

REQUEST FOR OWNER'S PROJECT MANAGEMENT SERVICES (RFS)

Preliminary Rink Design Committee
Ice Rink and Expanded Locker Room Facility
5 January 2022

**Town of Belmont
Owners Project Management Services
Contract No. 2022 - 01**

The Town of Belmont, through the Preliminary Rink Design Committee (PRDC), requests qualifications from qualified firms in this Request for Services (RFS) for Owner's Project Management Services (OPMS) for a preliminary design phase for a new or renovated Ice Rink including expanded locker room facilities for the adjacent Harris Field and Track Project in Belmont, MA. A recently completed conceptual design study by Perkins and Will is available upon request at the Select Boards Office at 19 Moore Street Belmont, MA 02478. Sealed, responses clearly labeled "Owner's Project Management Services for the Preliminary Rink Design and Locker Room Facilities are due Wednesday 26 January 2022, _Delivered to: Preliminary Rink Design Committee; c/o Pam Callahan at Select Boards offices at, 19 Moore Street, Belmont, MA 02478. The Town reserves the right to reject any and all proposals, to waive any defects, informalities, and minor irregularities; and to award contracts or cancel this RFS if it is in the town's best interest to do so. The Town of Belmont encourages MBE and WBE firms to apply.

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1. Introduction

The **Town of Belmont**, ("Owner"), through Preliminary Rink Design Committee (PRDC), is seeking the services of a qualified "Owner's Project Manager" as defined in Massachusetts General Laws Chapter 149, Section 44AY 1/2 and as further defined by the provisions of this RFS, to provide Project Management Services for the preliminary design of a new or remodeled ice rink and expanded locker room facilities in Belmont, Massachusetts ("Project").

The Owner is requesting the services of an Owner's Project Manager to represent the Owner through Preliminary Design. Following the Town Meeting in the spring of 2022, if approved, the Moderator will appoint a Building Committee to move the project through schematic, design development, construction documents, bid and award, construction, and final closeout of the Project. It would be the intent of the Town through the Building Committee to extend the OPM's contract to future phases of the work. However, that decision will be up to the Building Committee appointed by the Moderator next spring. **Please see the section titled "Potential Scheduled Milestones" for schedule details.**

2. Background

The Preliminary Rink Design Committee's charge is to complete a conceptual design for a new or renovated ice rink with expanded locker room facilities for use by athletes competing at the rink and the adjacent Harris Field and Track Facility. This study will include a Project cost estimate to be presented to Town Meeting for Project approval.

3. Scope of Services

General Scope of Services

Chapter 193, Acts of 2004 -is a new provision in MGL c. 149, s 44 which lists the minimal required duties of the Owners Project Manager as follows:

The duties of the owner's project manager shall include, but need not be limited to, providing advice and consultation with respect to design, value engineering, scope of the work, cost estimating, general contractor and subcontractor prequalification pursuant to section 44D 1/2 or 44 D 3/4 when applicable, scheduling, construction and the selection, negotiation with and oversight of a designer if necessary and with a general contractor for the project, ensuring the preparation of time schedules which shall serve as control standards for monitoring performance of the building project, and assisting in project evaluation including, but not limited to, written evaluation of the performance of the design professional, contractors and

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subcontractors, and perform such other tasks as to minimize schedule delays, ensure quality construction, facilitate communications among all parties working on the project, and complete the project within budget.

Below are the Potential Scheduled Project Milestones:

1/26/2022 – OPM RFS submissions due to the Town

1/31/2022 to 2/02/2022 – Interview Shortlisted Firms

2/4/2022 – OPM Contract Execution

2/10/2022 – Designer Selection begins

3/2/2022 – Designer submission due to Town

3/07/2022 to 3/09/2022 - Interview Shortlisted Design Firms

3/14/2022 – Designer contract executed

3-14-2022 - Begin project design

5/18/2022 - Submit project construction estimate to Town

TBD – Town Meeting or debt exclusion vote by Town for construction funding – if vote fails, subsequent phases of the project will likely not continue

TBD – Project construction begins Spring 2023

Specific Scope of Services:

All phases:

1. The Owner's Project Manager will be required to attend all Building Committee meetings.
2. The Owner's Project Manager will be required to attend meetings with the Design Team, Contractor, and all other meetings as directed by the Building Committee.

