REQUEST FOR QUALIFICATIONS
For General Contractor/Construction Manager (GC/CM) Services
Billings Public Works Department
W.O. 19-12, West End Reservoir Project

SECTION 1 – GENERAL INFORMATION

1.1 Purpose

The City of Billings Public Works Department is soliciting Statements of Qualifications (SOQs) from contractors to provide General Contractor/Construction Manager (GC/CM) services for W.O. 19-12 West End Reservoir (WER) Project.

1.2 Submission and Questions

Questions regarding this Request for Qualifications (RFQ) shall be submitted to:

City of Billings
Attention: Randy Straus, PE
City Engineer's Office
2224 Montana Ave
Billings, MT 59101
(406) 657-8301
strausr@billingsmt.gov

from 7:30 a.m. to 4:30 p.m., local time, Monday through Friday.

1.3 Preparation Costs

The City shall not be responsible for SOQ preparation costs, nor for costs including attorney fees associated with any (administrative, judicial or otherwise) challenge to the determination of prequalification. By submitting an SOQ, each contractor agrees to be bound in this respect and waives all claims to such costs and fees.

SECTION 2 – RULES GOVERNING COMPETITION

2.1 Examination of Qualifications

Contractors should carefully examine the entire RFQ, any addenda thereto, and all related materials and data referenced in the RFQ. Contractors should become fully aware of the nature of the Work and the conditions likely to be encountered in performing the Work.

2.2 Qualifications Review Period

The time anticipated for City staff to review SOQs received is up to twenty-one (21) calendar days. At the end of this review period, the City will request proposals from a short-list of approximately three (3) prequalified contractors.

2.3 Confidentiality

The content of all SOQs will be kept confidential until after selection of a contractor and a contract is awarded. At that time, all contractors' submitted qualifications and proposals will become public information.

2.4 SOQ Format

SOQs are to be prepared in such a way as to provide a straightforward, concise delineation of the contractor's capabilities to satisfy the requirements of this RFQ. Emphasis should be placed on:

- Conformance to the RFQ instructions
- Responsiveness to the RFQ requirements
- Overall completeness and clarity of content

2.5 Signature Requirements

All SOQs must be signed. Any duly authorized agent of a contractor may sign the SOQ. The name and title of the signing individual(s) must be clearly shown immediately below the signature.

2.6 SOQ Submission

Four (4) hard copies **or** one (1) hard copy and one (1) electronic copy of the SOQ must be received by the City no later than Friday, September 2, 2022 at 4:30 pm. If hard copies of the SOQs are submitted, they must be under sealed cover and plainly marked. SOQs shall be delivered or mailed to:

City of Billings
Public Works - Engineering
Attn: Randy Straus, PE
2224 Montana Ave
Billings, MT 59101
Email: strausr@billingsmt.gov

2.7 News Releases

News releases pertaining to the short-listing of prequalified contractors from the SOQs shall not be made without prior written approval of the Public Works Department.

2.8 Disposition of SOQs

All materials submitted in response to this RFQ become the property of the City of Billings. One copy shall be retained for the official files of the Public Works Department and will become public record after selection of a contractor and a contract is awarded.

2.9 Modification/Withdrawal of SOQs

A respondent may withdraw an SOQ at any time prior to the final submission date by sending written notification of its withdrawal, signed by an agent authorized to represent the agency. The respondent may thereafter submit a new or modified SOQ prior to the final submission date.

Modifications offered in any other manner, oral or written, will not be considered. A final SOQ cannot be changed or withdrawn after the time designated for receipt, except for modifications requested by the City after the date of receipt.

2.10 Oral Change/Interpretation

No oral change or interpretation of any provision contained in this RFQ is valid whether issued at a pre-submission conference or otherwise. Written addenda will be issued when changes, clarifications, or amendments to RFQ documents are deemed necessary by the Municipality.

2.11 Late Submissions

SOQs NOT RECEIVED PRIOR TO THE DATE AND TIME SPECIFIED WILL NOT BE CONSIDERED AND WILL BE RETURNED UNOPENED AFTER RECOMMENDATION OF AWARD.

2.12 Rejection of SOQs

The City of Billings reserves the right to reject any or all SOQs if determined to be in the best interest of the City.

SECTION 3 – SCOPE OF WORK

3.1 Project History

Securing an alternate source of treated water for the City of Billings is a Public Works Department priority. A new West End Reservoir (WER) and West End Water Treatment Plant (WEWTP) meet the City's needs for long-term drinking water service capacity and system redundancy. The City's water system will be strengthened as the new west end raw water storage, treatment and delivery facilities operate together with the existing treatment and delivery facilities at the Water Treatment Plant (WTP) on Belknap Avenue and the numerous storage and booster facilities around the city.

