

# Limited Request for Bids for Owner Representative Professional Services for East Montpelier Town Highway Garage – Issued January 10, 2024

[draft January 8, 2024]

**Purpose of this Limited RFB:** The Town of East Montpelier (the Town) intends to remove an existing Town Highway Garage and to construct a new garage on the same property in East Montpelier. As the owner, the Town is seeking a third-party professional consulting firm located in Vermont with demonstrated Owner Representative experience and skills to represent the Town as the Owner Representative throughout the entire process of the new Town Garage project, covering planning, design, permitting, building removal, construction, commissioning, and closeout process.

**Project Lead for the Town:** The East Montpelier Selectboard (Selectboard) will serve as the lead for overall project oversight. The current Selectboard chair will provide day-to-day project oversight and communications with the Owner Representative.

**Project Duration:** Depending on factors related to public funding, the duration of this project is expected to be from early 2024 to early 2026, with construction during either the 2024 or 2025 construction seasons. The project may be delayed or canceled.

## I. Scope of Work

The Town's Owner Representative will represent the Town and ensure its best interests are carried out throughout for the Highway Garage project. Specific details about the project are contained in the *Town of East Montpelier Request for Proposals for Architectural and Engineering Services – Town Highway Garage*, dated November 7, 2023. The exact project elements and products contained therein may be altered at any time, by the Selectboard. As articulated below, the Scope of Work covers general tasks, pre-construction tasks, construction tasks, and post-construction tasks.

### A. General Tasks

The Town's Owner Representative will provide the following general services throughout the design, procurement, and construction phases of the project:

1. Confirm all project consultant team, staff members, and Selectboard and committee members are aligned with the Town's project goals and actively working towards achieving those.
2. Provide monitoring of project management activities, including agreed-upon project management tools (e.g. software).
3. Furnish advice and consultation with the Selectboard with respect to design, engineering, scope of the work, budget and cost estimating, general contractor and subcontractor qualifications, scheduling, and construction.
4. Establish lines of communications for the project.
5. On behalf of the Town, review requests for information for planning, permitting, building deconstruction, new garage construction and related bidding needs, including (with Selectboard approval) bidding requests, construction proposal review, participate in negotiations, and oversight of work, including contract enforcement.

6. Identify for the Selectboard any risks associated with budget overruns, missed deadlines, overlooked regulatory requirements, etc. and help the Town appropriately manage and mitigate them. Based on guidance from the Selectboard, provide recommendations about potential solutions to issues rising at any stage of the project.
7. Track schedule and progress throughout all phases of the project, helping ensure the project scope is carried out on time and according to budget and meeting the Town's interests.
8. Provide regular updates about project issues and progress to the Town Selectboard, including brief written reports and attendance at Selectboard meetings (in person or remotely), which are held in the evenings twice a month.
9. Assist the Town in preparing final project evaluation for any contracted work throughout the project, conducting the evaluations on a timely basis after each work product is completed.

## **B. Pre-Construction Tasks**

The Town's Owner Representative will provide the following services during the design, engineering, or pre-construction phases of the project:

1. On behalf of the Selectboard, oversee:
  - a. Work for studies, permits and plans, as described in Section C. Products in the *Town of East Montpelier Request for Proposals for Architectural and Engineering Services – Town Highway Garage*. It is noted that the Geo-Technical Study may be performed by a firm different from the firm retained for Architectural and Engineering Services.
  - b. If needed, the Owner Representative may oversee the town's role in coordinating with the selected consulting firm: an environmental assessment and hazardous materials surveys, or other special studies.
2. At Selectboard request, assist with selection of architect and engineering services, if that process is not completed.
3. Coordinate with retained A&E consultant firm(s) for the pre-design and schematic design, design development, permitting, construction and bidding, and post-construction phases, including holding weekly meetings on-site or online.
4. Confirm or suggest revisions to the project budget.
5. Confirm or suggest revisions to the schedule – for project phasing, in consultation with A&E firm(s).
6. Facilitate contractor solicitation and negotiations.

