of Proposals and/or in participating in the competitive process contemplated in and by this RFP.

The Proposals and accompanying materials submitted by the Proponent are the sole and exclusive property of RPL and may be used by RPL in the interests of the Project as they determine appropriate. No materials will be returned to Proponents.

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11.8 PROPOSAL ALTERATION

Proposals submitted must be final and may not be altered by any subsequent offerings, discussions or commitments unless the Proponent is expressly requested to do so in writing by RPL.

11.9 PROPONENT DEBRIEFING

After selecting the preferred Construction Manager, RPL shall, at the request of a Proponent who responded to this RFP, but whose Proposal was neither short-listed nor selected, arrange a debriefing for the purpose of informing the Proponent as to why the Proposal was not selected. Request for debriefing must be made in writing to the RFP Process Manager within fourteen days of notice to the unsuccessful Proponent being issued.

11.10 ADDENDA

If it becomes necessary to revise any part of this RFP, the RFP Process Manager will provide an addendum in writing to all Proponents who requested an RFP. It is the sole responsibility of the Proponent, prior to the Closing Date, to ensure that they have received all revisions pertaining to the RFP. Proponents should list in the Proposals all addendum received.

11.11 LIABILITY FOR ERRORS

RPL, its officers, directors and employees, its agents, the RFP Process Manager, or the Project Managers, shall not be held liable or accountable for any error or omission in any part of this RFP or the receipt of or response to, or failure to respond to, Proponent's questions or inquiries.

11.12 AUTHORIZING OFFICER

The Proposal must designate the individual who is authorized to negotiate and execute the Agreement on behalf of the Proponent. The Proposal must also confirm the Proponent's commitment to abide by the terms and conditions of the RFP that its response to this RFP has been properly authorized and does not conflict with any commitments it has with other parties.

11.13 OPENING OF THE PROPOSAL

There will be no public opening of any of the Proposals received.

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12.0 APPENDIX A: EVALUATION CRITERIA

Evaluation by Category	Maximum Score
6.3.1 CM Firm General Competency and Capacity	10
6.3.2 CM Experience	10
6.3.3 CM Services within a Progressive Tendering Environment	20
6.3.4 Project Team	20
6.3.5 CM Control Methodologies and Strategies	25
6.3.6 Cost Plans/Budgeting/Cost and Budget Control/Reports	10
6.3.7 Innovation and Value Added Services	5
Total	100