REQUEST FOR QUALIFICATIONS

HENDERSON COUNTY EMERGENCY SERVICES
COMMUNICATIONS TOWERS PROJECT

Issue Date: July 17, 2024

Pursuant to N.C. Statute Sec. 143-128.1(A), the County of Henderson is soliciting sealed proposals from qualified design-build teams interested in providing professional design and construction services for two communications towers for the Henderson County Public Safety Communications System. This document provides complete information on the services being sought, the submittal requirements, and project timeline.

Questions, requests for information, and inquiries related to this RFQ shall be submitted in writing to Doug Guffey at hcpurchasing@hendersoncountync.gov. Written responses will be provided by written addendum.

Statement of Qualifications must be received sealed to the following address as detailed below by 3:00 pm, August 7, 2024.

Doug Guffey
Henderson County Finance Department
113 N Main Street
Hendersonville, NC 28792

Late Qualifications, amendments and/or responses received after the time and date listed above shall not be considered for evaluation.

Henderson County WILL NOT be conducting a pre-bid meeting.

Henderson County reserves the right to reject any and all proposals. This RFQ does not obligate the County to pay any cost incurred by respondents in the preparation and submission of a response nor does it obligate the County to accept or contract for any expressed or implied services.

This RFQ is issued on behalf of:
Henderson County Emergency Services, 2529 Asheville Highway, Hendersonville NC 28791.
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SECTION ONE

DEFINITIONS

1.01 Definitions of Terms in RFQ

1.01.1 Unless the context suggests otherwise, the terms “Firm/Team”, “Contractor”, “Proposer”, “Bidder”, “Submitter”, “Consultant”, or “Vendor” as used in this RFQ (whether capitalized or not) shall refer to the same legal entity that submits qualifications and is responsible for responding to this RFQ.

1.01.2 Whenever the term “County” is used, it means the County of Henderson, Hendersonville, North Carolina.

1.01.3 Similarly, unless the context suggests otherwise, the terms “Bid”, “Qualification”, or “Bid/Qualification” shall refer to the formal response given to this RFQ by the submitting entity incorporating all required elements of this RFQ necessary for the County to determine whether the submitting entity is a responsible, responsive Firm/Team.

1.01.4 Whenever the term “RFQ,” is used, the reference is to this Request for Qualifications or portions thereof, together with any exhibits, attachments, or addenda it may contain.

1.01.5. Whenever the terms “shall,” “will,” “must,” or “is required” are used in the RFQ, the referenced task is a mandatory requirement of this RFQ. Failure to meet any mandatory requirement will be cause for rejection of a submittal.

1.01.6 Whenever the terms “can,” “may,” or “should” are used in the RFQ, the referenced specification is discretionary. Therefore, though the failure to provide any items so termed will not be cause for rejection, the Selection Committee may consider such failure in evaluating the quality of the submittal.

1.01.7 Whenever the terms “apparent successful” or “top-ranked” or “highest ranking” firm/company or offeror are used in this document, the reference is to the firm that the Selection Committee ultimately judges to have submitted the case best satisfying the needs of the Owner in accordance with the RFQ. The selection of an apparent successful firm/company does not necessarily mean the Selection Committee accepts all aspects of the firm’s submittal or proposal.

1.01.8 Whenever the term “submittal” is used in the RFQ, the reference is to the response offered by a firm, person or corporation in accordance with the RFQ. The submittal responds only to the RFQ.

1.01.9 Whenever the term “Selection Committee” or “Review Committee” is used in the RFQ, the reference is to the Owner’s representatives responsible for administering and conducting the evaluation and selection process of the RFQ.

1.01.10 “Design-Build” refers to the construction project delivery method in which, among other things, the Owner holds a single contract with a business entity that has responsibility both to design and to construct a project, and that holds the trade contracts.

1.01.11 “Lead Design-Builder” refers to the design-build team member that will contract with the Owner for all work and holds all responsibility of project success, performance, and completion.
1.01.12 “Design Professional” (an inclusive term for all licensed building professionals), “Architect of Record,” and/or “Engineer of Record” all refer to the project's architect(s) and/or engineer(s), whose responsibilities generally include programming, design, code compliance, and detailing of the facility. Under the Design-Build delivery methodology, the Design Professional is an integral part of the Design-Builder entity under single contract with the Owner. These entities also operate under legal definitions of the State of North Carolina with statutory liability and responsibility.

1.01.13 “Owner's Criteria” is a written document that details the specific and functional requirements of a project, sustainable objectives and the expectations of how the project will be used and operated.

1.01.14 “Qualifications Submittal” and “Initial Written Submittal” both refer to a firm's response to the RFQ.

1.01.15 “Qualifications-Based Selection” and “QBS” both refer to a procurement process for the selection of professional construction services for public projects. It is a competitive contract procurement process whereby consulting firms submit qualifications to a procuring entity (Owner) who evaluates and selects the most qualified firm, and then negotiates the project scope of work, schedule, budget, and price.

1.01.16 “Firm” shall be interpreted as referencing the design entity, the construction entity, or the combined (e.g., joint venture) entity, as is reasonable.

1.01.17 “Fixed Fee” shall be proposed by the Design Builder and shall be defined as a specific dollar amount (stated as a lump sum) and agreed upon by all parties at the time of Contract Negotiation. This fee shall not be a percentage of the cost of the work.