## **C. Construction Tasks**

The Town's Owner Representative will provide the following services during the garage demolition and construction phases of the project:

1. Meet on site as needed with A&E consultant (for construction administration) and contractor(s) for deconstruction of existing garage, storage container, equipment and storage areas.
2. Meet via a combination of on-site and virtual at least weekly with A&E consultant (for construction administration) and contractor(s) for construction of new garage and associated

infrastructure, including potable water supply, wastewater system, utilities, fuel storage tank, driveway, etc.

3. Monitor and revise (with Selectboard approval) project schedule.
4. Review commissioning agent reports for enclosure and MEP.
5. Monitor all expenses and partial and actual change orders, requests for payment, etc.
6. Review invoices and make payment recommendations
7. Review change order requests, extra work authorizations, and claims for additional costs.
8. Manage RFP, bidding and contracting with the commissioning.

#### **D. Post-Construction Tasks**

The Town's Owner Representative will provide the following services during the post construction phase of the project:

1. Track punch list.
2. Assist contractor(s) with setting up warranties and submitting final permit paperwork.
3. Review project closeout records to assure completeness
4. Complete project evaluation final report.

## **II. Firm Qualifications and Bid Requirements**

### **A. Firm Qualifications**

The Owner Representative for the Town Highway Garage de-construction and construction project must demonstrate the following qualifications:

1. The firm should provide documented Owner Representative experience, with the specific set of skills, specialized knowledge, judgment, and expertise to represent the Town's and Selectboard's interests for this project throughout the site development and building process to ensure a successful outcome.
2. Each member of the professional team should have demonstrated expertise in project management and one or more of the technical areas identified in the above Scope of Work.
3. The consultant must be based in Vermont and must be available to meet in person as described in the above Scope of Work. The Town may allow video-conferencing or phone conferences for the firm(s) to participate as requested for Selectboard or other meetings.

### **B. Bid Requirements**

The *Town of East Montpelier Purchasing Policy* provides oversight for obtaining the highest quality goods and services and control over the purchasing process, and other purposes to provide for increased public confidence in the procedures followed in public purchasing. To that end, the purchasing policy establishes a process for a full bidding process for goods and services. However, the policy allows for exceptions to the full bid process, for instance, for sole source purchases. An effort by members of the

Town Highway Garage Construction Consultant Review Committee to find firms specializing in owner representation consulting services found a very limited selection of firms in Vermont that provide such services. Therefore, the Selectboard has determined that a limited Request for Bids process is appropriate in the search for an Owner Representative for the Highway Garage Construction project. At least three firms will be requested to submit a bid. If only one firm responds with a suitable bid, the Selectboard may determine that there is only one possible source for the proposed purchase, and authorize the purchase from the sole source.

The Town is issuing the following specifications for the Owner Representative Professional Services for East Montpelier Town Highway Garage Bid:

1. Primary Contact - The primary contacts for this RFB is Selectboard Chair Seth Gardner - [sethbgardner@hotmail.com](mailto:sethbgardner@hotmail.com)
2. Questions - All questions must be submitted in writing to the primary contact. Questions must be received by Wednesday, January 31, 2024 by 4 PM. The Town will provide a written summary of questions and the Town responses no later than Wednesday, February 7, 2024. The written summary of questions and responses will be posted on the Town web site and sent to firms that received this RFB at that time. Any additional firm wishing to receive a copy of that information must contact the primary contacts by Monday, February 5, 2024.

No phone calls regarding questions will be accepted.

