Yurok Tribe - Request for Proposals (RFP)

Design Build Services

Klamath Emergency Operation Center

March 31, 2022

Prepared by:
Yurok Tribe
Planning & Community Development

Point of Contact: Sophia Lay
Phone: (707) 482-1350 ext. 1363
Email: sophia@yuroktribe.nsn.us
TABLE OF CONTENTS

1.0 General Information
   1.1 INTRODUCTION AND PROJECT DESCRIPTION
   1.2 LOCATION
   1.3 BUDGET
   1.4 GENERAL DESIGN BUILD SCOPE OF SERVICES
   1.5 CONTACTS
   1.6 SCHEDULE OF EVENTS
   1.7 PROPOSAL INSTRUCTIONS
   1.8 PROPOSAL REQUIREMENTS
   1.9 QUESTIONS, INQUIRIES, AND AMENDMENTS REGARDING THIS RFQ/P
   1.10 PROPOSING FIRMS TO FULLY INFORM THEMSELVES
   1.11 EVALUATION & SELECTION CRITERIA
   1.12 SELECTION PROCESS
   1.13 RIGHT OF REJECTION
   1.14 MODIFICATION AND WITHDRAWAL OF PROPOSAL
   1.15 PROPOSALS TO REMAIN OPEN SUBJECT TO ACCEPTANCE
   1.16 COST OF PROPOSALS

2.0 Attachments
   2.1 MAP OF THE AREA
   2.2 SITE LAYOUT
   2.3 FLOOR PLAN
1.0 General Information

1.1 Introduction and Project Description
This Request for proposal is issued to provide the selection process for DESIGN BUILD services for the Klamath Emergency Operation Center project. Firms submitting a response to this RFP will be asked at a minimum to state their understanding of the project and offer their methodology for meeting the criteria identified in this RFP. The shortlisted finalist will be invited to submit a fee proposal and may be scheduled to participate in an interview with the project selection committee.

Background

The Yurok Tribe began construction on an Emergency Operation Center in the summer of 2020. The 18,652 square foot facility is located on Tribal Trust land in Klamath, California and is almost complete. The primary use of the facility is to serve as base of operations that will be used by the Yurok Tribe to organize emergency response activities and distribute services to the community during all manner of emergency related incidents. However, the facility was designed to be multifunctional and will operate as a community and recreation center when not in use for emergency response.

The remaining construction items include:
- Finish grading for parking area and driveway
- Paving & Striping of the parking area and driveway
- Concrete walkways and curbs
- Installation of a wastewater lift station
- Landscaping
- Domestic Water Service connection

The remaining Design Items include:
- Design of a private fire suppression system to include no less than 30,000 gallons of water storage capacity along with pumps, controls, and connection to existing sprinkler system.

The remaining Equipment to be purchased and installed includes:
- Audio Video Equipment for the Basketball Gymnasium/Multipurpose Room.
- Laundry Equipment
- Fitness Equipment

1.2 Location
- 225 Klamath Blvd, Klamath, CA 95546

1.3 Budget
The funding for the project comes from a 1.5-million-dollar grant awarded by the US Housing and Urban Development Department, Indian Community Development Block Grant.

1.4 General Design Build Scope
The exact scope of services will be set forth in the agreement with the selected Design Builder. The scope will consist of assisting Tribal staff in completing the pre-construction phase of the project in preparation of final approval by the Yurok Tribal Council. In conjunction with this approval the Design Builder will have also prepared a final Guaranteed Maximum Price (GMP), anticipated at 100% Design Documents. Upon approval from the Tribal Council, the contractor will enter into a pre-negotiated contract to perform the construction management/general contracting services and design construction administration necessary to satisfactorily complete the project in compliance with the contract documents.