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3. The Owner's Project Manager will prepare monthly reports and other such reports related to the project as may be directed by the Building Committee. The content and format of the reports shall be as directed by the Building Committee.

A. Preliminary Design Phase:

1. May assist the Building Committee with final selection of a Design Team.
2. Review and critique the Design Team's plans, and project cost estimates, resulting bid documents, for cost, constructability issues, missing items, coordination, and compliance with the requirements of M.G.L. 149, SS 44A-44L, and all other applicable laws and regulations.
3. Cost Estimating Review and Evaluation - Services may include reconciliation of design with budget estimates, and value engineering. Contribute to preparation of a project budget (construction + other costs) to be used as the basis for the Town's basis for funding decisions.

B. Preconstruction and Design Phase:

Following Town Meeting, if Project is approved, a Building Committee will be appointed by the Moderator and the OPM services could be continued and would include the following:

1. Assist the Committee with completion of the design Phases, including Schematic Design, Design Development. And Contract Documents
2. Assist in the division of subcontractor trade contractors. Ensure bid documents created by the designer are complete and meet all legal obligations under procurement law.
3. Document Review - Provide constructability and coordination review of the documents at the following stages of design:
 - 100% Design Development Documents
 - 90% Construction Documents
4. Construction risk assessment and mitigation planning and site logistics planning.
5. Scheduling - Prepare a Project Master Schedule and preliminary Construction Schedule. Assist in the preparation of the Project Control Specification for inclusion in the contract documents.
6. Quality Control Program – work with Building Committee and the Design Team to develop a detailed project specific quality control program that

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provides for the achievement of the highest quality project possible.

7. Contractor Selection/Bidding; Assist in the prequalification of contractors, development of a contractor bid list, review contractor bids and assist in final selection and procurement.
8. Subcontractor Selection/Bidding -Assist in the prequalification of subcontractors and bid review and procurement. Assist the Town and Design Team with the bid opening and contract award phase.

B. Construction Phase

1. Oversee Design Team's performance on construction administration and construction related issues.
2. Construction Quality Control - Monitor progress and quality of construction. Coordinate materials testing services, review ongoing construction means, methods, and quality, and facilitate the resolution of construction questions and issues.
3. If requested, provide the services of a Clerk-of-the-Works to ensure quality control and specification compliance. The Clerk-of-the-Works shall be subject to approval by the Building Committee.
4. Project Meetings - Participate in construction meetings as the Building Committee advocate; facilitate problem solving and communication among all project team members.
5. Submittals- Provide oversight, implementation, tracking, and expediting of the construction submittal process on the Building Committee's behalf to ensure compliance with project requirements and coordination of products. Identify and facilitate the resolution of required information or selections such as colors, sizes, and finishes.
6. Review the progress of construction, compare progress to construction schedules, and promptly advise the Contractor, Design Team, Building Committee regarding any concerns with the progress of construction. Evaluate the Contractor's baseline schedule and progress submittals.
7. Provide oversight of the Request for Information process and assist the Design Team with actions required to resolve issues.
8. Contractor and Design Team Change Order Review- Provide detailed tracking and review of contractor and Design Team requests for change orders as well as recommendations for their disposition, assist in negotiation of the Contractor's proposals for these changes, submit recommendations to the Design Team, Building Committee and if accepted, prepare or cause the review and approval. Establish and implement a system for monitoring and reporting on change orders, including approved change orders, pending change orders, and anticipated change orders, and that reflects approved

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changes orders in the project budget.

