

Request for Proposal (RFP)

to provide

Construction Professional Services (CP)

For

Elachee Nature Science Center

Renovations/Modifications at Elachee Nature Science Center

EXHIBIT A-1

Construct a Restroom Facility

located at 2125 Elachee Drive Gainesville, Georgia.

EXHIBIT A-2

Renovations/Modifications to Classroom Space

located at 2125 Elachee Drive Gainesville, Georgia.

Interested parties may obtain RFP documents from the Elachee Nature Science Center website
Located at www.elachee.org.

OWNER:

**Elachee Nature
Science Center
2125 Elachee Drive
Gainesville, Georgia
30504**

Elachee Nature Science Center reserves the right to reject any and all proposals and to waive technicalities.

Solicitation Issue Date: 2/5/24 Proposal

Packages Due: 3/11/24

TABLE OF CONTENTS

1. GENERAL PROJECT INFORMATION
2. CONSTRUCTION PROFESSIONAL SERVICES REQUIREMENTS
3. CONTRACT INFORMATION
4. SELECTION PROCESS
5. SCHEDULE OF EVENTS
6. MANDATORY PRE-SUBMITTAL CONFERENCE
7. SUBMITTAL OF QUESTIONS AND REQUESTS FOR CLARIFICATION
8. SUBMITTAL REVIEW PROCESS
9. INSTRUCTIONS FOR PREPARING SUBMITTAL
10. SUBMITTAL OF FEE PROPOSALS
11. SUBMITTAL OF PROPOSAL AND FEE PROPOSAL
12. STEP II: INTERVIEW AND FEE NEGOTIATION PROCESS (for Finalists only).
13. PRESENTATION/ INTERVIEW INFORMATION
14. FINAL EVALUATION AND SELECTION
15. ADDITIONAL TERMS AND CONDITIONS
16. EXHIBIT "A" – GENERAL SCOPE OF WORK
17. EXHIBIT "B" – D/B FEE PROPOSAL

REQUEST FOR PROPOSAL
Design/Build (DB) Services for EXHIBIT A-1
Construct a Restroom Facility
located at 2125 Elachee Drive Gainesville, Georgia.

EXHIBIT A-2
Renovations/Modifications to Classroom Space
located at 2125 Elachee Drive
Gainesville, Georgia

Elachee Nature Science Center (ENSC), (Owner) is soliciting proposals from Construction Professionals/firms interested in providing Design/Build (D/B) services for the construction of **listed projects in Hall County, Georgia**. This Request for Proposals (RFP) seeks to identify potential providers of the above-mentioned services. All respondents to this RFP are subject to instructions communicated in this document and are cautioned to completely review the entire RFP and follow instructions carefully. The Owner reserves the right to reject any proposals, and to waive technicalities and informalities at their discretion.

1. GENERAL PROJECT INFORMATION

Project Description: Refer to Exhibit A for the "Project Description/Scope of Work".

Project Delivery Method

The Delivery Method for the Project will be Design/Build (D/B),

During pre-construction, the D/B will be responsible for the designing, construction, pricing, value engineering, as well as maintainability and constructability issues.

Project Budget

As part of the D/B services, D/B will evaluate the Owner Scope of Work and determine a developmental budget for the project and prioritize the needs. The final budget/Stated Cost of Limitation (SCL) will be determined by the prioritization of the Work, and the available funding. The Scope of Work may be revised by the Owner due to programmatic requirements, funding availability, or other circumstances.

Project Schedule

The selection of the D/B is anticipated to be finalized on December 10, 2023. Design and preconstruction services are expected to begin immediately upon execution of the contract with the D/B. Construction services expected to begin upon contract execution. (All of the dates herein are estimates which are subject to change.) Work described will begin December 10, 2023, with completion dates to be determined. The existing facilities will be occupied during construction; therefore, phasing will be required.

2. CONSTRUCTION PROFESSIONAL SERVICES REQUIREMENTS

The D/B will be expected to work expeditiously to design the facility and provide all needed design and construction services which may include, without limitation, technical review, cost verification, cost evaluation, value engineering, schedule development, and schedule evaluation, in addition to management of the construction. In addition, the D/B will be responsible for methods of construction, safety, and the scheduling and coordination of the work of all construction and miscellaneous contracts required for completion of the project within its predetermined budget and schedule. The successful D/B will be required to work collaboratively with the Owner's consultants.