**End of Section One**
SECTION TWO

BACKGROUND INFORMATION

2.01 Project Background, Goals and Objectives

The intent of the project is to construct one new lattice style communications tower with associated enclosed structures for radio equipment and backup generator. The County also intends to replace an existing lattice tower, communications structure and generator at an existing communications site.

With the design and construction of the project, the County has the following goals:

1. Complete the project in a timely fashion without undue delays and within the County’s funding resources available for the project. Please note completion and final invoice of the project must be received by September 1, 2025.
2. Design and construct structures that are safe and accommodate the needs of Henderson County and as described within this RFQ.
3. Complete the project with minimal interruption to any existing facilities.

The County of Henderson intends to utilize best commercial practices to accomplish the goals of this project, expects the Design-Builder to proactively address risks and challenges in the process and participate in improvement activities to achieve project success. The County also expects to work with the Design-Builder to devise and implement appropriate processes for this project that will maximize efficiency, overall quality, cost savings and efficiencies.

**End of Section Two**
SECTION THREE

SCOPE OF WORK

3.01 Purpose of the RFQ and Lead Design-Builder Responsibilities
Henderson County Emergency Services is soliciting Qualifications for Design-Build project delivery services for the Henderson County Public Safety Communications System Tower Construction Project.

The lead Design-Builder will be expected to provide concurrent design and construction turnkey activities for this project resulting in finished, fully usable facilities that satisfies all project requirements and contract terms. The Design-Builder, as the sole responsible source for total project compliance and construction related performance (including architectural programming, design, and construction services) will hold all design professionals, testing services (with the exception of Special Inspections by Owner), trade contractors and trade supplier contracts.

3.02 Locations of the Project
The County of Henderson leases real property at all communications sites and owns all infrastructure at the sites. The following sites are included in this RFQ.

Site 1- NEW CONSTRUCTION – Naples Site
228 Tower View, Fletcher NC 28732
Latitude: 35-23-55.00N NAD 83
Longitude: 82-29-31.50W
Height: 150 feet above ground level (AGL)

Site 2- EXISTING TOWER REPLACEMENT – Bearwallow Site
5010 Bearwallow Mountain Road, Gerton, NC 28735
Latitude: 35-27.684’ N WGS 84
Longitude: 82-21.456’ W

NOTE: This replacement project will use a previously used, customer owned 90’ tower. This is a site currently in use, system coordination will be necessary to minimize any downtime.

NOTE: Throughout the duration of the project, the County WILL NOT provide workspace for the Firm/Team. The selected Design-Build Team is responsible for/ must provide its own workspace.

3.03 Scope of Work
The following is a preliminary scope of work that may be modified during contract negotiations with the selected Design-Build Team.

Site Inventory and Evaluation of Owner’s Criteria Confirmation
1. Site investigations, including survey, subsurface utility investigations, geotechnical investigations, environmental engineering, to verify existing conditions if necessary.
2. Preliminary evaluation of proposed site use, material selection, tower & building systems and equipment and provide recommendations on constructability, time, labor and scheduling factors related to project cost.
Schematic / Preliminary Design (SD)
1. Prepare any necessary site, architectural, structural, mechanical, plumbing, fire protection and electrical schematic design plans for County Staff consideration.
2. SD Phase plans and Preliminary Design report will minimally include:
   a. Site Development and Design criteria including site access, easements, circulation and vehicular access, setback requirements, utility routing and connections.
   b. Building Design information including: reconfirming design intent, preliminary selection of building systems and materials, utility load review, code compliance, security plan expectations, and outline specification to integrate systems, and products and procedures for architectural, and civil.
3. Work in digital format: AutoCAD or Building Information Modeling (BIM) software. PDF copies shall also be provided.
4. Develop preliminary estimate of construction cost setting forth in detail quantities of materials, labor, profit, overhead, insurance etc. for the project including all site work.
5. Attend owner and user meetings to coordinate and resolve value engineering, constructability, construction phasing and scheduling issues in the preliminary design.
6. Prepare Preliminary Design Report (PDR) confirming design criteria, agreed upon program elements, alternative schemes, recommended scheme with construction phasing options and cost model.
7. Develop Design-Builder’s Proposal detailing contract sum, estimated trade costs, proposed date of substantial completion and list of key Design-Build personnel and suppliers.
8. Conduct regular design meetings as needed for the project.
9. Update the design schedule.
10. Present to required departments/agencies for review; Responsible for all Federal, State, County, and City permit applications and approvals.

Design Development (DD)
1. Based on the approved SD plans, satisfactorily resolve all review comments from prior design phases and further refine the design to include the following revised and additional information:
   a. Site Design: demolition and clearing plans, grading and drainage plans, sedimentation and erosion control plans, layout and staking plans, elevations and sections, construction details.
   b. Structure Design: review and confirm building plan configuration and elevation elements including exterior building, foundation, structural systems, building fenestration and openings, overall dimensions, materials testing requirements, review MEP design including systems, equipment and calculations, review and coordinate systems integration to include all utilities and controls.
2. Expand outline specification to Design Development level and integrate systems, controls, products and procedures for architectural, and civil
3. Documents produced in digital format: AutoCAD or Building Information Modeling (BIM) software. PDF copies shall also be provided.
4. Conduct regular design meetings as needed for the project.
5. Review and confirm total original budget from Schematic Design phase review. Review any proposed V-E items, final strategy and reconcile variances.
6. Review, update and confirm project schedule.
7. Attend owner and user meetings to coordinate and resolve value engineering, constructability, construction phasing and scheduling issues in the preliminary design.
Permitting, Reviews and Approvals
1. Review and / or present design concepts to the Henderson County Planning Department and any other regulatory agencies whose approval is necessary for the development of the site.
2. Submit plans and applications to regulatory agencies.
3. Secure approvals from all other local, state, and federal agencies as required for the site development.
4. Coordinate the construction or relocation of privately owned utilities if necessary.
5. Attend meetings as necessary for all approvals. Provide responses and modifications to regulatory comments.

