



Request for Proposals

RFP # 21-010

Solis Mixed-Use Project - Sugar Hill



May 12, 2021

The City of Sugar Hill Downtown Development Authority (the “DDA”) is now accepting sealed proposals from qualified vendors to provide “at-risk” construction management services for a 4-plus acre, 347,000-plus square foot mixed-use building with market rate multi-family, retail, and structured parking in Sugar Hill, Georgia, known as “Solis Sugar Hill”. Information about the project is provided below and on the city’s website: www.cityofsugarhill.com .

Instructions for preparation and submission of a response are contained in this package. All submittals are due in the office of the City Manager located at 5039 West Broad St, Sugar Hill, Georgia 30518, no later than 10:00 a.m. on Friday, June 11, 2021.



Jack Wolfe, DDA Chairman

Section I: General Information

The DDA has approved Development and Inducement Agreements with Terwilliger Pappas Multi-Family Partners (the “Developer”) related to the construction, operation and management of Solis Mixed Use of Sugar Hill. The DDA and Developer intend to enter into an agreement for the Developer to design, build, operate and manage Solis Mixed-Use of Sugar Hill. The winning proposer will contract with Developer to build the project.

This request for proposals ("RFP") is the next step toward construction using a competitive sealed proposal procurement process in accordance with O.C.G.A 36-91-1ff. The DDA is seeking firms interested in providing public Construction Manager at Risk ("CM at Risk" or "CMAR") services on this project through this RFP process. The DDA's selection committee ("Committee") will evaluate submitted proposals based upon the identified evaluation criteria and points set forth below, interview as necessary, and award based on the selection criteria established herein. The project delivery method for construction will be public CM at Risk with a Guaranteed Maximum Price ("GMP"), and will enter into an AIA 2017 102 and 201.

Introduction

The Sugar Hill DDA is soliciting proposals from qualified professional construction contractors and management teams, registered with the state as general contractors, to assist with the construction and management in an at-risk role for the Solis of Sugar Hill Mixed Use project as described in more detail below. This contract solicitation will allow engagement of a qualified team that can deliver these services in an independent, professional, and comprehensive manner. Plans are available from the principal design professional at Cooper Carry at the address and contact information below:

ATTN: JENNY WILLIAMS

191 Peachtree Street NE

Suite 2400

Atlanta, GA 30303

Project Understanding

The project consists of a five-story apartment complex with 294 units and a 11,000-plus square feet of retail. The project fulfills residential and retail, restaurant & commercial space needs, fuels economic development, and creates a pedestrian-friendly community within the central business overlay district. The scope of work will involve the following elements:

Project Summary

- A. The Work of Project is defined by the Contract Documents, available for viewing at the City Planning office, and consists of the following:
 - 1. The Work consists of the construction of approximately 347,600 square feet of Type V wood-framed building space, 650 precast structured parking spaces, related site preparation and improvements and complete mechanical, electrical, plumbing and fire protection systems (NFP13R).
 - 2. The Work includes, but is not limited to, site clearing, earth work, termite control, asphalt paving, concrete paving, planting and irrigation, turf and grasses, plants,

storm utility drainage piping, cast-in-place concrete, pre-cast parking structure, unit masonry assemblies, structural steel, pipe and tube railings, rough carpentry, sheathing, interior architectural woodwork, water repellents, building insulation, thermoplastic membrane roofing, sheet metal flashing and trim, roof accessories, through-penetration firestop systems, joint sealants, wood doors and frames, steel doors and frames, access doors and frames, aluminum framed entrances and storefronts, door hardware, glazing, load bearing wood framing, non-load bearing wood framing, gypsum board, ceramic tile, acoustical panel ceilings, resilient floor tile, sheet vinyl floor coverings, resilient wall base and accessories, carpet, wall coverings, painting, louvers and vents, interior and exterior building signage, fire-protection specialties, postal specialties, toilet and bath accessories, horizontal louver blinds, electric traction elevators, basic mechanical materials and methods, mechanical identification, duct insulation, through-penetration firestopping mechanical systems, valves, meters and gages, domestic water piping, sanitary waste and vent piping, storm drainage piping, refrigerant piping, fire-suppression piping, electric-drive centrifugal fire pumps, plumbing specialties, plumbing fixtures, water distribution pumps, packaged booster pumps, sump pumps, electric, domestic water heaters, fan-coil units, electric heaters, rooftop units, diffusers, registers, and grilles, air filters, HVAC instrumentation and controls, sequence of operations – HVAC, testing, adjusting, and balancing, general provision – electrical, basic electrical materials and methods, overcurrent protective device coordination, grounding and bonding, electrical supports, electrical identification, conductors and cables, raceways and boxes, wiring devices, enclosed switches and circuit breakers, switchboards, panelboards, dry-type transformers (600 v and less), fuses, lighting, and lightning protection.