3. CONTRACT INFORMATION

The contract format will be an Actual Cost plus a Fixed or percentage Fee not to exceed the Guaranteed Maximum Price (GMP) Agreement. During Pre-Construction, the D/B will be responsible for pricing, value engineering, and maintainability and constructability issues. Construction will commence with the release of distinct work packages based on the design documents. The D/B shall select all construction subcontracts by competitive selection using cost and other factors, with Owner approval of each subcontractor. The contract may have liquidated damages.

Form of Agreement

The agreement between the Owner and the D/B shall be the "AIA Document A133-current edition - Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of Work Plus a Fee with a Guaranteed Maximum Price", along with the Owner's modifications. The General Conditions for the project shall be as described in "AIA Document A201-2007 - General Conditions of the Contract for Construction", along with the Owner's modifications and Supplementary Conditions. The General Requirements of the D/B contract and general conditions are not open for negotiation. The construction services will be on an actual cost basis with all savings under the GMP, including unused contingency, returned to the Owner.

4. SELECTION PROCESS

Selection of the D/B will be a qualification/fee proposal evaluation process. Selection of the D/B will be a two-step process. The first step will be a qualification-based process, which will result in a minimum of 2 firms being selected for the second step. The second step will be an interview and negotiation-based process beginning with the top ranked firm.

5. SCHEDULE OF EVENTS

The following Schedule of Events represents the Owner's best estimate of the schedule that will be followed. All times indicated will be current standard time in Clarkesville, Georgia. The Owner reserves the right to adjust the schedule as the Owner deems necessary.

RFP Estimated Time Line:

- | | |
|---|------------------------------|
| a. Owner issues public/website advertisement of RFP: | February 5, 2024 |
| b. Pre-submittal conference and site visits | February 19, 2024 10:00 a.m. |
| c. Deadline for written questions/requests for clarification (see Section 7): | March 4, 2024 |
| d. Deadline for submission of Proposal: | March 11, 2024 1:00 p.m. |
| e. Owner completes evaluation, and issues notification to finalist firms: | March 18, 2024 |
| f. Committee interviews finalist firms: | April 11, 2024 |
| g. Board approval of D/B selected: | April 17, 2024 11:30 a.m. |

6. MANDATORY PRE-SUBMITTAL CONFERENCE

A pre-submittal conference will be conducted by the Owner and attendance of interested firms is mandatory. The conference shall be at Elachee Nature Science Center, Mundy Education Hall, 2125 Elachee Drive Gainesville, Georgia 30504. The date and time for the conference and site visit is listed above. ***The Owner reserves the right to disqualify a proposer from the selection process due to a failure by a proposer to arrive for the conference by the scheduled start time. Failure to attend a mandatory conference will automatically result in disqualification from the selection process.***

7. SUBMITTAL OF QUESTIONS AND REQUESTS FOR CLARIFICATION

It is the responsibility of each respondent to examine the entire RFP, seek clarification in writing, and review its submittal for accuracy before submitting the document. Questions about any aspect of the RFP, or the project, shall be submitted in writing (**e-mail only with the subject line "Elachee Project"**) to: sarah@elachee.org.

The deadlines for submission of questions relating to the RFP are the times and dates shown in the (Schedule of Events - Section 5). **All relevant questions and requests for clarification received by the Owner and the corresponding responses will be posted on the Owner's website and will be distributed by the Owner to those who requested documents through October 30, 2023, as an addendum to the original solicitation for services.** From the issue date of this solicitation until a successful proposer is selected and the selection is announced, respondents are not allowed to communicate for any reason with any members or employees of the Owner except for submission of questions as instructed in the RFP, or during the proposer's conference (if applicable), or as provided by any existing work agreement(s). For violation of this provision, the Owner shall reserve the right to reject the proposal of the offending proposer.

8. STEP 1: SUBMITTAL REVIEW PROCESS

Proposal Review

This RFP is issued for the purpose of acquiring Proposals from prospective D/Bs. A selection will be made by a Selection Committee consisting of representatives of the Owner. The Selection Committee will receive, and review Proposals submitted in response to this RFP. To be deemed eligible for evaluation, firms must meet the following minimum qualifications:

Minimum Qualifications Required (evaluated on a pass/fail basis by the selection committee)