Construction Documents (CD)
1. Based on the approved DD plans, satisfactorily resolve all review comments from prior design phases and prepare and finalize all construction drawings and specifications to minimally include: building systems, site utilities and components that will form the basis for the project’s Construction Documents sufficiently complete to support the prepared budget, obtain necessary permits and construct the project.
2. Documents produced in digital format: AutoCAD or Building Information Modeling (BIM) software. PDF copies shall also be provided.
3. Prepare a construction documents level cost estimate and updated project schedule; reconcile cost estimate with construction estimate.
4. Incorporate bid alternates as necessitated by the project budget.
5. Conduct regular, monthly, design meetings.

Construction Administration
1. Provide construction administration and observation associated with the site improvements including a preconstruction conference, weekly site observation and meetings for processing pay requests.
2. Provide interpretations of prepared drawings and specifications, shop drawing review and approval as well as preparation of change orders and construction change directives.

Construction / Renovation
1. Site work to include but not be limited to:
   a. Clearing and rough grading with excess dirt and material removed from the site. Tree protection and erosion control measures to be immediately put into place, as necessary.
   b. Site utilities including electrical service and data / telecom.
   c. Gravel for any new access roadways or driveways to tower sites.
   d. Reseeding of disturbed soil upon completion of the project.
   e. The builder will be responsible for all on-site safety and compliance with any Local, State or Federal guidelines.
2. Facility construction to include but not be limited to:
   a. The structural composition of the towers is to be pre-engineered lattice towers on concrete foundations.
      Note: The scope of the Bearwallow Tower site includes the installation of a customer owned 90’ lattice tower which will be removed from another site (by others). The contractor will be responsible for transportation from a storage site to Bearwallow Mountain and the installation of the tower.
   b. Installation of antenna systems and associated coaxial cable and connectors as provided by the County’s Radio System Contractor.
   c. A pre-fabricated communications equipment enclosure / structure with associated foundation. Upon approval of the County a refurbished structure may be used.
d. Backup propane generator system (15kw) and associated automatic and manual bypass transfer switch.
e. Permanent perimeter security and safety fencing for each site.

3. The Design-Build Team will coordinate all installation and/or relocation of radio equipment with the County’s Radio System Contractor during all phases of construction or renovation.

4. Removal of all excess materials from the construction of either tower or the demolition of the existing tower on Bearwallow Mountain (Site 2) will be the responsibility of the contractor. The builder will coordinate with the County for appropriate disposal of any listed fixed assets.

Post Construction Phase/Deliverables
1. Prepare as-built documents based on information received from the contractor in AutoCAD or in such a format as the owner requires.
2. Assist in project closeout, establishment of warranties and guarantees.
3. Present to required departments/agencies for review; Responsible for all Federal, State, County, and City permit applications and approvals.

3.04 Project Budget
The Project Budget for Site 1: Naples Tower is $233,000 and Site 2: Bearwallow is $150,000 for completion of this project including design, construction, and all other costs and fees. Total costs include construction related expenses; engineering, design and construction related services; testing services; public jurisdiction fees and charges; permits; and other building related professional service fees necessary to fully complete the project.

3.05 Anticipated Schedule
The County reserves the right to make adjustments to this schedule as necessary.

<table>
<thead>
<tr>
<th>Anticipated Project Schedule:</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue/Advertise RFQ in official advertising publications</td>
<td>July 17, 2024</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Deadline for submission of Statement of Qualifications</td>
<td>August 7, 2024</td>
<td>3:00 PM</td>
</tr>
<tr>
<td>Owner completes qualification evaluation to establish a shortlist of firms remaining. Owner notifies shortlisted firms and schedules interviews (if required.)</td>
<td>August 14, 2024</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Complete interviews of short-listed firms</td>
<td>August 20, 2024</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Notify selected Design-Build firm, begin contract negotiations</td>
<td>September 4, 2024</td>
<td>5:00PM</td>
</tr>
<tr>
<td>Complete contract negotiations with selected firm</td>
<td>September 24, 2024</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Board of Commissioners award contract</td>
<td>October 7, 2024</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Contract Approval</td>
<td>October 9, 2024</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Notice to Proceed</td>
<td>October 14, 2024</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Project Substantial Completion</td>
<td>September 1, 2025</td>
<td></td>
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</tbody>
</table>
3.06 Pre-Construction Project Planning
The Design-Builder, as a part of its design and its preconstruction services, will assist with developing a strategy for the best approach for the successful completion of the project including guidance and assistance in the preparation of a schedule and a reliable, preliminary cost estimate along with evaluations of any value engineering measures. At an appropriate point during the project and prior to contracting, the Owner will ask the Design-Builder to commit to a Lump Sum price for all its design and construction services.