The Design Builder services during the Pre-Construction Services phase shall include, but may not be limited to, confirming the program, design and cost estimating of building and site, value engineering, scheduling, logistical planning, constructability analysis, bid package administration, bidding of trade contracts, and the submittal of a Guaranteed Maximum Price (GMP) Proposal for the Tribe’s optional acceptance, reflecting the entire cost, scope of work and quality intent of the Project before any constructions funds are committed. The GMP Proposal shall be supplemented with a clearly defined and detailed breakdown of costs for the entire Project. All construction costs must be clearly defined and included in the GMP Proposal. All proposed allowances included shall be approved by the Tribe and shall include estimated quantities and values justified by the Design Builder. All clarifications, exclusions, and exceptions must be identified within pricing packages and the GMP Proposal.

The Design Builder’s services during the Construction Services phase shall include, but may not be limited to, construction management, design construction administration, field supervision, coordinating subcontractors, maintaining quality, meeting schedules, and providing the general conditions work for the Project.

Generally, all trade contracts shall be competitively bid and assigned to the Design Builder’s contract; however, when circumstances warrant it, the Design Builder will be allowed to self-perform work that it traditionally performs with its own forces. This work shall be competitively bid by Design Builder, with results managed by the Owner’s Representative, against other contractors performing the same scope of work.

The Design Builder shall implement and maintain a project control system will full access to the project information by all stakeholders. The Design Build shall allow for an “open book” policy and facilitate review of all Project contracts, records, accounting and other documentation and information, in any form, to the Tribe or persons designated by the Tribe for auditing purposes.

The Design Builder shall use project management software that can be accessed by the Owners Representative and managed collaboratively throughout the pre-construction and construction phase of the project. This system should have capacity to include, but not limited to, managing issues, RFI, ASI, Submittals, Shop Drawings, Site photos, Field reports, Meeting Minutes, etc.
A. **Pre-Construction Services Fixed Fee**

1. The Design Builder shall participate in the continuing of the design process as an integral member of the Project Team and shall perform Pre-construction Services that, in general, shall include but not be limited to the following.

2. Schedule, attend and manage all necessary design work sessions with the Tribe and Design Team to gather and distribute information on the Project as required.

3. In conjunction with the Client and Design Team, immediately identify the Project requirements and prepare a comprehensive Construction Budget. Design Builder to identify all project related construction costs including (but not limited to) building and site construction, infrastructure costs (on-site and off-site), permitting and other such costs that may be of consequence.

4. Develop and continue to refine a comprehensive project schedule. Identify, set decision dates, and make recommendations to the Client and Design Team on procurement of long-lead delivery items. Update and monitor the Project Schedule with the Client and the Design Team regularly to identify deviations and changes.

5. Provide value engineering and life-cycle costing for all materials, equipment and systems mutually agreed upon to determine the best possible value to the Tribe. Conduct formal value engineering work sessions with the Tribe and the Design Team, and recommend design detail, system and assembly alternatives.

6. Prepare and monitor estimates of the construction cost during each of the design phases based on detailed quantity surveys of the Drawings and Specifications. Advise the Tribe and Design Team if it appears that the construction budget will not be met and make recommendations for corrective action. Prepare and update with each cost estimate, and the approved budget. Provide a narrative of the changes made from the previous versions and accompanied with an updated construction billing and cash flow forecast. Provide this service at each design milestone: Schematic Design Package, Design Development (100% DDs); Permit Drawings (100% CDs). In addition to providing periodic estimates, it is expected that the Design Builder will work cooperatively with the Tribe and Design Team to provide intra-phase pricing evaluations of building systems, assemblies, and component options to facilitate timely decision-making as required by the Tribe and Design Team.

7. Review the drawings and specifications as they are being prepared and recommend alternate solutions whenever design detail affect budget, schedule, constructability, and consistency with local and traditional trade practice.

8. Review the proposed design concepts, layouts, dimensions, clearances and advise the Tribe and the Design Team of possible conflicts with the M/E/P building systems and finishes. Design Builder to confirm accuracy of Civil Engineer’s earthmoving, import and export quantity assumptions prior to providing GMP.