- The firm or its principals are not currently ineligible, debarred, suspended, or otherwise excluded from bidding or contracting by any state or federal agency, department, or authority.
- Firm must have sufficient bonding capacity for anticipated total cost of work. Provide a letter or other supporting documentation from a bonding company indicating the firm's capacity to bond the project.
- Firm must have a current Contractor's Public Liability Insurance policy and must be insurable in at least the following amounts: Bodily injury, including death- limits of \$1,000,000 for each accident. Property damage- limits of \$2,000,000 for each accident and \$10,000,000 for the aggregate of operations. (The Owner reserves the right to require additional limits and/or coverage for actual contract.) Provide your current insurance certificate.
- Firms must have all necessary, valid and current licenses to do business in the State of Georgia. Provide a copy of your GC license, business license and Georgia Certificate of Existence.
- Firm must demonstrate sufficient cash flow to undertake the project as evidenced by a current ratio (current assets/current liabilities) of 1.0 or higher.
- The firm must demonstrate a commitment to safety with regard to Worker's Compensation by having an Experience Modification Rate (EMR) over the past three years of 1.2 or less.
- The firm or its principals have not been terminated for cause or currently in default on any contract.

The firms must provide a sworn statement attesting to compliance with the minimum criteria listed above and provide supporting documentation as requested further in the process in accordance with deliverable (A) A-1 below in this RFP.

The Selection Committee will then evaluate the submittals which have met the above minimum qualifications. Criteria for the evaluation are listed below:

Criteria for Evaluation of Submittal

- 15% Factor:* Stability of the firm, including the firm's corporate history, resources, form of ownership, litigation history, financials, etc.
- 20% Factor:* Firm's relevant project Experience and Qualifications, including the demonstrated ability of firm in effective design of similar facilities and management of construction of facilities comparable in complexity and function, including but not limited to design of classroom space and/or that of nature centers.
- 20% Factor:* Firm's Suitability to provide services for project, including the firm's apparent fit to the project type, delivery method, any unique qualifications for the project, current and projected workloads, describe your firm's plan for competitively selecting subcontractors. Additional factors for a firm's suitability will include the construction manager's office location/proximity to the project, and current/recent project workload.
- 20% Factor:* Proposed Project Team's Relevant Experience and Qualifications: Experience of the design and project manager and superintendent on completed projects of similar type, and complexity, including but not limited to experience with school construction and/or construction of nature centers; Assigned team's experience with effective budget and schedule control plans for this project; Provide information regarding percentage of the primary team member's time will be committed to this project.
- 15% Factor:* Quality of Proposed Design and Management Plan: The firm's cost and schedule of design and management plans; Firm's approach for managing changes within the stated cost and schedule limitations; Firm's approach for competitively administering and evaluating bid packages; The firm's subcontractor management plan; The firm's quality assurance program and plan; The firm's close-out plan; The firm's work force plan; The firm's safety plan and site logistics plan for proposed project.
- 10% Factor:* Evaluation of the submitted Fee Proposal, as submitted on Exhibit B with attachments A & B, attached herein.

9. INSTRUCTIONS FOR PREPARING SUBMITTAL

Each submittal shall be identical and include a transmittal letter. Submittals must be typed on standard (8- 1/2" x 11") paper. The pages must be numbered. A table of contents, with corresponding tabs, must be included to identify each section. Responses are limited to forty (40) double-sided pages or less using a minimum of an 11-point font. Any exhibits, affidavits or other enclosure information called for may be included in an appendix and will not count toward the limit. Tab sheets also do not count toward limit. Each submittal shall be prepared simply and economically, providing straightforward, concise delineation of respondent's capabilities. Emphasis must be on completeness, relevance, and clarity to content.

To expedite the review of submittals, it is essential that respondents follow the format and instructions outlined below. **The content of all Proposals must be categorized and numbered as outlined below and be responsive to all requested information:**