INFORMATION & INSTRUCTIONS

The remainder of this document provides additional information that will allow a prospective offeror to develop a submittal in the format desired by the DDA.

Submission Requirements: The complete original submittal must be submitted in a sealed package. All submittals shall be marked the RFP number and project name clearly marked on the outside of the sealed package. Offerors shall file all documents necessary to support their submittal and include them with their proposal. Offerors shall be responsible for the actual delivery of submittals during normal business hours to the address indicated in the cover letter. It shall not be sufficient to show that the submittal was mailed in time to be received before scheduled closing time.

Responsibility: It is the sole responsibility of the Offeror to assure that they have received the entire Request for Proposals (RFP).

Changes or Modifications to RFP: Offerors registered with the DDA, will be notified in writing of any change in the specifications contained in this RFP. Otherwise, offerors are expected to check the City website for addenda which will be posted to the website not less than 72-hours prior to the response deadline. Questions should be directed, in writing, to Jenny Williams, the

representative design professional at Cooper Carry jennywilliams@coopercarry.com with copy to DDA's project representative at tbesseche@cityofsugarhill.com.

Interpretations: No verbal or written information that is obtained other than through this RFP or its addenda shall be binding on the DDA. No employee of the DDA is authorized to interpret any portion of this RFP or give information as to the requirements of the RFP in addition to that contained in or amended to this written RFP document.

Right of Rejection and Clarification: The DDA reserves the right to reject any and all submittals and to request clarification of information from any Offeror. The DDA is not obligated to enter into a contract on the basis of any submittal submitted in response to this document.

Request for Additional Information: Prior to the final selection, Offerors may be required to submit additional information which the DDA may deem necessary to further evaluate the Offeror's qualifications.

Denial of Reimbursement: The DDA will not reimburse Offerors for any costs associated with the preparation and submittal of any proposal, or for any travel and/or per diem costs that are incurred.

Gratuity Prohibition: Offerors shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the DDA or the Developer for the purpose of influencing consideration of this submittal.

Right of Withdrawal: A submittal may not be withdrawn before the expiration of one hundred (120) days from the submittal due date.

Right of Negotiation: The DDA reserves the right to negotiate with the selected Offeror the fee for the proposed scope of work and the exact terms and conditions of the contract.

Exceptions to the RFP: It is anticipated that Offerors may find instances where they may take exception with certain requirements or specifications of the RFP. All exceptions shall be clearly identified, and written explanations shall include the scope of the exceptions, the ramifications of the exceptions for the DDA, and a description of the advantage to be gained or disadvantages to be incurred by the DDA as a result of these exceptions.

Indemnification: The Offeror, if successful, at its own expense and without exception, shall indemnify, defend and pay all damages, costs, expenses, including attorney fees, and otherwise hold harmless the DDA, its employees, and agents, from any liability of negligent nature or kind in regard to the delivery of these services. The Offeror shall secure and maintain General Liability Insurance, if required, as will protect them from claims under the Workers Compensation Acts and from claims for bodily injury, death, or property damage which may arise from the performance of services under this contract. Further, the Offeror shall provide evidence and the amount of Errors and Omissions Insurance, i.e. Professional Liability Insurance currently in effect. The successful offeror shall be required to provide adequate insurance coverage consistent with the scope & scale of this project offering.