9. Contractor and Design Team's Progress Payment Review - Review Contractor and Design Team's applications for progress payments. Develop and implement procedures for prompt review and processing of applications for payment for the Contractor for progress and final payments, including certification requirements by the Design Team. Submit recommendations to the Building Committee for payment(s).
10. Prepare a full monthly written report summarizing the progress of design and construction of the project, highlighting important events, listing completed and pending Building Inspector/Code Official approvals, raising pending issues that must be addressed, and financial spreadsheet of expenditures authorized and paid in the prior month and charts comparing expenditures to date and encumbered costs against approved budget.
11. Review weekly payrolls and certify compliance with prevailing wage requirements for all individuals employed on the project, as required by State law.
12. Attend all Building Committee meetings, and support Building Committee during permitting and community process.
13. Maintain a complete project file, including but not limited to, a file of correspondence, monthly reports, daily reports, payment records, photographs, videos, schedules, and files on particular issues as they arise. Inspect and observe the Contractor's work with respect to quality, contract standards, labor standards, safety, and site security and provide final accounting to the Building Committee at the completion of the project. Obtain satisfactory performance from each Contractor and each Subcontractor. Recommend courses of action to the Building Committee when the requirements of the contract are not being fulfilled and the non-performing party will not take satisfactory corrective action.
14. Punch list - Assist Design Team and Building Committee in the preparation of final project punch lists, and coordination of final Building Inspector/Code Official approvals, and facilitate their timely completion.
15. Ensure all building commissioning and turnover is complete
16. Project Closeout- At the conclusion of the project, secure and deliver the as-built drawings and all other construction related documents and all materials necessary for occupancy and full operation of the facility. Collect all O&M manuals and instructions, warranties, service contracts, record drawings and as-builts and deliver same to Building Committee; ensure that Contractor(s) perform equipment testing and assist with the training of Town employees on equipment usage and

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maintenance.

17. At the conclusion of the project, prepare a standard contractor evaluation form for the Division of Capital Asset Management concerning the Design Team, Contractor and Subcontractor's performance as required.

4. Minimum Requirements and Evaluation Criteria:

Minimum Requirements.

In order to be eligible for selection, each Respondent must certify in its cover letter that it meets the following minimum requirements. Any Response that fails to include such certification in its response, demonstrating that these criteria have been met, will be rejected without further consideration.

Each Respondent must designate an individual who will serve as the Project Manager who shall meet the following minimum requirements:

- The Project Manager shall be a person who is experienced in owner's project manager services and who has at least 5 years experience in the construction and supervision of construction and design of public buildings:
- The project Manager, or a member of the Project Team shall be certified in the Massachusetts Certified Public Procurement Official (MCPPO) program.

Evaluation Criteria

In addition to the minimum requirements set forth above, all Respondents must demonstrate that they have significant experience, knowledge and abilities with respect to public construction projects, particularly in Massachusetts. The Owner will evaluate Responses based on criteria that shall include, but not be limited to, the following:

Note: All evaluation criteria will be graded 0 to 5. 0 represents "Not Advantageous" and 5 represents "Most Advantageous." All criteria will be equally weighed on this 0 to 5 scale.

- 1) Past performance of the Respondent, if any, with regard to public funded projects across the Commonwealth, as evidenced by:
 - a) Documented performance on previous projects including the number of projects managed, project dollar value, number and percentage completed on time, number and dollar value of change orders, average number of projects per project manager per year, number of accidents and safety

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- violations, dollar value of any safety fines, and number and outcome of any legal actions;
- b) Satisfactory working relationship with designers, contractors, Owners, and local officials.
- 2) Thorough knowledge of the Massachusetts State Building Code, as amended, regulations related to the Americans with Disabilities Act, and all other pertinent federal, state and local codes and regulations related to successful completion of the project.
 - 3) Thorough knowledge of Commonwealth construction procurement laws, regulations, policies and procedures, pursuant to the 2004 Construction Reform laws, as amended.
 - 4) Management approach: Describe the Respondent's approach to providing the level and nature of services required as evidenced by proposed project staffing; proposed project management systems; effective information management; and examples of problem solving approaches to resolving issues that impact time and cost. Describe the Respondent's approach to assisting for projects of similar type.
 - 5) Key personnel: Provide an organizational chart that shows the interrelationship of key personnel to be provided by the Respondent for this project and that identifies the individuals and associated firms (if any) who will fill the roles of Project Manager, Project Representative and any other key roles identified by the Respondent, including but not limited to roles in design review, estimating, cost and schedule control. Specifically, describe the time commitment, experience and references for these key personnel including relevant experience in the supervision of public construction of several projects that have been either successfully completed or in process that are similar in type, size, dollar value and complexity to the project being considered.
 - 6) Capacity and skills: Identify existing employees by number and area of expertise (e.g. field supervision, cost estimating, schedule analysis, value engineering, constructability review, quality control and safety). Identify Staff personnel that will be dedicated to this project and any services to be provided by Subconsultants. Finalists chosen by the Committee shall be required to provide financial data to verify the financial stability of the firm.
 - 7) Identify the Respondent's current and projected workload for projects estimated with construction cost in excess of \$1.0 million.
 - 8) Thorough knowledge and demonstrated experience with life cycle cost analysis; cost estimating and value engineering with actual examples of recommendations and associated benefits to Owners.