PROPOSAL

A. Stability

- A1- Provide basic company information: Company name, address, name of primary contact, telephone number, fax number, e-mail address, and company website (if available). If the firm has multiple offices, include information about the parent company and branch office separately. Identify the office from which project will be managed and proximity to the project site. Provide form of ownership, including state of residency or incorporation, and number of years in business. For joint venture entities that have not undertaken at least two projects together, each firm should submit its proposal separately. Joint submittals are Subject to the same submittal page limit.
- A2- Briefly describe the history of your firm(s). Provide general information about the firm's establishment, personnel resources, including disciplines and numbers and classifications of employees, and locations and staffing of offices that will be directly involved with this Project.
- A3- Please disclose whether or not the firm has been involved in any litigation with an Owner or Architect during the past five (5) years. List any active or pending litigation and provide a thorough explanation of its scope. List any claims against your firm or against Owners where your firm is named.
- A4- List the firm's annual average gross revenue for each of the past 5 years. Supply main financial and banking references.
- A5- Please provide information as to whether or not your firm has ever been removed from a contract for cause OR failed to complete a contract as awarded?
- A6- The firm, in order to be deemed eligible for further evaluation, will issue the following statement asserting that the firm meets the minimum qualifications required for this project (supporting information is requested and can be included as an Appendix in the Proposal). The SIGNED statement shall read as follows:
- a. We certify our firm, or its principals are not currently ineligible, debarred, suspended, or otherwise excluded from bidding or contracting by any state or federal agency, department, or authority.
 - b. We certify that our firm has sufficient bonding capacity for anticipated total cost of work. Provide a letter or other supporting documentation from a bonding company indicating the firm's capacity to bond the project.
 - c. We certify our firm has a current Contractor's Public Liability Insurance policy, and our firm is insurable in the amounts listed in the minimum qualifications (The Owner reserves the right to require additional limits and/or coverage for actual contract.) Provide your current insurance certificate.

- d. We certify our firm has all necessary, valid and current licenses to do business in the State of Georgia. Provide a copy of your GC license, business license and Georgia Certificate of Existence.
- e. We certify we have sufficient cash flow to undertake the project as evidenced by a current ratio (current assets/current liabilities) of 1.0 or higher.
- f. We certify a commitment to safety with regard to Worker's Compensation by having an Experience Modification Rate (EMR) over the past three years of 1.2 or less. Firm must provide a letter or other supporting documentation.
- g. We certify the firm, or its principals have not been terminated for cause or are currently in default on any public works contract.

B. Experience and Qualifications

B1- Provide information on the firm's experience on projects of similar function, and complexity (similar type of construction). Describe 3-5 projects, in order of most relevant to least relevant, which demonstrate the firm's capabilities to perform the project. For each project, provide the following information:

- a. Project name, location and dates during which services were performed.
- b. Brief description of project and physical description (delivery method, cost, square footage, number of stories, type of foundation, structural system, envelope, site area).
- c. Services performed by your firm.
- d. Provide any Owner-written letters of reference/recommendation about the firm's performance on the project.
- e. Owner/Architect contact information.
- f. Explanation as to how the highlighted project relates to the current Project being considered. If the firm has multiple offices, indicate the office responsible for each highlighted project

C. Statement of Suitability

C1- Provide any information that may serve to differentiate your firm from other firms regarding suitability for the project. Suitability may include, but is not limited to, the firm's fit to the project and/or needs of the Owner, any special or unique qualifications for the project, current and projected workloads, the proximity of main office to project location, and any techniques or methodologies offered by the firm that may be particularly suitable for this project type.

C2- Provide information on any special services, such as BIM capabilities, LEED Certification, and Georgia Peach Green Certification, offered by the firm that may be relevant and available for this project.

D. Qualifications and Experience of Proposed Project Team

D1- Describe your firm's proposed organization for the construction design and management team including, project executive, project director, project manager, superintendent, cost estimator, etc., who will manage the project. Please designate the specific individuals to fill the following key roles on your team:

- a. Superintendent(s)
- b. Design Professionals
- c. Project Manager
- d. Project Executive / Project Director
- e. Cost Estimator
- f. Other (please describe, if applicable)

D2- Please provide, for each of the above personnel, current resume listing relevant project experience, percentage of the person's time to be committed to this project, current and projected workloads, and his/her office location in relation to project location.

D3- Please identify the individual who, from project start to finish, will be the leader of your design and construction team and the principal point of contact between your firm and the Owner, the Architect, and other consultants. Provide detailed information on the qualifications of this individual and the direction, authority, and management tools that will be provided to the individual by the firm. Provide information on his/her current and projected workloads, and his/her office location in relation to project location. This individual's competence, his/her leadership, location, and his/her ability to achieve customer satisfaction will be heavily considered in the selection of a construction design and management firm.

D4- Provide an organizational chart showing the lines of responsibility and accountability for your team and proposed sub-consultants. If a joint venture, identify responsibility relationships, where there may be past experience at such relationships, and levels of experience.