The City has acquired 300 acres of property from Knife River on either side of Hesper Road between Shiloh Road and 48th Street West to site the new WER and WEWTP. Property has also been acquired adjacent to the Duck Creek Bridge as the site for a future Yellowstone River water Intake/Pump Station (IPS).

River water is to be delivered from the IPS to the WER and WEWTP through a pipeline approximately 3.5 miles long and generally extending north in Duck Creek Road, beneath Interstate 90 and the Montana Rail Link tracks, and in South 48th Street West to Hesper Road. The WER is the subject project of this RFQ. See attached Figure 1.

3.2 Project Summary

The WER project consists of a raw water storage reservoir to be constructed in the former Knife River gravel pits north and south of Hesper Road between South 48th Street West and Shiloh Road on the west end of Billings. The completed project will supply the future WEWTP with water from the Yellowstone River and provide a valuable recreational amenity to the community. Budget constraints will determine whether the entire project vision can be executed with the initial project or will need to be completed in phases.

The north reservoir cell is to have an approximate water surface area of 100 acres and depth of 21 feet. The surface elevation of the south cell is to be 10 feet lower than the north cell, 60 acres in size and 20 feet deep. Inlet and outlet structures and spillways will be built for both reservoir cells. A screened, multi-level fixed intake structure will allow water to flow from the WER to the WEWTP directly by gravity or via a wetwell/pump station located outside the WER embankment when pumping the reservoir to the lower levels is desired. Pretreatment sedimentation basins upgradient of the reservoirs will also be built with the project.

Analysis of the on-site materials indicate that the underlying relatively shallow shale can be processed and used as a central clay core for a zoned reservoir embankment or as a homogeneous embankment. Processed shale material can also be used for a low-permeability cut-off-wall with a homogeneous buttress. On-site overburden is generally suitable for reuse as engineered fill for embankment construction and general fills.

Other project components may include:

- Hesper Road reconstruction and a bridge or other structure to accommodate and outlet works from the north cell to the south cell, and
- reservoir access features such as piers, boat ramps, and multi-purpose trails.

The contractor selected through this RFQ process will work with the current WER project team consisting of the City of Billings and HDR Engineering, Inc. to complete the project currently estimated at $40 million.

3.3 General Contractor/Construction Manager (GC/CM) Responsibilities – Phase 1 Preconstruction

The GC/CM contractor will work as an integral part of the project team to develop and implement the project design and maintain a spirit of cooperation and open communication. The intent is that project goals and objectives are clearly understood, potential problems are resolved promptly, and upon completion, the project is deemed a success by all. The successful GC/CM will provide preconstruction services by performing the following:

- Evaluate the preliminary design as presented and determine if the work can be executed within the required budget and schedule.
- Assist the engineer and City in resolving problems, conflicts, errors, omissions, and ambiguities identified during review and evaluation of the preliminary design with intent to improve the constructability and economy of the design.
- Notify the engineer and City, in writing, of all problems, conflicts, and/or deficiencies identified during the review and evaluation of design drawings.
- Provide input on alternative solutions to address challenges and identified deficiencies.
- Provide information, cost estimates, and alternatives to facilitate decisions regarding project direction, construction impacts, and staging.
- Review design documents in-progress and offer suggestions to improve completeness or clarity and to ensure completion of the project in the most efficient manner possible.
- Review in-progress design plans and provide input and/or alternate design concepts and offer suggestions with respect to means and methods, materials, innovations, and construction sequencing.
- Provide input to the project team regarding current construction industry practices, labor market, and material and equipment availability.
- May use subcontractors to supplement preconstruction services to provide the necessary

expertise.

- Review, validate and/or propose alternate traffic staging and control concepts.
- Review and determine the feasibility of the project environmental commitments/permits.
- Provide preliminary quantity take-offs and construction cost estimates.
- Provide a final review and evaluation of the final plans and construction documents.

The GC/CM will provide cost estimates as the team advances the design toward construction. Typical plan milestones are 30%, 60% and 90%. At either 60% or 90% design, the GC/CM contractor shall provide a Guaranteed Maximum Price (GMP).

3.4 General Contractor/Construction Manager (GC/CM) Responsibilities – Phase 2 Construction

The GC/CM will provide the necessary company resources and/or subcontractors to construct the project as designed. The design will not likely be delivered in a format typical of a traditional design/bid/build project. The GC/CM will coordinate with the Engineer and City for procurement of materials and construction to meet the design intent and schedule.

