

Request for Proposal

City of Lebanon

Stone Eater Bike Park Construction Manager as Constructor Under Ind. Code 5-32 *et seq.*



Contact:

Kevin Krulik
City Engineer

KKrulik@lebanon.IN.gov

Release Date: **XXXXXX**

Deadline for Questions: **XXXXXXXXXX- 4:30 p.m. (EST)**

Questions must be emailed to:

KKrulik@lebanon.IN.gov

Subject Line: "Stone Eater Bike Park - RFP"

Deadline for Proposals: **XXXX** (EST)

Notification of Shortlist: **XXXX**

Interviews: TBD

Notification of Award: **XXXXX**

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Invitation

Qualified firms are invited to submit a Proposal for the completion of Construction Manager as Constructor (CMc) services for the City of Lebanon Stone Eater Bike Park project pursuant to the provisions of Ind. Code 5-32 *et seq.* (the “Act”). This project involves the design and construction of new bike paths/courses, infrastructure, and support facilities in Lebanon, Indiana. A summary of the project, services requested, submission requirements and selection process are included herein. The provisions of the Act are incorporated herein and shall govern this RFP and the construction of the project.

Project Background

XXXXX (if applicable)

Project Summary

(DESCRIPTION OF PROJECT REQUIREMENTS AND FEATURES)

Site/Infrastructure: (DESCRIPTION OF SITE)

Bike Trails/Paths: (DESCRIPTION OF SITE)

- XXXXX
- XXXXX
- XXXXX

Support Facilities: Elements are expected to include:

- XXXXX
- XXXXX
- XXXXX

Cost/Funding: The overall project budget is approximately \$XX,XXX

Schedule: Owner’s goal is to begin construction XXXX, with completion XXXX.

Services Requested

Owner is looking to contract with an experienced CMc to provide the full range of pre-construction and construction services. Please provide your own scope of work as part of your submittal.

Submittal Requirements

Four hard copy responses and a PDF version on a flash drive shall be submitted by **XXXXpm (EST) on XXXX, 2022. Documents received following that date and time will not be considered.** Please seal all submittal documents in an envelope or box and label as follows:

Lebanon Stone Eater Bike Park Proposal for CMc Services

Responses are to be sent to:

Kevin Krulik – KKrulik@lebanon.IN.gov
City of Lebanon
Attention: Kevin Krulik– City Engineer
401 South Meridian Street
Lebanon, IN 46052

The submittal shall include the following components, submitted in this order. The total submission shall not exceed 25 pages.

1. Cover Letter
2. Firm Background – including lines of service, general approach to projects
3. Project Team
 - a. Include brief resumes for each team member including their role in the project, firm and date of employment.
 - b. Include client’s main point of contact.
 - c. Identify percentage of time each individual will commit to the project.
 - d. Identify hourly rate of each individual.
 - e. Identify XBE efforts made.
4. Similar Projects Completed
 - a. This should demonstrate significant firm experience related to the project, including a summary of the firm’s experience on park projects and municipal projects as well as CMc experience. Please provide total cost of project for each example
5. References
 - a. Provide a minimum of three client references with contact information
 - b. Provide references from Architect/Engineering teams you have worked with on construction management projects. Identify any that were specifically for a CMc project.
6. Project Approach – This should include responses to the following:
 - a. Indicate your approach to achieving a green and sustainable project in a fiscally responsible manner. (Note: Project does not require Leed Certification

General Conditions

Be it understood that:

- Owner reserves the right to reject any and all Statement of Proposal/ Qualifications at its sole discretion.
- Owner does not require you to submit a certified check or other evidence of financial responsibility with your proposal.
- All offerors will be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Owner may enter into discussions with offerors to clarify and assure a full understanding of proposals.
- Owner is not responsible for any costs associated with preparing a response to this request. All costs will be the responsibility of the proposer.
- Owner may refuse to disclose the contents of the Statement of Proposals/ Qualifications during discussions with eligible offerors.

(THIS SECTION ONLY APPLIES IF LEBANON HAS REQUIREMENTS FOR ALL PUBLIC CONTRACTS. BELOW ARE EXAMPLE FROM PAST RFPs; should be addressed with your attorney.)

City of Lebanon Provisions Required in All Contracts

This section is included as a courtesy to give advanced notice of requirements on all Owner contracts. Please acknowledge ability to meet these requirements in the Acknowledgments section of your proposal.