D5- Provide examples of your recent experience as D/B or CM at Risk in constructing facilities similar to this project, including the following information:

- a. Provide photographs of similar projects your firm/team completed in the past five (5) years.
- b. Provide a written reference from the Owner (with current contact information) familiar with your performance on each of the above projects. Provide a Program Manager reference (if applicable).
- c. List the individuals who served as the Project Executive/Director, Project Manager, Superintendent, and Cost Estimator on the projects. Please note whether these individuals are still employed with your firm.
- d. Indicate those projects where an architect, engineering consultant, and D/B served a corporate or public client as a team.
- e. Provide information about the two most recent similar projects your firm has completed. Include the total quantity of change orders and net total cost increase of change orders to the project. Summarize the actual schedule performance relative to the initial project schedule. For each project, provide the name of an Owner's representative (with a current phone number) who is most familiar with your performance on the project.

E. Design and Management Plan

E1- With regard to your firm's expected role in the project, please provide:

- a statement of your definition of the role,
- your anticipated level of design, management responsibility and accountability for project concerns.

E1.1 Describe your process for efficiently resolving issues and maintaining the project commitments while working collaboratively with the Owner, and other stakeholders as applicable.

E1.2 Describe your procedures for routine solving of complex project issues without compromising your team commitments.

E1.3 Provide your proposed methods and plans of communication.

E2- Describe your firm's approach to providing pre-construction services on this project.

E3- Provide your cost management plan for controlling costs on this project within the GMP during construction. Describe your systems and procedures for controlling costs during construction.

E4- Provide your change order management plan for managing cost and schedule exposures within the stated limitations.

E5- Provide your procurement and workforce plan including details on your plan to assure local D/B opportunity. Describe how your firm intends to arrange the construction into bid packages in order to maintain The Owner's schedule and budget objectives.

E6- Provide your schedule management plan for this project during construction. Describe systems and procedures your firm uses to manage the project schedule. Describe alternatives that may be explored to shorten the schedule.

E7- Provide your subcontractor management plan including, contract document compliance procedures, project accounting procedures, issue resolution and compliance with Security and Immigration Compliance Act OCGA 13-10-91 – as it relates to subcontractor compliance with the requirements set forth therein ensuring compliance with the federal work authorization program.

E8- Provide your closeout management plan for this project. Describe your systems and procedures for your closeout plan.

E9- Provide your quality assurance plan for this project. Describe your firm's approach for validating compliance with the construction documents. Explain your process for ensuring quality workmanship.

E10- Provide your safety and site logistics plan for this project. Describe your plan for working around existing operations and for site access. Provide your accident incident rate for the past three (3) years, using the following formula: Incident Rate = # of Injuries x (200,000) / # Total Man Hours.

E-11- Provide your plan for applying any services not specifically mentioned herein, including methodologies for ensuring that project team and or subcontractors can work safely around children, with processes such as conducting background checks and/or drug screens, when appropriate. Explain the relevance of any other services to this project and how they benefit the project.

10. SUBMITTAL OF FEE PROPOSALS

Fee Proposals must be submitted separately, in a sealed envelope, with the Proposal. **Firms must use the attached "Fee Proposal" forms (Exhibit B, attachment A, & B) for their fee proposal.** Understand that this proposal constitutes a starting point for negotiation toward an eventual agreement on fees. The submitted fees will be evaluated concurrently with the Proposal.

11. SUBMITTAL OF PROPOSAL AND FEE PROPOSAL

All responses must be sealed in an opaque envelope or box, and reference to **Elachee Nature Science Center Gainesville, Georgia** on envelopes or boxes and addressed to the addresses below. Proposals must be physically received by the Owner prior to the deadline indicated in the Schedule of Events (Section 5 of RFP) at the exact address below:

Proposers should deliver **five (5) hard copies and one (1) electronic copy** (.pdf format) of their Proposal submittal, and the same of the separate sealed fee submittal to:

**D/B RFP
Attn: Sarah Bell
Elachee Nature Science Center
2125 Elachee Drive
Gainesville, Ga 30504**

It is the sole responsibility of the Proposers to assure delivery to the noted locations by the specified deadlines; the Owner cannot accept responsibility for incorrect delivery, regardless of reason. No Proposal submittals will be accepted after the time stipulated above. Proposal submittals will not be accepted via facsimile or e-mail.

It is the responsibility of the Proposers to examine the entire Request, seek clarification in writing, and review their proposal for accuracy before submitting a response. Once the deadline has passed, all submittals will be final.