3.5 Contractor Selection Procedure and Contract Format

Approximately three (3) short-listed GC/CMs with the highest ranked SOQs will be provided a Request for Proposal (RFP) containing a detailed project description and preliminary scope of work. The short-listed GC/CMs will submit a Technical Proposal and a Price Proposal.

Technical Proposal content will be evaluated and scored by a selection committee using a similar process to the RFQ evaluation process described in Section 5 below. Separate pricing information will be provided for Phase 1 - Preconstruction services and Phase 2 – Construction services. Pricing information will be further defined in the RFP and may be represented by project profit and overhead as a percentage-based fee applied to actual cost of work. Phase 2 Price Proposals will be scored by the committee. The scores of the Technical Proposal and the Phase 2 Price Proposal will be combined to determine the best overall value proposal and to select the GC/CM.

The GC/CM contract is expected to be negotiated in two phases. Phase 1 - Preconstruction services is generally described in Section 3.2 above. If the City and GC/CM cannot agree on a negotiated Phase 1 - Preconstruction services fee, the City reserves the right to begin negotiations with the GC/CM having the second-highest ranking proposal.

When Phase 1 - Preconstruction is complete and there is agreement on the project schedule and GMP, the City and GC/CM will negotiate and finalize a Phase 2 - Construction contract. In Phase 2, the GC/CM assumes the role generally described Section 3.3 above and constructs the project.

A Phase 2 contract will not move forward unless the City agrees that the GMP provided has been independently evaluated as fair, reasonable and defendable. If contract negotiations are not successful, the City reserves the right to cancel the agreement with the GC/CM according to Phase 1 contract provisions for discontinuance of work. If the City elects this measure, the City will reprocure the work, and the GC/CM will not be eligible to bid on that work through the revised project delivery process.

SECTION 4 – SOQ SUBMISSION REQUIREMENTS

The legal entity (GC/CM Contractor) desiring consideration for this project will submit four (4) hard copies of their SOQ **or** one (1) hard copy and one (1) electronic copy, to the address listed above. There is a 10-page limit. Each page that contains text, graphs, drawings or other illustrations is considered in the page limit, whether single-sided or double-sided. The transmittal letter, safety performance information, proof of insurance and bonding requirements, signed addenda, resumes, front and back covers and blank section dividers are not included in the page limit.

One page shall be interpreted as one side of a single-spaced, typed, 8-1/2" x 11" sheet of paper using no less than a 12-point font with top, bottom and side margins of no less than one inch. Headers and footers can be outside of these margins. Font size less than 12-point can be used in graphs, charts, drawings or other illustrations. Up to two (2) 11" x 17" sheets of paper can be substituted for 8-1/2" x 11" without affecting the page limit.

The GC/CM or other key personnel cannot team with other partners to submit more than one proposal per project. Only one SOQ per GC/CM is acceptable, and City receipt of multiple SOQs from a GC/CM will disqualify the contractor.

4.1 Transmittal Letter

Provide a SOQ transmittal letter that identifies the legal entity (business structure) authorized to render the GC/CM services. Include signed and dated copies of any addenda issued to the RFQ.

4.2 Title Page (1 Page)

Include the date, business phone numbers, emails, addresses, and contact persons of the GC/CM participating companies. The title page must be signed by a corporate officer or other individual who has the authority to bind the firm. The typed or printed name and title of the individual(s) signing the SOQ must be clearly shown immediately below the signature(s).

4.3 SOQ Narrative (9 Pages)

The narrative sections should be organized into the following three sections:

A. Previous Performance/Experience (10 points)

Provide a list of active and/or recently completed GC/CM projects, collaborative delivery water reservoir projects similar in scope and size to this project, and relevant projects completed for the City and Engineer. Project descriptions should include start and completion dates (or anticipated completion date), budget, owner, owner performance evaluation (if available), name and telephone numbers of owner's project representative and names of GC/CM team members that performed GC/CM activities. Include examples of service provided to ensure best value for the clients. Past experience may be drawn from projects contracted by the City, private industry or other local governments.

B. Firm Information and Key Project Staff (10 points)

<u>General</u>
Provide general information on the firm, including number of employees, resources, number of years in business and evidence of required licenses. Describe the location where the firm's

primary services are to be provided and the ability to meet in person with City staff and the Engineer when required during the performance of both the Phase 1 and Phase 2 contracts. Provide a total of three references for the firm appropriate to the project. Include a point of contact, current telephone number, and a brief description of the services provided. GC/CM's that are comprised of a joint-venture, tri-venture or structure other than a single corporate entity must include all required general firm information for all proposed partner companies.