9. Recommend and prequalify subcontractors and contact suppliers to develop a bidders list that will be used to solicit bid on various procurement packages on the project. Awards
shall be based upon the lowest responsible and conforming bids received, with a minimum of three bids unless otherwise agreed to by the Tribe.

10. Prepare a detailed approach to phasing of the work, mobilization, logistics, quality control and safety of the public for review by the Tribe and Design Team.

11. Prepare and submit a final Guaranteed Maximum Price (GMP) proposal for the Tribe’s optional acceptance reflecting the entire cost, scope of work and quality intent of the Project before any construction fund are committed. The GMP Proposal shall be supplemented with a clearly defined and detailed breakdown of costs for the entire Project. All construction costs must be clearly defined and included in the GMP Proposal. All proposed allowances included shall be approved by the Tribe and shall include estimated quantities and values justified by the Design Builder. All clarifications, exclusions, exceptions must be identified within your proposal.

12. Identify and submit proposals for long lead items for direct purchase by the Tribe.

13. Include costs for and coordinate with other authorities having jurisdiction over the Project in order to obtain permit(s) on a timely basis for the construction activities.

14. The project is subject to compliance with the Yurok Tribal Employment Rights Ordinance (TERO) Ordinance, and a 1% TERO fee will be assessed on all professional associated with the project.

B. Construction Services Fee
The Design Builder shall construct the work according to the construction documents and specifications within the scheduled time frame agreed to with the Tribe.

Construction Services are subject to compliance with the Yurok Tribal Employment Rights Ordinance, and a 5% TERO fee will be assessed on all construction services associated with the project.

The Design Builder will use project management software that can be accessed by the Owners Representative and managed collaboratively throughout the pre-construction and construction phase of the project. This system should have capacity to include, but not limited to, managing issues, RFIs, ASIs, Submittals, Punch List, Warranty Items, O&M Manuals.

The Design Builder will be required to provide warranty and closeout assistance. Warranty on items will be a minimum of 2 years.

C. Cost Savings
To the extent the actual cost of the work may be reduced through the course of design refinement, Procurement and Construction, the reduction in cost shall revert entirely to the benefit of the Tribe. There shall be no “shared savings” compensation to the Design Builder.
D. Construction Change order Mark-up
For Tribe approved changes to the scope of work, the Design Builder shall propose a percentage fee for additive and deductive change orders to the Guaranteed Maximum Price contract amount. Deductive change orders will be credited only for the cost of the work.

E. Schedule
The final Project Schedule is not certain at this time; however, it is the Tribe’s intent to provide Notice to Proceed for Pre-construction Services by June 20, 2022.

F. Bidding and Construction Contingency
The Design Builders contingency shall be used to cover the costs of unforeseen job conditions, omissions of the estimate (with exception of subcontracted work), and discrepancies between subcontractor and supplier scopes of work, which are properly reimbursable as Cost of the Work but are not the basis for a change order. The Design Builder’s contingency shall be used with the Tribe’s and Design Team’s concurrence only, which shall not be unreasonably withheld. Requests for the use of Contingency shall be submitted by the Design Builder within ten calendar days of the event that cause such Cost of Work to be incurred, or as soon as the need is apparent, whichever is earlier. The Design Builder’s contingency shall not be used for repairing or replacement of the Work due to the Design Builders negligence or error. The contingency may be refunded via change order to the Tribe in stages as agreed upon by the team and the balance of the Design Builder’s contingency which has not been expended for the project according to the procedures set forth herein shall be refunded entirely to the benefit of the Tribe, upon final invoicing. The Design Builder shall also provide the Tribe and Design Team documented status of the contingency amount monthly with each payment application.