3. The Town may modify or issue changes to the original RFB. Any changes to this RFB will be distributed in writing via all formats utilized (e.g. Town web site, list of firms) for the original RFB issuance. No verbal information provided by any member of the staff, the Town Selectboard, or Town committees shall be considered binding.
4. Submittal of Bids – Bids must be submitted to [sethbgardner@hotmail.com](mailto:sethbgardner@hotmail.com) and Town Administrator Gina Jenkins [manager@eastmontpeliervt.org](mailto:manager@eastmontpeliervt.org) electronically via email with subject line: E.M. Town Garage RFB Owner Representative Services, with email delivery date no later than Wednesday, February 14, 2024 by 4:00 PM.
5. The complete set of bid materials may not exceed 20 pages in length.
6. Bid Review: Bids shall be reviewed by staff, Selectboard members, and/or other Town officials or members of the proposal review team.
7. All materials submitted in response to this RFB will become the property of the Town. Any and all records submitted to the Town, whether electronic, paper, or otherwise recorded, are subject to the Vermont Public Records Act. All records the bidding firm(s) considers to be trade secrets, as that term is defined by subsection 317(c)(9) of the Vermont Public Records Act, must be clearly identified at the time of bid submittal and separated from other submittal materials with a stated justification for each exemption. The Town will review those materials in keeping with the Vermont Public Records Act and related state statutes.
8. The Town may award a contract based solely on the response to this RFB, or it may award a contract following discussion or negotiations with a firm(s) making a bid. The Town may request additional data or material prior to making a contract award. The Town may negotiate with the bidder(s) to modify or amend certain portions of their respective bids. The Town and the selected contractor may mutually agree to extend the deadline for completing the project.

9. The Selectboard reserves the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make an award which in its sole and absolute judgment will best serve the Town's interest. The Selectboard reserves the right to investigate the financial condition of any bidder to determine his or her ability to assure service throughout the term of the contract.
10. While a financial bid is required for this project (see Section C.5 below), the Town may elect to pay the successful bidder on an hourly basis for part or all of the project phases.
11. The Town may elect to discontinue or pause the project at any time, and will pay the successful bidder for any approved work until the project was discontinued or paused.
12. All contracts are subject to review by Town legal counsel, and a project will be awarded upon signing of an agreement or contract, which outlines terms, scope, budget, and other necessary items.
13. Payment terms will be negotiated with the selected bidder.
14. Insurance requirements are listed in Section II. C. 5. below.

### **C. Bid Submittal**

Any firm interested in serving as the Owner Representative for this project is requested to submit the following required document for review in one electronic copy (PDF documents are acceptable).

1. Name of consultant and/or team members, main address, telephone numbers, email, website addresses, and brief history of relevant work and name and contact information for the designated consultant lead for this project. Please include a description of role for each team member who will do the actual work on this project, and include a resume for each team member.
2. A designated person of contact for all communications related to this RFB process.
3. Clear statements:
  - a. Direct professional experience serving as Owner Representative.
  - b. Approach to working on the scope of work and a paragraph articulating the firm's interest in this project.
  - c. Direct experience working on municipal projects.
4. A minimum of three (3) references with first-hand knowledge of the consultants/teams' performance on similar or relevant projects (please include contact information for all references listed.)
5. Propose either a draft budget or the percentage of total project cost to be paid to the firm(s) for the work described in the Scope of Work, including a chart and statement of hourly rate(s) for principals and key staff who would be assigned to work on the project, if applicable to the financial bid, as well as an estimate of expenses (e.g., travel). The total project bid should include an estimate for the number of hours for general tasks, pre-construction, construction, and post-construction categories and a total project not to exceed amount.

NOTE: The bidder must submit a budget estimate specifically for the ***Pre-Design and Schematic Design phase*** of the project, including general tasks that must be accomplished as part of that

phase. As with the general bid, the bid for the Pre-Design and Schematic Design phase must include an estimate of the number of hours, the hourly rate, estimate of expenses, and estimated total cost.

6. Provide evidence of reasonable and sufficient insurance (in amount of coverage, size of deductible, and strength of insurer) covering the firm(s) retained for this project. The Town must be listed as the named insured on the certificates of insurance (COI), together with the effective date.
  - a. Comprehensive general liability in the amount of at least \$2,000,000 combined single limit
  - b. Professional liability in the amount of at least \$1,000,000
  - c. Automotive insurance in the amount of \$1,000,000
  - d. Other such insurance as may be reasonable and customary for this project.

#### D. Bid Evaluation

Evaluation Criteria – Each bid will be evaluated by the bid review team and the Selectboard. Criteria for evaluation will include, but not be limited to the following:

1. Responsiveness to scope of work and program needs
2. Cost effectiveness
3. Perform in a timely manner.
4. Qualifications and expertise in contracted services
5. Documented consulting services with relevant municipal clients and products
6. Meeting terms and conditions as called for in this RFB
7. Completeness of bid based upon requested information and documentation.

END OF RFB