Rights to Submitted Material: All submittals, responses, inquiries, or correspondence relating to or in reference to this RFP, and all reports, charts, and other documentation submitted by Offerors shall become the property of the DDA when received.

Title VI/Nondiscrimination Statement: No person shall on the grounds of race, color, national origin, sex, age and handicap/disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the DDA. The DDA does further commit that disadvantaged business enterprises as defined by and approved by the Georgia Department of Transportation will be afforded full opportunity to submit in response to this request and will not be discriminated against on the grounds of race, color, national origin, sex, age, handicap/disabled in consideration of an award.

Qualifications: Submittals shall include a completed copy of the appropriate schedules in response to this request.

Selection Criteria for Prospective Contractor: To receive consideration, the offeror's submittal should be responsive to the potential projects described in this document and according to the criteria listed below.

A selection committee will be convened to evaluate the submittals based on the following weighted criteria:

<u>Project Methodology- Pre-Construction & QA/QC-Structure.</u>	10%
<u>Similar Urban Residential & Mixed-Use Project Experience.</u>	25%
<u>Experience with City and Developer</u>	25%
<u>Project Superintendent Experience.</u>	10%
<u>Fee Proposal.</u>	15%
<u>Financial Health - Prime.</u>	10%
<u>Safety Record – Prime.</u>	5%
<i>Total:</i>	100%

Upon completion of an initial evaluation by the committee and scoring, interviews may be utilized to determine the final short-list of candidates at the sole discretion of the committee. Once the short-list is determined, sealed fee proposals will be reviewed, and a final recommendation will be made to the Sugar Hill DDA for approval. The DDA reserves the right to award a portion of or the entire contract to any combination of consultants (firms, teams, or individuals) that serve the best interest and provide the greatest value to the DDA while maintaining a competitive and fair procurement framework.

Copies: One unbound original, one .pdf on flash drive, and **three (3) bound** original copies of the submittal and supporting documents must be submitted in response to the RFP.

Termination of Contract: The contract may be canceled at any time for breach of contractual obligations by providing the successful Offeror with a written notice of such cancellation, in accordance with the terms of the final Construction Agreement.

Assignment: The successful Offeror shall not sell, assign, transfer or convey any contract

resulting from this RFP, in whole or in part, without the prior written consent.

Conflict of Interest: The Offeror covenants that they presently have no interest and shall not acquire any interest, directly or indirectly, which would conflict in any manner or degree with the performance of the services hereunder. The Offeror further covenants that no person having any such known interest shall be employed or conveyed an interest, directly or indirectly, in the contract.

Independent Contractor: The Offeror represents itself to be an independent contractor offering such services to the general public and shall not represent himself or his employees to be an employee of the DDA. Therefore, the Offeror shall assume all legal and financial responsibility for taxes, FICA, employee fringe benefits, workers compensation, employee insurance, minimum wage requirements, overtime, and other expenses, and agrees to indemnify, save, and hold the DDA, its officers, agents, and employees, harmless from and against, any and all loss; cost (including attorney fees); and damage of any kind related to such matters. The Offeror shall further understand that the DDA cannot save and hold harmless and or indemnify the Offeror and/or the Offeror's employees against any liability incurred or arising as a result of any activity of the Offeror or any activity of the Offeror's employees performed in connection with the contract.

Contract: The contract shall consist of:

- 1) The RFP and any amendments thereto;
- 2) The qualifications submitted by the Offeror in response to the RFP;
- 3) The fee proposal submitted by the Offeror in response to the RFP;
- 4) Executed contract with the successful Offeror; and

In the event of a conflict in language between the documents referenced above, the provisions and requirements set forth and/or referenced in the Construction Agreement shall govern. However, the DDA reserves the right to clarify any contractual relationship in writing with the concurrence of the Offeror, and such written clarification shall govern in case of conflict with the applicable requirements stated in the RFP or the Offeror's submittal. In all other matters not affected by the written clarification, if any, the RFP shall govern.