1.5 Contacts
Copies of this RFP are available on the Yurok Tribe website at https://www.yuroktribe.org/request-for-proposals
Owner Representative – Yurok Tribe Planning and Community Development Department
Project Manager: Sophia Lay
Phone: (707) 482-1350 ext. 1363
Email: sophia@yuroktribe.nsn.us
### 1.6 Schedule of Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Time (Pacific Standard)</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 31, 2022</td>
<td>2:00 pm</td>
<td>Design Build RFP Issued</td>
</tr>
<tr>
<td>April 12, 2022</td>
<td>11:00 am</td>
<td>Non mandatory Site Visit</td>
</tr>
<tr>
<td>April 19, 2022</td>
<td>5:00 pm</td>
<td>Design Builder to confirm if they will submit (not required to submit)</td>
</tr>
<tr>
<td>April 19, 2022</td>
<td>1:00 pm</td>
<td>Deadline for receipt of questions and inquiries</td>
</tr>
<tr>
<td>April 22, 2022</td>
<td>1:00 pm</td>
<td>Final Responses to questions, addendum one</td>
</tr>
<tr>
<td>May 3, 2022</td>
<td>3:00 pm</td>
<td>Deadline for submission of proposals from Design Build candidates</td>
</tr>
<tr>
<td>May 10, 2022</td>
<td>5:00 pm</td>
<td>Notification of short-listed candidates, issuance of addendum two with pricing requirements</td>
</tr>
<tr>
<td>May 17, 2022</td>
<td>3:00 pm</td>
<td>Shortlisted candidates required to submit fee proposal</td>
</tr>
<tr>
<td>May 20, 2022</td>
<td>TBD</td>
<td>Preferred Design Builder announced (anticipated)</td>
</tr>
<tr>
<td>June 9, 2022</td>
<td></td>
<td>Tribal Council Approval of Design Builder Selection and Contract</td>
</tr>
<tr>
<td>June 20, 2022</td>
<td></td>
<td>Commence Design Builder services</td>
</tr>
<tr>
<td>December 2022</td>
<td></td>
<td>Construction Complete</td>
</tr>
</tbody>
</table>

### 1.7 Proposal Instructions

The Tribe is looking to base our decision on qualifications of the proposing firms and is requesting that items related to Fee not be submitted for this phase of the selection process.

Pages in the proposal shall be typed with the maximum number of pages (except cover sheet, index sheet, blank pages, table of contents, similar project profile sheets, and other supplemental proposal forms required or requested) to be limited to thirty pages, numbered and in sequential order.

Submit a single electronic PDF file of your proposal by the submittal date/time aforementioned; email to Owner’s representative contact listed in Section 1.6 above. It is advised to request a read receipt when submitting. If email is not possible, submit one thumb drive containing the completed RFP to the Owners Representative by the date noted in section 1.5. Oral, telephonic, or faxed proposals are invalid and will be considered as non-responsive.

### 1.8 Proposal Requirements

Proposals must include, but are not limited to, the following items:

- Brief cover letter expressing interest
Part 1 Organization Information
A. If your firm has multiple offices, please provide this information for all offices. Indicate which office is going to perform the bulk of the services for this project.
B. Statement of available bonding capacity for this project
C. Completed AIA 305 including financial statements

Part 2 – Project Experience
A. Present at least three Design Build projects completed in the last five years similar in size and complexity. Include:
   1. Project location
   2. Project size (square feet) of the project
   3. Project completed construction value
   4. Project construction start and completion date
   5. Method of construction
   6. Other relevant project information
   7. General Contractor Staff directly involved with the project. Identify teams Preconstruction Manager, Project Manager, Estimator and Superintendent at a minimum
   8. Client/Owner contact with telephone number
   9. Owner’s Representative contact with telephone number
   10. Architect contact with telephone number

Part 3 Project Team & Staff
A. Resumes for:
   1. Architect
   2. Engineers
   3. Estimator
   4. Project Manager
   5. Project Superintendent

B. Owner and other references (including telephone numbers and email), clearly identify which project and who the reference is in relation to. Please include relevant projects that team members have worked on together

C. Describe current workload of proposed staff and overlapping project responsibilities.

D. Provide an organization char graphically indicating how your firm would staff and structure the proposed team (both in the field and in the office) during the Pre-construction and construction phases.