3.07 Project Delivery and Objectives
At all times and project stages the Design-Builder shall act in the best interests of the Owner and use their best efforts to deliver the project in an expeditious and cost-effective manner consistent with the Owner’s project requirements, time constraints and budget. The Design-Builder shall develop a contractually obligated overall project schedule and will be responsible for methods of construction, safety, scheduling and coordination of all construction work in addition to miscellaneous contracts required for completion of the project within its predetermined budget limits and schedule.

The Owner expects all parties to this project to work closely together and deal appropriately with project conditions to finish the job successfully. A spirit of cooperation, collaboration and a commitment among professional design and construction services providers to work in the best interests of the project is of utmost importance.

**End of Section Three**
SECTION FOUR

DESIGN-BUILDER EVALUATION AND SELECTION CRITERIA

4.01 Design-Build Team Experience Requirements and Capabilities
Responders should identify their Team’s experience with public or privately bid design-build projects and specifically describe those projects that best characterize the proposers’ capabilities including work quality and cost control measures. These projects must have included the completion of construction drawings, technical specifications and construction estimates that led to a complete constructed project currently in operation. Completed public sector projects and experience with the public bidding process is preferred. Experience with emergency communications towers should be identified.

At a minimum, successful submittals shall demonstrate experience and technical competence with the following requirements:

1. Responsively and successfully designing a user compliant program employing a prototype basis of design.
2. Demonstrated history of successful collaboration constructing facilities utilizing a Design-build methodology.
3. Obtaining relevant state, federal, and County permits as required by the project.
4. Incorporating environmentally responsible building practices and
5. Effectively providing contract and construction administration services utilizing effective team communication and working methods.

See the Qualifications Submittal Checklist section of this RFQ for additional information which should be included.

4.02 Design-Build Team Minimum Qualifications
Firms MUST meet the criteria in the bullet points immediately below. Firms that do not meet these criteria will be automatically disqualified.

1. Firm’s “Designer(s) of Record” MUST have a current North Carolina Engineering license(s) as appropriate for their portion of the design work. A copy of the license(s) is to be included in the appendix. This may include the licensed engineer for the selected tower vendor.
2. Firm’s “Builder” MUST have a current North Carolina General Contractor’s license. A copy of the license is to be included in the appendix.
3. Lead Design-Build firm MUST have bonding capacity to provide a Labor and Material Payment and Performance bonds with coverage each equal to the total cost of the project.

At the time of contract award the Lead Design-Build firm will be required to post a Performance and Payment Bond issued and guaranteed by a North Carolina-licensed insurer in the amount of 100% of an event’s contract cost. The bond shall continue throughout the contract execution period, from when the County issues a Notice to Proceed and Purchase or Contract Order, until such time as the scope of work contained in the contract is completed as determined by the County.

Bonds shall remain in effect until final acceptance of the project by the County or when final payment becomes due for a County Purchase Order initiated project or until the County determines the bond may be reduced or is no longer required. The Performance Bond and the Payment Bond shall be executed by one or more surety companies legally authorized to do business in the State of North Carolina and shall become effective upon the execution of the Purchase Order.
The surety bonds must be in the form as provided by Surety Association of America, the American Institute of Architects (AIA-A312), Associated General Contractors of America, Engineers Joint Contract Documents Committee, American Consulting Engineers Council, American Society of Civil Engineers, and the Construction Specification Institute without any variations in the standard forms, or in any other forms authorized by North Carolina General Statute.

4. Lead Design-Build firm MUST be able to obtain a Builder’s Risk Insurance Policy for this project with coverage equal to the total cost of the project.

5. Lead Design-Build firm MUST agree to keep and maintain insurance for the duration of this Agreement as noted in Appendix A including but not limited to commercial general liability, automobile liability, workers’ compensation, employer’s liability, and umbrella coverage with at least the minimum limits shown below. The Contractor shall furnish the County with certificates of insurance for each type of insurance described herein. The Owner reserves the right to negotiate different limits and coverage in the final contract.

   - Commercial General Liability: $1,000,000 per occurrence
   - Commercial Auto Liability: $1,000,000 combined single limit
   - Excess (Umbrella) Liability: $5,000,000
   - Workers' Compensation: Statutory
   - Employer's Liability: $1,000,000 each accident/total disease/employee disease

   Professional Liability (Errors & Omissions) coverage for Architect of Record and Engineer(s) of Record shall provide coverage not less than $1 million per claim. (The Owner reserves the right to negotiate different limits and coverage in the final contract.)

NOTE: In order to be deemed eligible for evaluation, the submitting lead Design-Build firm must include a signed Declaration Statement included in this RFQ, attesting to these above requirements and coverages in its submittal.

4.03 Statement of Qualifications (SOQ) Evaluation Criteria and Scoring (100 Total Points)

Submitting Design-Build Teams' responses to this RFQ will be evaluated and ranked by an RFQ Evaluation Team comprised of County Employees appointed to assess submitted qualifications. Each submitter will be evaluated and short-listed based on their SOQ score (100 points maximum) as determined through the qualification review process and criteria noted in this section.

Design-Build Team Experience and Qualifications - 20 Points

Points for this criterion will be awarded based on an evaluation of the qualifications and experience of the proposed lead Design-Builder and Design-Builder’s General Contractor/Builder (if a different entity.) Evaluation criteria will focus on the submittals’ clear identification of each proposed Firm/Company, the expertise each will bring to the Design-Build process, their track record with ‘on-time and on budget’ projects and achieving acceptable levels of quality, any current, pending or past project legal matters or litigation and submitting Firm/Company safety records and professional reputation credentials.