Prevailing Party – Attorney Fees

Notwithstanding any term or condition in this Contract to the contrary, in the event litigation is commenced to enforce any term or condition of this Contract, the prevailing party shall be entitled to costs and expenses of litigation including costs and reasonable attorneys' fee.

Engaging in Activities with Iran

As required by Ind. Code §5-22-16.5, the [Selected Respondent] certifies that it is not engaged in investment activities in Iran. Providing false certification may result in the consequences listed in Ind. Code §5-22-16.5-14, including termination of this Agreement and denial of future contracts, as well as an imposition of a civil penalty.

E-Verify

[Selected Respondent] shall comply with E-Verify Program as follows:

a. Pursuant to Ind. Code 22-5-1.7, **[Selected Respondent]** shall enroll in and verify the work eligibility status of all newly hired employees of **[Selected Respondent]** through the E-Verify Program ("Program"). **[Selected Respondent]** is not required to verify the work eligibility status of all newly hired employees through the Program if the Program no longer exists.

b. **[Selected Respondent]** and its subcontractors shall not knowingly employ or contract with an unauthorized alien or retain an employee or contract with a person that **[Selected Respondent]** or its subcontractors subsequently learns is an unauthorized alien. If **[Selected Respondent]** violates this Section 7(b), Owner shall require **[Selected Respondent]** to remedy the violation not later than thirty (30) days after Owner notifies **[Selected Respondent]**. If **[Selected Respondent]** fails to remedy the violation within the thirty (30) day period, Owner shall terminate the contract for breach of contract. If Owner terminates the contract, **[Selected Respondent]** shall, in addition to any other contractual remedies, be liable to Owner for actual damages. There is a rebuttable presumption that **[Selected Respondent]** did not knowingly employ an unauthorized alien if **[Selected Respondent]** verified the work eligibility status of the employee through the Program.

c. If **[Selected Respondent]** employs or contracts with an unauthorized alien but Owner determines that terminating the contract would be detrimental to the public interest or public property, Owner may allow the contract to remain in effect until Owner procures a new contractor.

d. **[Selected Respondent]** shall, prior to performing any work, require each subcontractor to certify to **[Selected Respondent]** that the subcontractor does not knowingly employ or contract with an unauthorized alien and has enrolled in the Program. **[Selected Respondent]** shall maintain on file a certification from each subcontractor throughout the duration of the Project. If **[Selected Respondent]** determines that a subcontractor is in violation of this Section 7(d), **[Selected Respondent]** may terminate

its contract with the subcontractor for such violation. Such termination may not be considered a breach of contract by **[Selected Respondent]** or the subcontractor.

e. By its signature below, **[Selected Respondent]** swears or affirms that it i) has enrolled and is participating in the E-Verify program, ii) has provided documentation to Owner that it has enrolled and is participating in the E-Verify program, and iii) does not knowingly employ an unauthorized alien.

Non-Discrimination

[Selected Respondent] agrees:

(a) That in the hiring of employees for the performance of work under this contract or any subcontract hereunder, no contractor, or subcontractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, religion, color, sex, national origin or ancestry, discriminate against any citizen of the State of Indiana who is qualified and available to perform the work to which the employment relates;

(b) That no contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, religion, color, sex, national origin or ancestry;

(c) That Owner may deduct from the amount payable to the contractor a penalty of five dollars (\$5.00) for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract;

(d) If there is a second or any subsequent violation of the terms or conditions of this section, then this contract may be cancelled or terminated by Owner and all money due or to become due hereunder will be forfeited.

Americans with Disabilities Act Requirements

It is the intent and goal of Owner to ensure that all new construction comply with all applicable accessibility and non-discriminatory guidelines including the ADA and PROWAG guidelines.

Fair Housing Act (FHA) and Section 504 of the Rehabilitation Act, and The Architectural Barriers Act (ABA) standards and guidelines must be met on all projects requiring compliance with the FHA, Section 504, or the ABA.

Non-Collusion Affidavit

STATE OF INDIANA)
)
_____ COUNTY)

The undersigned offeror or agent, being duly sworn on oath, says that he or she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him or her, entered into any combination, collusion or agreement with any person relative to the price to be offered by any person nor to prevent any person from making an offer nor to induce anyone to refrain from making an offer and that this offer is made without reference to any other offer.

Offeror (Firm)

Signature of Offeror or Agent

Subscribed and sworn to before me this _____ day of _____ 2020.

, Notary Public

Commission Number: _____

Commission Expires: _____

County of Residence: _____