E. Provide a matrix showing what projects you have worked on with the team designers.

Part 4 – Organization & Management of the Project
A. What makes your teams Design Build service unique and successful?
B. What makes your firms design and pre-construction services unique? What tools do you use to enhance the process? Describe your approach.
C. Describe how your cost estimating process is organized, and provide specific examples of your cost estimating documents where you feel such information will provide clarity. Provide historical cost comparisons between schematic design cost estimates and the final GMP on projects of similar size and/or scope to that of the project.

D. Describe your approach to safety on the project site, specifically as it relates to work taking place adjacent to a functioning Client facility. Cite specific examples where your team has dealt with this, and how the safety plan was communicated and managed.

E. Describe how your team (preferably the Design Build team) recently worked together to resolve a complicated unexpected construction situation on a recent project.

F. Describe a recent project that was completed as Design Build. What lessons did you learn and what would you do differently on this project?

G. Have your superintendent describe what he/she is most proud of on his/her most recent project.

H. What bothers your superintendent most on projects and how does he/she resolve it?

I. Have your project architect summarize what is most important on an addition/remodel project.

J. Fill in the blank: We define success on a project as ____________.

**Part 5 Fee Proposal**

A scope combination matrix will be included in addendum two. This matrix is an outline of the project scope as defined by the Owner’s Representative. (Fees are not due with the submission but will be required during the interview phase of the selection process, if your team reaches that stage.)

Insurance certificates naming the Tribe as additional insured will be required prior to work commencing, but not required as part of this submittal.

1.9 Questions, Inquiries and Amendments regarding this RFP

Questions and inquiries regarding the RFP should be directed to the Yurok Tribe Project Manager listed above by the date aforementioned. The Tribe will issue a response to all questions by email. Questions should not be submitted to any other parties, doing so will cause this candidate’s removal from the RFP process.

1.10 Proposing Firms to fully inform themselves

Proposers are required to fully inform themselves of all project conditions which may impact their proposal and the Tribe’s requirements prior to submitting a proposal. Proposers should become acquainted with the nature and extent of the services to be undertaken and make all necessary examinations, investigations, and inspections prior to submitting a proposal. Firms proposing are responsible for examining and determining for themselves the location and nature of the proposed work, the amount and character of the labor and materials required, and the difficulties which may be encountered. If requested in advance the Client will provide the Firm proposing access to the site to conduct such examinations as each Proposing Firm deems necessary for submission of a proposal.

The Proposing Firm is to consider federal, state and local Laws and Regulations that may affect cost, progress, performance or furnishing of the Work.

The Tribe will not consider any claims arising from failure to take such actions.

1.11 Evaluation and Selection Criteria
The Tribe reserves the right to reject any or all responses to this RFP. Final selection of the shortlisted Design Build candidates will be on the basis of their apparent ability to best meet the overall expectations of the Tribe, as determined solely by the Tribe.

The Tribe reserves the absolute right to conduct investigations as it deems necessary for the evaluation of any proposal and to establish the experience, responsibility, reliability, references, reputation, business ethics, history, qualifications, and financial ability of the firm responding. The purpose of such investigation is to determine that the Design Builder has the ability, experience, resources and reputation necessary to perform the work and to support all warranties in accordance with the contract documents.