Proposed Design & Engineering Professionals’ Experience and Qualifications - 20 Points

Evaluation points for this criterion will be awarded based on the qualifications, experience and demonstrated availability of the proposed Project Personnel. Responses should have identified each key individual, their experience with the overall Design-Build process (including specific experience with the team’s lead General Contractor) as well as experience with similar projects. Also of importance are individuals’ litigation and/or arbitration
records and the design/engineering professionals’/firms’ reputation, references and referrals. Submittals should also have included a listing of other firms proposed Personnel have worked for along with specific project phases, tasks and activities they are expected to contribute to this project.

**Project Understanding and Approach - 20 Points**

This criterion will award points for the Firm/Team’s understanding of the goals and objectives for the project and their proposed methodology for meeting those goals and objectives. Firm/Teams must have provided a comprehensive narrative statement illustrating their clear and concise understanding of the requirements of the project, potential issues (and proposed solutions) and a preliminary overall project schedule. The Team should also have clearly addressed their approach to dealing with key tasks, activities and issues (including the permitting process) required to complete each project phase including deliverables, proposed construction schedule and project coordination issues.

**Statement of WHY the Design-Build Team should be selected- 20 points**

Points for this criterion will be awarded based on an evaluation of the Design-Builder’s statement indicating why they should be selected, which should illustrate specific professional capacities or unique qualifications relating to this project that differentiates the Design-Builder from other qualified submitters.

**Deliverable Quality, Project Schedule and Safety Controls - 20 Points**

Points for this criterion will be awarded based on the Firm/Team’s proposed approach to project controls including milestone scheduling, quality control and management for deliverables and the design and construction processes and submitted cost budgets and safety plans.

4.04 Clarifying Qualification During Evaluation

During the evaluation process, the County has the right to require any clarification it needs in order to understand the Firm/Team's view and approach to the project and scope of the work. Any clarifications to the Qualification made before executing the contract will become part of the final Firm/Team contract.

4.05 Short List Ranking

After evaluating the responses to this RFQ, the County will rank the three most highly qualified candidates for ranking and these Short-Listed Teams may be asked to interview to help determine final ranking. If the County determines that fewer than three firms are qualified, it will re-advertise the RFQ per Section 143-128.1A(d) of the North Carolina General Statutes.

4.06 Interviews of Short-listed Firms/Teams

Prior to ranking the short-listed Firms/Teams for final selection, the County may elect to interview those three Firms/Teams. The purpose of this interview will be to meet the proposed Project team (if applicable), become familiar with key personnel and/or with the selection strategy proposed by the submitter and to understand the Firm/Team’s project approach and ability to meet stated objectives for the project. Short Listed Firms/Teams should be prepared to discuss with specificity their capacity to conduct this work in compliance with the project timeframe, budget and good-faith obligations. The County will notify each short-listed firm to schedule individual times for the interviews.
4.07 Design-Build Firm/Team Final Selection
After making final Team selection and taking into consideration quality, performance and the time specified in the Qualifications for performance of the contract [G.S. 143-129 (b)] the County will present their recommendation to the Board of Commissioners. Upon approval of the Board of Commissioners the County will begin contract negotiations with the selected responsible, responsive Firm/Team. A recommended contract will be presented to the Board of Commissioners for their final approval. If approved, the Firm/Team and County will enter into a contract for the work.

All respondents are considered fully informed as to intentions of County regarding the timeframe to prepare and complete contract negotiations. Respondents should be prepared to provide a detailed, written Proposal to include scope of work, staffing plans, action plan, CPM Schedule and fee proposal to Henderson County during negotiations.

The County may withdraw this RFQ, reject qualifications or any portion thereof at any time prior to an award, and is not required to furnish a statement of the reason why a particular qualification was not deemed to be the most advantageous to the County.

4.08 E-Verify Compliance
The design-build contract will require that the design-build team and its subcontractors comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (NCGS) consistent with state law requirements for municipal contracts.

4.09 Minority & Disadvantaged Business Guidelines
Pursuant to General Statutes of North Carolina Sections 143-128 and 143-131 the County encourages and provides equal opportunity for Certified Minority and Women- Owned Business Enterprise (MWBE) businesses to participate in all aspects of the County’s contracting and procurement programs.


4.10 Exceptions
It is the County’s intention to use the AIA Document A141 – 2014 Standard Form of Agreement Between Owner and Design-Builder, As Amended. Any Firm/Team that objects to any element of the contract should state those objections in the submittal.

**End of Section Four**
SECTION FIVE

QUALIFICATIONS SUBMITTAL REQUIREMENTS AND FORMAT

5.01 Physical Submittal: Department Contact, Deadline for Receipt of Qualifications, Format
Physical submissions are required. Electronic submittals are not allowed.

In order for the County to evaluate Qualifications fairly and completely, Firm/Teams should concisely follow the format set out herein and provide all of the information requested:
   a. SOQ’s shall be numbered consecutively, double-sided, on 8-1/2” x 11” sheets with maximum of 30 pages {not including the coversheet, cover letter, Table of Contents, Resumes and other County required attachments.}
   b. Up to a maximum of two (2) sheets may be 11” x 17” for schedules or other information necessary to depict the proposed Project Approach/Action Plan.
   c. Do not use unnecessarily small fonts. If the submission is not clearly legible when viewed at actual size or printed, the response may be rejected as non-responsive.