All expenses for preparing and submitting responses are the sole cost of the party submitting the response. The Owner is not obligated to any party to reimburse such expenses. All submittals upon receipt become the property of the Owner. Labeling information provided in submittals "proprietary" or "confidential" or any other designation of restricted use will not protect the information from public view. Subject to the provisions of the Open Records Act, the details of the proposal documents will remain confidential until final award.

12. STEP II: INTERVIEW AND FEE NEGOTIATION PROCESS (for Finalists only).

Step II- D/B Selection, will be initiated by invitation to the qualified finalists by the Selection Committee (determined in Step I from evaluation of Proposal) for interviews to be conducted by the Owner. The successful D/B will be determined from the interview evaluation and a successful fee negotiation process.

13. PRESENTATION/ INTERVIEW INFORMATION

Interview Format

Firms selected to make presentations shall be notified by the Invitation to Interview email issued by the Selection Committee. Owner anticipates interviews will take place on **Wednesday, January 4, 2024**. The Invitation to Interview email shall designate the confirmed date, place and time for the interview session. The Invitation letter will specify the manner in which the presentations will be conducted.

Electronic presentations, such as PowerPoint presentations, are allowed but may not comprise more than 30 minutes of the 45 minute presentation. The Owner will have a screen available in the interview room. Nevertheless, presenters must be prepared with their own projector and computer. The presentation may include flip charts, boards, or any other media the D/B may need to communicate their abilities, along with the oral presentation.

The interviews may be conducted by the members of the Elachee Nature Science Center Board of Trustees, the President/CEO, and invited attendees of the Board's discretion. Each interviewer will grade and judge the firms to determine the top ranked firm. Firms are encouraged to briefly describe their general company history and any other information that is relevant to the presentation. All key personnel should be present at the interview, including at a minimum, the project superintendent, project manager and project executive.

Interview Requirements

The primary intent of the formal interview process is to provide the Board of Trustees with in-depth and clarifying information about the firm. Information provided should assist the Board of Trustees in making an informed decision as to the proposer best suited for the work.

Firms should focus their presentations on:

- Describing their design and vision of the requested projects;
- Describing their detailed plan for managing the construction, cost, schedule, and quality on the project; Unique characteristics or services the firm offers; and,
- Firm's concepts or plans for the division of the project into separate packages for award.

14. FINAL EVALUATION AND SELECTION

Upon completion of the evaluation of RFP submittal, proposers will be ranked in descending order of recommendation. In the event a satisfactory fee cannot be reached with the highest-ranking firm, the Owner will formally terminate the negotiations in writing and begin negotiation with the second highest-ranking firm, and so on until a mutually agreed upon fee is established. Once the successful D/B and the agreed upon fee have been determined, a D/B services contract will be awarded by the Owner.

15. ADDITIONAL TERMS AND CONDITIONS

Deadlines

The deadline for submission of questions relative to the RFP is the time and date shown in the Schedule of Events (Section 5). All relevant and significant questions that have been submitted in writing prior to the deadline will be compiled and answered in writing and issued directly to all proposers via E-mail. Any proposer exceptions to the RFP requirements or requests for deadline extensions must also be communicated to the Owner by the deadline to be properly considered. Any requests for proposal deadline extensions must include the reason(s) for such a request. The Owner reserves the right to approve or reject such requests.

Confidentiality

Labeling information provided in submittals "proprietary" or "confidential", or any other designation of restricted use will not protect the information from public view. Subject to the provisions of the Open Records Act, the details of the proposal documents will remain confidential until final award.

Award Conditions

This request is not an offer to contract or a solicitation of bids. This request and any proposal submitted in response, regardless of whether the proposal is determined to be the best proposal, is not binding upon the Owner and does not obligate the Owner to procure or contract for any services. Neither the Owner nor any party submitting a response will be bound unless and until a written contract mutually accepted by both parties is negotiated as to its terms and conditions and is signed by the Owner and a party containing such terms and conditions as are negotiated between those parties. The Owner reserves the right to waive non-compliance with any requirements of this Request for Proposal and to reject any or all proposals submitted in responses. Upon receipt and review of responses, the Owner will determine the party(s) and proposal that in the sole judgment of the Owner is in the best interest of the Owner (if any is so determined), with respect to the evaluation criteria stated herein. The Owner then intends to conduct negotiations with such party(s) to determine if a mutually acceptable contract may be reached.