If the GC/CM plans to use subcontractors and/or subconsultants during Phase 1, describe the scope of responsibilities for the GC/CM and each of the subcontractors and/or subconsultants. If the GC/CM plans to use subcontractors and/or subconsultants, describe the GC/CM's approach to the management of those subcontractors and/or subconsultants.

Legal Structure

Identify whether the GC/CM is organized as a corporation, limited liability company (LLC), general partnership, joint venture, limited partnership, or other form of legal entity. Identify owners of the GC/CM (e.g., shareholders, members, partners) who hold an interest of 10 percent or more.

Key Project Staff

Provide an organization chart relating to the project and include the names, titles, classifications and experience (one-page resumes) of key personnel, which includes the overall Project Manager, Preconstruction Manager, Construction Superintendent, Project Controls Manager, and Quality Control Manager. Describe the responsibilities of the key project staff throughout the project and the reporting relationships between staff. Key project staff resumes should be arranged alphabetically in an appendix and are not included in the page limit.

The contractor and associated key personnel contributing to the GC/CM team cannot change after contract award without the prior written approval of the City.

C. Understanding and Approach (10 points)

Include a narrative of the GC/CM team's understanding and approach to the GC/CM process and how the team will contribute to the success of the West End Reservoir Project. Discuss the GC/CM team's understanding and approach to the teaming relationship between the GC/CM, Engineer, and City. Provide specific approach to both Phase 1 - Preconstruction and Phase 2 - Construction services. Address financial approach, including cost estimating and best value during project design. Describe the techniques utilized to produce accurate construction schedules.

4.4 Additional Information

A. Safety Performance

Provide a summary description of the GC/CM's corporate safety program and include safety statistics or records indicating categories of accidents and their incidence or frequency rates. The following safety records must be provided by the GC/CM for the current period and past five years:

1. Total recordable incidence rate (TRIR).
2. Days away from work (DART) injury incidence rate. A day away from work injury is an injury that prevents an employee from returning to their next regularly scheduled shift.

3. Experience modification rate (EMR) calculated by a rating bureau such as the National Council Compensation Insurance. The EMR is also referred to as the experience modification rating, experience modification factor, experience modifier or X-mod.

B. Insurance Requirements

Proposers must provide either a certificate of insurance evidencing current policies or written evidence from an insurance company or broker indicating that the proposer is capable of obtaining the following types of insurance: Commercial General Liability, Professional Liability, Auto Liability, and Workers' Compensation/Employers Liability. General Liability limits must be no less than $1,500,000 per occurrence and $3,000,000 in the aggregate. Auto Liability must be no less than $1,500,000.

C. Bonding Requirements

The selected proposer will be required to submit payment and performance bonds upon execution of a construction contract in the amount of 100% of the contract price. Proposers will be required to demonstrate their capacity to obtain the required bonds in the amount of at least $65 million. Letters indicating "unlimited" bonding capacity are not acceptable.
Proposers must attach a notarized statement from an admitted surety insurer authorized to issue bonds in the State of Montana that states:

- Proposer's current bonding capacity is sufficient for the project and referenced payment and performance bonds, and
- Proposer's current available bonding capacity.

SECTION 5 – SOQ EVALUATION CRITERIA AND SELECTION PROCESS

A committee of individuals representing the City of Billings will evaluate the SOQs. Submittals will be evaluated on Previous Performance/Experience (10 points), Firm Information and Key Project Staff (10 points) and Understanding and Approach (10 points).

SOQs will be ranked as submitted by the selection committee based on the defined criteria and scoring system. Formal project proposals will be requested from approximately three (3) short-listed GC/CMs with the highest ranked SOQs.

The City reserves the right to, but is not obligated, request oral interviews with GC/CMs submitting the highest-ranking SOQs. The purpose of the interviews with the highest-ranking GC/CMs would be to allow for expansion upon the written responses.

SECTION 6 – TENTATIVE SCHEDULE

RFQ Advertisement dates:	August 12, 19 and 26, 2022
SOQ Response due date:	September 2, 2022
Short-List date:	September 16, 2022
RFP Issue date:	September 21, 2022
Proposal Response due date:	October 14, 2022
Proposal Scored date:	October 28, 2022
Interview dates (if necessary):	November 2-3, 2022
Final Selection date:	November 7, 2022
Notice to Proceed:	November 28, 2022
Phase 1 - Preconstruction services:	November 28 - TBD
Phase 2 - Construction services:	TBD

Billings West End Reservoir
Concept Master Plan 03.05.2020

FIGURE 1

CITY OF BILLINGS PUBLIC WORKS · HDR · LDI Land Design, Inc.