The following items will be reviewed to provide a basis for selection, (not in order of priority):

A. Qualifications Proposal Phase of Selection (total points available = 100):

1) Qualifications and experience of the teams, as indicated by prior successful completion of similar projects. 25 points
2) Qualifications and experience of the key individuals, who will be assigned to this project, as indicated by prior involvement in similar projects. 25 points
3) Proposed approach to completion of the scope of work and understanding of the project and project issues. 15 points
4) References 15 points
5) Indian Preference 15 points Indian Preference will apply. Any firm seeking such preference must provide evidence that it is not less than 51% Indian owned and controlled. Pre-qualification is required. Indian preference applications are due by April 5 and can be obtained by calling Manuel Sanchez at (707) 482-1350 ext. 1388 or Cynthia Bones, Planner III cbones@yuroktribe.nsn.us (707) 482-1350 ext. 1385. If you’ve already submitted an Indian preference application to the Yurok Tribe within the last six months, then email a statement to yuroktero@yuroktribe.nsn.us identifying changes in your organization or notify us of no changes in your organization.

The Project is subject to the Tribe’s Employment Rights, Laws and policies. A 1% TERO fee will be assessed on all design and other professional service work, and a 5% TERO fee will be assessed on all construction services. Both fees shall be included in the D-B Contract Cost.

6) Demonstrated ability to provide acceptable surety by bond or letter of credit. 5 points

B. Interview & Fee Proposal Phase of Selection:

1) Those respondents deemed best qualified will be invited to participate in an interview with the Selection Committee. An interview invitation will be sent out to approx. three (3) Candidates with the highest RFP submittal scores (from the above Qualifications Proposal Phase) on the date noted in the schedule of events. The invitation will explain the interview requirements and provide the time and location. The purpose of the interview is to ensure a full understanding of the RFP responses, and to introduce key members of the Design Build Team.
2) Each shortlisted firm will be required to complete and submit a Design Build Fee and Schedule Proposal Form (including fees) on the date noted in the schedule of events. This information will be evaluated and rated in terms of responsiveness and value.

- Note – Although the project cost will be a major component of the selection process, other factors will also be considered. Contract may not be awarded to the firm providing the lowest proposed fee.

1.12 Selection Process
The Tribe will review all responses to this RFP that meet requirements and are received prior to the designated closing date and time.

Upon review of the qualified firms, the Tribe will select the proposal which best reflects the Tribe’s needs and requirements.

The top firm’s proposal, based on qualifications, will be reviewed and, if necessary, negotiations will commence.

If a satisfactory agreement with the proposer cannot be reached, at a price that is determined to be fair and reasonable, negotiations with that firm shall be formally terminated. Negotiations with the second ranked proposer may then be initiated. Failing accord with the second ranked proposer, the Client shall formally terminate negotiations and may then undertake negotiations with the third ranked proposer or re-issue the RFP at their discretion.

The Tribe will have sole determination of which proposal is in the Tribe’s best interest.

1.13 Right of Rejection
The Tribe reserves the right to accept or reject any or all responses to this RFP and to enter into discussions and/or negotiations with one or more qualified Proposing Firms, if such action is in the best interest of the Tribe. The Tribe has the right, in its sole and absolute discretion, to select the proposal or proposals that the Tribe determines best meets its needs.

1.14 Modification and Withdrawal of proposal
Withdrawn proposals may be resubmitted up to the time designated for the receipt of the proposals due date/time provided that they are then fully in conformance with the RFP.

If, within twenty-four hours after proposals are opened, any company that provides written notice to the Tribe and promptly thereafter demonstrates to the reasonable satisfaction of Tribe that there was a material and substantial mistake in the preparation of its proposal, that company may withdraw its proposal. Thereafter, that company will be disqualified from further bidding on the Work.

1.15 Proposals to remain open subject to acceptance
All proposals shall remain open for forty-five (45) days after the day of the proposal opening, but the Tribe may, in its sole discretion release any proposal prior to that date.
1.16 **Cost of proposals**

Expenses incurred in the preparation of proposals in response to this RFP are the Proposing Firm’s sole responsibility. The Tribe assumes no responsibility for payment of any expenses incurred by any Proposing Firm as part of the RFP process.
2.0 Attachments
  2.1 Map
2.2 Site Plan
2.3 Floor Plan