- Any contract awarded will include the required provision of O.C.G.A. 20-2-506. In addition, a termination for convenience provision will be included.
- The requirements of this RFP and proposal submitted in response, as agreed to by the Elachee Nature Science Center, shall be incorporated into the contract for services.
- Respondents to this RFP agree to waive any claims they have or may have against the Owner, its employees, agents, members, representatives and legal counsel, arising out of or in connection with the: (1) administration, evaluation, recommendation or selection of any proposal; (2) waiver of any representations under the proposal or documents; (3) approval or rejection of any proposal; and (4) award of a contract.

Reciprocal Preference Law

Pursuant to O.C.G.A. 13-10-3, for the purpose of determining residency, a Georgia resident business shall include:

- (1) Any business that regularly maintains a place from which business is physically conducted in Georgia for at least one year prior to any bid or proposal
- (2) (or) a new business that is domiciled in Georgia which regularly maintains a place from which business is physically conducted in Georgia (provided) that a place of business shall not include a post office box, site trailer or temporary structure.

Whenever the state contracts for public works construction, materialmen, D/Bs, builders, architects, engineers and laborers resident in the State of Georgia are to be granted the same preference over materialmen, D/Bs, builders, architects, engineers and laborers resident in another state in the same manner, on the same basis, and to the same extent that preference is granted in awarding bids for the same goods or services by such other states.

Joint-Venture Proposals

The Owner does not desire to enter into "joint-venture" agreements with multiple firms. In the event two or more firms desire to "team up" it is strongly recommended that one incorporated firm propose and maintain status as the contracted lead firm with the remaining firms participating as major consultants to the lead firm.

Immigration Reform Compliance Requirement.

The successful Proposer will be required to certify compliance with the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act OCGA 13-10-90 et.seq., by meeting or having complied with one of the (2) following provisions and by executing any affidavits required by the rules and regulations issued by the Georgia Department of Labor set forth at Rule 300-10-1-.01:

- 1) The D/B warrants that D/B has complied with the Immigration Reform and Control Act of 1986 and the Georgia Security and Immigration Compliance Act by registering at <https://www.vis-dhs.com/Employer Registration> and verifying information of all new employees;
- 2) The successful proposer shall comply with the stipulations cited in Security and Immigration Compliance Act OCGA 13-10-91 with respect to the proper federal authorizations regarding the right to work for subcontractors and D/Bs.

E-Verify: D/B Affidavit under O.C.G.A. § 13-10-91(b)(1)

The successful Proposer will be required to submit an Affidavit verifying its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the firm or corporation which is engaged in the performance of services on behalf of Elachee Nature Science Center has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13- 10-91. Furthermore, the D/B will continue to use the federal work authorization program throughout the contract period and will contract for the physical performance of services in satisfactory of such contract only with subcontractors who present an affidavit to the D/B with the information required by O.C.G.A. § 13-10-91(b). The affidavit shall include the D/B's Federal Work Authorization User Identification Number and date of authorization.

Statement of Agreement

With submission of a proposal, the Proposer agrees that he/she has carefully examined the Request for Proposal (RFP), and the Proposer agrees that it is the Proposer's responsibility to request clarification on any issues in any section of the RFP with which the Proposer disagrees or needs clarified. The Proposer also understands that failure to mention these items in the proposal will be interpreted to mean that the Proposer is in full agreement with the terms, conditions, specifications and requirements in the therein.

16. EXHIBIT "A" – GENERAL SCOPE OF WORK

EXHIBIT A-1

**Construct a Visitor Restroom Facility
located at 2125 Elachee Drive Gainesville, Georgia.**

Project may include, but is not limited to (all information herein subject to change):

Design and construct a new Visitors' restroom facility. Visitors' restroom facility shall include three unisex individual restrooms with either septic or composting toilets. Facility not to exceed 400 square feet.

The following shall be included:

- Three single occupant restrooms with toilets
- One exterior sink and one water fountain/bottle filling station
- Automatic, remote locking mechanisms
- LED Lighting
- Separate utility chase
- Water-resistant flooring
- Changing stations in one or more restrooms
- Plan for connecting existing water line

Consideration should be given to:

- Materials and fixture choices that will provide long-term reliability and enhance overall appearance, including those that will reduce or discourage vandalism
- Design considerations that enhance safety such as undercut doors or mesh vent screens
- Features that provide or enhance ADA compliance
- Features that are low or no touch, including flushing mechanisms, light switches, doorknobs and faucets
- Environmentally friendly design choices such as composting or foam-flushing toilets and/or automated cutoffs for sinks
- Design that is in keeping with the architecture of existing buildings

EXHIBIT A-2

Renovations/Modifications to existing classroom space located at Elachee Nature Science Center 2125 Elachee Drive Gainesville, Georgia.