5.02 Statement of Qualifications Provisions
The Owner intends to limit the cost that submitters incur to respond to this solicitation, therefore, submitters are encouraged to be brief and succinct. Thick volumes of background and general marketing material are not desired. Instead, submitters should highlight their responsiveness to the evaluation criteria. If multiple firms are proposed as one team, each component firm should describe its own relevant qualifications within the same submittal.

Qualifications must confirm that the Firm/Team will comply with all of the provisions in this RFQ. The proposal must be signed by a company officer empowered to bind the company.

A Firm/Team's failure to include these items in their Qualifications may cause their proposal to be determined to be non-responsive and the proposal may be rejected.

Please note that firms can NOT submit an estimated total fee, total contract price, or an estimation of hours involved in completing the project in response to this RFQ.

5.03 Minimum Number of Responses
In order to consider proposals, the County must receive at least three responses to its RFQ. If the County receives fewer than three responses, it will re-advertise the RFQ in accordance with General Statute requirements. After the second solicitation, the County may consider proposals even if less than three are received and will follow the same procedures used for the initial solicitation.

It is the sincere intention of the Owner to make every effort to be fair and equitable in its dealings with all candidates for selection. If, however, the County should determine that none of the Design-Build teams submitting are advantageous to the County of Henderson, the County reserves the right to accept or reject any or all Statement(s) of Qualifications with or without cause. Issuance of this Request for Qualifications does not commit the County of Henderson to award a contract, to pay any costs incurred in preparation of a proposal, or to procure or contract for related services or supplies.

**End of Section Five**
SECTION SIX

CHECKLIST FOR QUALIFICATIONS SUBMISSION

6.01 Required Statement of Qualifications items
Submitters must include the following mandatory checklist items (☐) as part of their SOQ:

☐ Cover Letter

Qualifications must include a Cover Letter with the complete name and address of the prime firm/company and the name, mailing address, and telephone number of the person the County should contact regarding the Qualification. If there are multiple firms proposed as one team, each firm must describe itself accordingly in the RFQ submittal. If the firm has more than one office, include the headquarters location and the location of the office that will serve this project. **Indicate on the first page of the submittal which firm is the lead Design-Builder, any firm/company qualifying as a minority entity and the individual whose signature grants authority to bind Submitter to the provisions of the RFQ.**

☐ Table of Contents

Must include corresponding tabs/dividers in the body of the submittal to identify each section. Placing multiple tabs on a single page is perfectly acceptable. If more than one item in the table of contents can be started on the same page then place all corresponding tabs on that page.

☐ Executive Summary

A brief narrative statement of understanding of the scope of work, key challenges and the submitter's overall vision and approach for the successful development of a high quality project consistent with the minimum criteria requirements outlines in this RFQ.

☐ Project Background and Understanding

Include a brief description of the Firm/Team’s knowledge of the Project Background and context.

☐ Project Approach and Action Plan

Provide a detailed statement of the Firm/Team’s proposed Approach and Action Plan to successfully complete the work. Firm/Team’s plan of action should include both functional and personnel organization which indicates the Firm/Team’s specific approach to accomplishing the Project Scope. Describe the challenges anticipated for performing the requested services that may impact the scope, schedule or budget and the proposed solutions to address these concerns. Include references where such solutions were utilized in the past.

☐ Firm/Team Qualifications and Experience

Section shall include a brief description and history for each firm/company on the proposed team including number of years the firm/company has been in business and its growth history, experience in projects with the County of Henderson and any past or current experience with the proposed Design-Build team. Please provide the following:
1. Company / Firm name.
2. Physical address- and if different, mailing address & zip code.
3. E-mail address and name of primary contact at each company/firm.
4. Main telephone number and direct telephone number for contacts.
5. Number of years in business for each company/firm.
6. Form of firm/company ownership including state of residency or incorporation. Include description of the submitter/s company structure: i.e. sole proprietorship, partnership, corporation, Limited Liability Company (LLC), joint venture or other structure.
7. Also briefly describe a minimum of three (3) communications tower projects that your firm/company has completed in the past five years that also required design-build services and were valued at or above $100,000. Also briefly describe the largest project your firm/company has completed within the past five years and indicate the delivery method used on that largest project. These projects may also be described in further detail in related experience section. (See following section below for additional information.)
8. List any active or pending litigation with owners, subcontractors and other construction related entities and explain.
9. List and briefly describe any and all legal actions for the past three years in which respondent has been a debtor in bankruptcy, a defendant in a lawsuit for deficient performance under a contract or agreement; a respondent in an administrative action for deficient performance, or a defendant in a criminal action. **Failure to fully comply with this item will be grounds for elimination from the RFQ process.**
10. Has the firm/company ever failed to complete any work awarded to it or has it been removed from any project awarded to the firm? If so, explain.