Compliance with Laws: In connection with the furnishing of supplies or performance of work under the contract, the Offeror agrees to comply with the Fair Labor Standards Act, Equal Opportunity Employment Act, Georgia Security and Immigration Compliance Act, and all other applicable Federal and State laws, regulations, and executive orders to the extent that the same may be applicable and further agrees to insert the foregoing provision in all subcontracts awarded hereunder.

Funding: Funding is provided through a combination of local funds, Developer funds, 3rd party equity funds, senior debt, bonds. No federal funding is being used in the completion of this project.

Submittal Submission & Evaluation

Firms should provide the following information related to this RFP:

- Letter of Interest (Cover Letter)
- Project Understanding & Description - Narrative
- Project Methodology – Narrative
- Project Experience – Schedules A, C, D, G, I (Include project data sheets as necessary)
- Team Member Experience – Schedule B
- Evidence of Financial Health – Schedules E, H, J, K, L
- Safety Record – Schedule F
- Fee Proposal – Schedule M (Sealed Separately)
- Certification

Responses to this request should be in the form of a written package not to exceed 50 pages including cover letter. Any incomplete submittals will be determined to be non-responsive.

The DDA will select the General Contractor that demonstrates the best combination of qualifications by area of expertise or collective specialties in such manner as is in the best interest of the DDA. Interviews may be required; however, the DDA reserves the right to award a contract based upon evaluation of the written submittals only. The form of the contract will use an AIA format.

All submittals must be in writing and must be received at the following address no later than 10:00 a.m. on **FRIDAY, JUNE 11, 2021**. All submittals, delivered by hand or other methods, must clearly indicate on the outside of the sealed package or envelope the information provided below. Provide one (1) unbound, (1) flash drive (with .pdf copy) and three (3) bound original copies of the complete submittal.

RFP 21-010: SOLIS MIXED USE OF SUGAR HILL

SUGAR HILL DDA

ATTN: Troy Besseche, P.E.

City of Sugar Hill

5039 West Broad St

Sugar Hill, Georgia 30518

Certification

The undersigned declares that he or she has carefully examined all the documents contained in this Request for Proposals (RFP) solicitation for the project, and certifies to the best of his/her knowledge, that this Proposal fully complies with all of the requirements of the RFP and all addenda and clarifications issued in regard to the RFP.

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

The undersigned further states that he or she has the necessary licenses, certifications, and professional credentials necessary to practice their respective professions within the State of Georgia.

The undersigned states that he or she has carefully examined all of the information provided and representations made in this Proposal and the documents submitted with the RFP including all schedules, forms and materials, and certifies to the best of his/her knowledge, that this Proposal in its entirety is complete, true and accurate.

Acknowledgement of Addenda. By signing below, the interested Offerors **acknowledges receipt of the following addenda** to this RFP:

Addenda No. (if any) _____

SIGNED UNDER THE PENALTY OF PERJURY:

Signature: _____

(Signature of Authorized Representative)

Print Name: _____

Title: _____

Firm Name: _____

Date: _____

Project Number: _____

Project Name: _____

Firm Name: _____

SCHEDULE A – BUSINESS OWNERS: Interested Offeror **MUST** provide the following information and attach a copy of the resume for each and every business owner of the team (each firm) for this Project.

[illegible]

Firm Name: _____

SCHEDULE B – MANAGEMENT PERSONNEL: Interested Offerors **MUST** provide the following information and attach (1) an organizational chart and (2) copies of the resumes for each person who will have any direct management responsibility for the Project, including but not limited to, project executives, project managers, project superintendents, etc. for this Project.

[illegible]

Firm Name: _____

SCHEDULE C - SIMILAR PROJECT EXPERIENCE: Interested offerors **MUST** list all similar projects respondent Offeror has completed during the last five (5) years. For the purpose of this *RFP* "similar projects" shall be as defined as projects of similar dollar value (\$20-\$50M), size, scope and complexity as this Project. For each project listed provide a detailed description of the scope of work performed and provide contract amounts for that scope of work only.

If specific criteria are required for a Trade such as prior experience, make sure those criteria are met and described by the projects listed.

[illegible]

Firm Name: _____

SCHEDULE D - TERMINATIONS: Interested Offerors are required to list each and every project on which it was terminated or failed to complete the project within in the prior five (5) years.