Project may include, but not limited to (all information herein subject to change):

Elachee Nature Science Center Education Facility Classroom Space Renovations

Design, renovate and modify existing outdoor lower level space, establishing three additional classrooms. Lower level space should provide two enclosed classroom spaces and a third enclosed space that can be converted to indoor/outdoor space when needed. Existing indoor space should provide upgrades consistent with modern classroom and/or meeting facilities.

The following shall be included:

- HVAC shall be compatible with existing units and ductwork, if possible
- Key all locks and doors
- LED Lighting
- Multiple cost options for flooring
- Design that is consistent with architecture of the current building and reinforces nature-based environment
- Creation of flexible options between classrooms such as sound-proof divider walls
- Modification of existing closet
- Multiple cost options for built-in shelving and/or cabinets
- Options for enclosure of existing outdoor stairwell, including ensuring ADA compliance
- Options for enhancement of existing bathroom, including ensuring ADA compliance

Consideration should be given to:

- Existing electrical switch gear with regards to the new additions and renovations. This must include any necessary upgrades.
- Electrical drops being located in close proximity to all network drops.
- Equip each above mentioned area with data communication network wiring.
- Low voltage wiring rack installation in new additions.
- The current fire alarm and fire suppression systems with regards to the new additions and renovations. This must include any upgrades needed to meet all applicable state and local building codes.
- The current security alarm system with regards to the new additions and renovations.

*Scope of work is subject to change, as the budget dictates, including work to other building on campus.

ADDENDUM TO PROJECT A-2 (Pending funding availability)

Design and update existing indoor upper level space to provide upgrades consistent with modern classroom and/or meeting facilities.

The following shall be included:

- HVAC shall be compatible with existing units and ductwork, if possible
- Key all locks and doors
- LED Lighting
- Multiple cost options for flooring
- Design that is consistent with architecture of the current building and reinforces nature-based environment

EXHIBIT "B" – D/B FEE PROPOSAL

**EXHIBIT A-1
Construct a Visitors' REstroom
Facility**

located at 2125 Elachee Drive Gainesville, Georgia

EXHIBIT A-2

Renovations/Modifications to existing classroom space

located at Elachee Nature Science Center 2125 Elachee Drive Gainesville, Georgia.

- 1. D/B'S FEE:** Provide a breakdown of all proposed construction management and design fees beyond direct subcontractor costs, including general conditions, reimbursables/general allowances, contingencies, etc. with definitions of each. Provide fee breakdown for projects \$1Million or less and \$1M – \$2M to represent the full range of project sizes included in this RFP.

Basis of Fee. The **D/B's** fee is the amount, established by and agreed to by both parties, which is the full amount of compensation due to the **D/B** as gross profit, and for any and all expenses of the Project not included and identified as a Cost of the Work, provided that the **D/B** performs all the requirements of the Contract Documents within the time limits established.

A. PRECONSTRUCTION FEE:

Preconstruction Fee. For the preconstruction consulting services provided by D/B/GC, the Owner shall pay to **D/B** a Preconstruction Fee:

	TOTAL
Preconstruction Fee (fixed fee)	

B. CONSTRUCTION FEE:

Construction Fee. Representing the Gross profit for the construction services provided by **D/B**, the Owner shall pay to **D/B** a Construction Fee.

	TOTAL
Construction Fee (fixed fee or percentage)	

2. D/B'S EXPENSES AND OVERHEAD COSTS (Preconstruction and Construction):

The D/B's Overhead Costs. The maximum amount for the **D/B's** Preconstruction Costs and Expenses and Construction Overhead Costs is inclusive of all direct and incidental expenses as described in Attachments A and Attachments B.

Maximum Preconstruction Costs and Expenses (From Attachment A. Do Not include the Pre-Construction Fee In this amount)	\$
Maximum Construction Overhead Costs (From Attachment B. Do Not include the Pre-Construction Fee In this amount) This can be a percentage for general conditions	\$
Total Maximum D/B Overhead Cost Allowance (Sum of A and B)	\$

D/B Legal Name: _____

By Signature of D/B Officer: _____

Title of D/B Officer: _____

Date: _____