**Related Design-Build Project Experience**

Provide descriptions for three (3) reference projects for which the Firm/Team has provided professional design and construction services of a nature, quality, size and scope specifically similar to those required in this RFQ. Include:
1. Name of the organization to which services were provided.
2. Project location.
3. Start and complete dates during which services were performed.
4. Brief description of the project.
5. Cost description (which at a minimum must include: original project budget, final project cost and an explanation of any difference in original and final costs if applicable, construction value, fee for professional services)
6. Proposed team members that worked on the projects including their title and role on that project.
7. Identification of a current contact reference including organizational title, address, telephone numbers and e-mail address for each project. Henderson County reserves the right to contact the client for a project reference.
   *Obsolete contact information will be grounds for elimination from the RFQ selection process*
8. List three (3) major trade contractor references (3 total, not 3 per project). Include company name, contact name, e-mail address and telephone number.
9. Office Submitting Qualifications: If the firm/company has multiple offices, the qualification statement should include information about the parent company and branch office separately. Identify the office from which the project will be managed and that office’s proximity to the project site. Parent company (or general office) financial information as totals will be acceptable IF “parent” (or “general office”) means that it is financially responsible for the liabilities of the branch office. If the parent company is not so responsible, meaning that its financial resources are not available to
the office that will perform the contract, it will be misleading to the Owner to offer the financials of any office other than the one with the prospect of a contract with the Owner.

☐ **Project Team Personnel Selection or Proposed Selection Strategy**

Provide either of the following:

1. An explanation of project team selection to accompany a list of licensed contractors, licensed subcontractors and licensed design professionals whom the design-builder proposes to use for the project’s design and construction as noted in Proposed Personnel section below, or
2. Provide an outline of the strategy the design-builder plans to use for open contractor and subcontractor selection based upon the provisions of Article 8 of Chapter 143 of the State of North Carolina General Statutes.

If selection strategy one is utilized substitution of key personnel can only be made with written approval from Henderson County.

*Omission of this section will be grounds for elimination from the RFQ selection process*

☐ **Proposed Personnel**

Provide general information about personnel capability and a list of qualified and available staff and resources including classifications, numbers of employees, respondent’s ability to provide sufficient qualified personnel to this project upon award, the locations and staffing of relevant offices and an organizational chart of staff including the percentage of time they will be assigned to the project. Describe specific roles and responsibilities identifying experience and ability for key personnel and the intended interface between the design-build team, the Emergency Services Department and any other potential consultants involved in this project. (Note: any proposed subcontractor personnel must also include additional submitted resume and/or project experience information per the requirements listed in this section for similar disciplines/trades.)

1. Provide a list of licensed design professionals and, if already selected, the licensed contractors and licensed subcontractors whom the Design-Build team proposes to use for the project’s design and construction including a detailed list of key personnel as noted below.

2. The key personnel, at a minimum, are the proposed Designer(s) of Record, supporting project architects and engineers, project superintendent, Design-Builder’s project manager, project director, estimator, preconstruction manager and the executive in charge. Submit a resume for each individual with relevant information as described below including title, education, previous work experience, applicable training and certifications, previous projects with the firm/company and length of service with the firm/company. At this stage, firms/companies may list more than one person qualified and available for the proposed project.

**Project Experience of the Designer should include:**

Relevant experience on other Design-Build projects as designer especially with structures comparable to this project in directly applicable ways. **If the designer claims experience acquired by hiring of or participation by personnel who were/are members of another firm(s) at the time of the experience, please express that fact and disclose the name of the other firm(s).**
Describe no fewer than three projects in order of most relevant to least relevant that demonstrate the Designer/Team’s capabilities to provide design services for the project at hand. Identify whether the projects involved any of the firms/companies included in responder’s submittal for this RFQ. For each project, the following information should be provided:

1. Project name.
2. Project location.
3. Dates during which services were performed.
4. Physical description (e.g., square footage, size tower, site area).
5. Cost description
6. Brief description of project.
7. Services performed as Designer.
8. Owner reference(s).

**Relevant Project Experience of the Builder should include:**

Description of project experience with similar structure types and Design-Build delivery method or performing as a general contractor on comparable types and sizes of projects. If the builder claims experience acquired by hiring of or participation by personnel who were members of another firm(s) at the time of the experience, please express that fact and disclose the name of the other firm(s). Describe no fewer than three projects in order of most relevant to least relevant that demonstrate the Builder/Team’s capabilities to perform the project at hand. Identify whether the projects involved any of the firms/companies included in responder’s submittal for this RFQ.

For each project, the following information should be provided:

1. Project name.
2. Project location.
3. Dates during which services were performed.
4. Physical description (e.g. square footage, size tower, site area)
5. Brief description of project.
6. Cost description
7. Services performed as Builder.
8. Owner reference(s).

**Project Controls / Deliverables - Quality and Schedule**

Provide information on managing the quality of proposed deliverables including a proposed milestone schedule that illustrates total project time (in weeks) from award of contract through project completion.

**Qualification Appendix Attachments**

Include copies of:

1. Signed Team Declaration form confirming certifications and submission items.
2. Joint Venture agreement (if applicable)
3. A list of the licensed contractors, licensed subcontractors, and licensed design professionals whom the design-builder proposes to use for the project’s design and construction. Copies of licenses for those listed shall be provided.

**End of Section Six**
SECTION SEVEN

DESIGN-BUILD TEAM DECLARATION STATEMENT
(Include a signed copy of this form in the submitted Statement of Qualifications appendix section)

1. We (the submitting Design-Build entity) certify that each licensed design-build team member including design professionals and sub-consultants included in this submittal was selected based upon demonstrated competence and qualifications in the manner provided in the State of North Carolina’s General Statute on procurement of construction services (G.S. 143-64.31.)