[illegible]

Firm Name: _____

SCHEDULE E - LAWSUITS: Interested Offerors are required to list of all lawsuits in which the Offerors is a defendant or defendant-in-counterclaim with regard to construction contracts within the last 3 years. Please include among the lawsuits requested in the previous sentence, payment bond lawsuits under G.L.c.149, §29 and mechanics lien lawsuits. If the lawsuit was pending at any time during the last three (3) years (which includes any lawsuit that was commenced, dismissed, or resolved by settlement or judgment during that time), then it must be listed. **DO NOT** include actions that primarily involve personal injury, workers' compensation claims, or where the sole cause of action involves the Offeror's exercise of its rights for direct payment. Joint ventures must provide information regarding lawsuits for each joint venture partner.

PROJECT NAME & LOCATION	PROJECT OWNER	DESCRIPTION OF LEGAL PROCEEDING (include caption of case, parties, location of proceeding, description of the dispute and status and/or outcome)

Firm Name: _____

SCHEDULE F – SAFETY RECORD: Interested Offerors are required to provide the three (3) three year history of its workers' compensation experience modifier and **attach documentation from its insurance carrier** supporting the ratings reported herein.

YEAR	WORKERS' COMP. EXPERIENCE MODIFIER	COMMENTS

Firm Name: _____

SCHEDULE G - PROJECT REFERENCES: Interested Offerors are required to list references for prior work respondent Offerors has performed which appears in *Schedule C*.

PROJECT TITLE	COMPANY NAME	CONTACT PERSON/ADDRESS	TELEPHONE#	FAX#
	OWNER: DESIGNER:			
	OWNER: DESIGNER:			
	OWNER: DESIGNER:			
	OWNER: DESIGNER:			
	OWNER: DESIGNER:			

Firm Name: _____

SCHEDULE H - CREDIT REFERENCES: Interested Offerors are requested to list at least three (3) credit references from banks, suppliers and/or vendors.

CHECK ONE	COMPANY NAME	CONTACT PERSON	TELE#	FAX#
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				

Firm Name: _____

SCHEDULE I - PROJECT RECORD: – Interested Offerors are required to list all completed similar projects during the past three (3) years. (Respondent Offerors may attach additional pages if necessary).

PROJECT INFORMATION		CONTACT INFORMATION	
PROJECT NAME:		AWARDING AUTHORITY:	
CONTRACT VALUE:			
SCOPE:		DESIGNER:	
START DATE:			
FINISH DATE:			
PROJECT NAME:		AWARDING AUTHORITY:	
CONTRACT VALUE:			
SCOPE:		DESIGNER:	
START DATE:			
FINISH DATE:			

Firm Name: _____

SCHEDULE J – PRIOR REVENUE: – Interested Offerors are required to list prior revenue for the last three (3) fiscal years.

Firm's fiscal year runs _____ to _____.

YEAR	PRIOR ANNUAL REVENUE (\$)

Firm Name: _____

SCHEDULE K – REVENUE UNDER CONTRACT: – Interested Offerors are required to list revenue under contract for next three (3) fiscal years.

Firm's fiscal year runs _____ to _____.

YEAR	REVENUE UNDER CONTRACT (\$)

Firm Name: _____

Schedule L – LETTER EVIDENCING BONDING CAPACITY

Respondent / Offerors must attach here a letter from a surety company evidencing that the surety will provide respondent with payment and performance bonds for the Project in an amount equal to or greater than One Hundred and Ten Percent (110%) of the estimated trade contract value of the Project. The surety company must meet the requirements set forth above. The required commitment letter must be dated within the time frame of the RFP procurement.

Firm Name: _____

Schedule M – FEE PROPOSAL (SEAL/SUBMIT IN SEPARATE ENVELOPE)

Respondent / Offerors must complete the fee proposal in the format provided below:

Fixed Fee – PreConstruction Phase	\$
Fixed Fee - General Conditions (per month)	\$
Percentage Fee – Construction (based on GMP)	%

Authorized Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____