2. We certify that our Design-Build entity’s “Designer(s) of Record” have current North Carolina Architectural and/or Engineering license(s) as appropriate for their portion of the design work.

3. We certify that our Design-Build entity’s “Builder” has a current North Carolina Contractor’s unlimited license.

4. We certify that our firm/company will have and maintain liability insurance coverage for a total of $1 million/occurrence & $1 million/general aggregate for commercial general liability, and not less than $1 million per claim for commercial business automobile liability.

5. We certify that we will have coverage for professional liability and errors and omissions by all Designer(s) of Record / Design Professionals of not less than $5 million per claim.

6. We certify that our firm has sufficient bonding capacity to provide Labor and Material Payment and Performance bonds with coverage of each equal to the total cost of the project.

7. We certify that our firm can and will obtain a Builder’s Risk Insurance Policy for this project with coverage equal to the total cost of the project.

8. We certify that our firm/company/personnel have/has no potential or actual conflict of interest to report and that no relationships, transactions, circumstances or positions held are believe to contribute to any such conflict of interest.

9. I hereby certify that the information set forth in this declaration is true and complete to the best of my knowledge.

__________________________________________
(Authorized Signature, Title)

__________________________________________
(Design-Build Firm Name, Date)

By signature on this Qualification, responders certify that they comply with:

a. The laws of the State of North Carolina
b. The applicable portion of the Federal Civil Rights Act of 1964
c. The Equal Employment Opportunity Act and the regulations issued there under by the federal government
d. The Americans with Disabilities Act of 1990, and the regulations issued thereunder by the federal government
e. All terms and conditions set out in this RFQ
f. A condition that the Qualification submitted was independently arrived at, without collusion, under penalty of perjury
g. That their bids, if applicable, will remain open and valid for at least 120 days.

If any responder fails to comply with sections [a] through [g] of this paragraph, the County of Henderson reserves the right to disregard the Qualification, terminate the contract, or consider the Firm/Team in default.

**End of Section Seven**
SECTION EIGHT

Appendices

8.01 Appendix A – Insurance Requirements

Firm/Team shall maintain insurance not less than the following:

Consultant agrees to maintain, on a primary basis and at its sole expense, at all times during the life of this Contract the following coverage and limits. The requirements contained herein, as well as County’s review or acceptance of insurance maintained by Consultant is not intended to and shall not in any manner limit or qualify the liabilities or obligations assumed by Consultant under this Contract.

1. Lead Design-Build firm must obtain a Builder’s Risk Insurance Policy for this project with coverage equal to the total cost of the project.
2. Lead Design-Build firm must keep and maintain insurance for the duration of this Agreement including but not limited to commercial general liability, automobile liability, workers’ compensation, employer’s liability, and umbrella coverage with at least the minimum limits shown below. (The Owner reserves the right to negotiate different limits and coverage in the final contract.)

   Commercial General Liability: $1,000,000 per occurrence
   Commercial Auto Liability: $1,000,000 combined single limit
   Excess (Umbrella) Liability: $5,000,000
   Workers’ Compensation: Statutory
   Employer’s Liability: $1,000,000 each accident/total disease/employee disease

1. Professional Liability (Errors & Omissions) coverage for Architect of Record and Engineer(s) of Record shall provide coverage not less than $1 million per claim. (The Owner reserves the right to negotiate different limits and coverage in the final contract.)
2. Additional Insured- Consultant agrees to endorse Henderson County, its officials, officers, and employees as an additional Insured on the Professional Liability coverage.
3. All insurance companies must be authorized to do business in North Carolina with a Best Rating A-VIII or higher.

Certificate of Insurance- Consultant agrees to provide the County of Henderson with Certificates of Insurance evidencing that all coverage’s, limits and endorsements required herein are maintained and in full force and effect, and Certificates of Insurance shall provide a minimum thirty (30) day endeavor to notify, when available, by Consultant’s insurer. If Consultant receives a non-renewal or cancellation notice from an insurance carrier affording coverage required herein, or receives notice that coverage no longer complies with the insurance requirements herein, Consultant agrees to notify the County within five (5) business days with a copy of the non-renewal or cancellation notice, or written specifics as to the coverage no longer in compliance. Certificate Holder address should read:

County of Henderson
113 North Main Street
Hendersonville, NC 28792
8.02 Appendix B – County Terms & Conditions

Any proposal submitted to Henderson County shall be deemed to include all the Terms and Conditions shown in the document found online at

https://www.hendersoncountync.gov/sites/default/files/fileattachments/henderson_county/page/42611/terms_conditions.15.23_0.pdf

These Terms and Conditions, which refer to a “purchase order”, shall be deemed to be included in any contract entered into as a result of this Request for Qualifications (“RFQ”), and shall be deemed to include any revisions or modifications required by subsequent Federal or North Carolina law.

Any attempt by a proposed contracting party (the “Bidder”) under the RFQ to exclude any of these Terms and Conditions shall cause any Proposal made in response to this RFQ to be deemed to be non-responsive (unless Henderson County has notified the Bidder that the funding source for the goods or work sought under this RFQ is not federal funds, in which case those provisions under number 15 of the Terms and Conditions (and all subparts thereunder) may be excluded from a Proposal.

**End of Section Eight**