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- 9) Knowledge of the purpose and practices of the services of Building Commissioning Consultants.
- 10) Mitigation of impact on neighborhood: The firm(s) plan for mitigating the impact on the surrounding neighborhood, including but not limited to traffic, noise, odor, lighting and shadow effects, both during and after construction.

In order to establish a short list of Respondents to be interviewed, the Owner will base its initial ranking of Respondents on the above Evaluation Criteria. The Owner will establish its final ranking of the short-listed Respondents after conducting interviews and reference checks.

The Owner reserves the right to consider any other relevant criteria that it may deem appropriate, within its sole discretion. The Owner may or may not, within its sole discretion, seek additional information from Respondents.

This Request for Services, any addenda issued by the Owner, and the selected Respondent's response, will become part of the executed contract. The key personnel that the Respondent identifies in its response must be contractually committed for the Project. No substitution or replacement of key personnel or change in the Subconsultants identified in the response shall take place without the prior written approval of the Owner.

The selected Respondent(s) will be required to execute a Contract for Project Management Services with the Owner in the form that is attached hereto as Attachment A and incorporated by reference herein. Prior to execution of the Contract for Project Management Services with the Owner, the selected Respondent will be required to submit to the Owner a certificate of insurance that meets the requirements set forth in the Contract for Project Management Services.

Prior to execution of the Contract for Project Management Services, the fee for services shall be negotiated between the Owner and the selected Respondent to the satisfaction of the Owner, within its sole discretion. The initial fee structure will be negotiated through the Schematic Design Phase. The selected Respondent, however, will be required to provide pricing information for all Phases specified in the Contract at the time of fee negotiation.

5. Selection Process and Schedule

Process

The PRDC Committee will review all proposals based upon the above criteria. A standard scoring sheet will be used for all respondents. Findings from this evaluation

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may be used to select at least three finalists. The PRDC Committee may elect to conduct interviews of these finalists and/or the collection of information necessary to render a decision, the PRDC Committee will rank the finalists in order of qualifications. All finalists will be treated equally and the reasons for the rankings will be set down in writing. The Town of Belmont reserves the right to reject any and all requests for qualifications.

Schedule

The following is a preliminary schedule noting target dates for phases and tasks to be completed. This schedule will be refined based on the results of the work completed during the Preliminary Design phase work and project requirements:

Feasibility and Preliminary Design is complete including a cost estimate 6 weeks

Any questions concerning this Request for Services must be submitted in writing prior to January 19, 2022 to

Preliminary Rink Design Committee
c/o Pam Callahan Select Boards Office
19 Moore Street, Belmont, MA 02478
Telephone: 617-993-2615

Sealed Responses to the Requests for Services for Owner's Project Manager Services must be clearly labeled "Owner's Project Management Services for the "Preliminary Design for Rink and Locker Room Facilities"" and delivered to:

Preliminary Rink Design Committee
Pam Callahan – Select Boards Office
19 Moore Street, Belmont, MA 02478
Telephone: 617-993-2615

no later than 12:00 p.m. on Wednesday, January 26, 2022. The Owner assumes no responsibility or liability for late delivery or receipt of Responses. All responses received after the stated submittal date and time will be judged to be unacceptable and will be returned unopened to the sender.

6. Requirements for content of response:

Submit **9 (nine)** hard copies of the response to this Request for Services All responses shall be:

- In ink or typewritten; **Please do not submit proposals in hard binders.**

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Submit in simple, flexible and eco friendly binding solution. An electronic version (either CR-ROM or flashdrive in Microsoft Word and/or Adobe pdf format) of the entire proposal shall also be included with the proposal.

- Presented in an organized and clear manner.
- Must include the required forms
- Must include all required certifications;
- Must include the following information:
 1. Cover letter shall include:
 - a. An acknowledgement of any addendum issued to the RFS.
 - b. An acknowledgement that the Respondent has read the Request for Services. Respondent shall note any exceptions to the RFS in its cover letter.
 - c. An acknowledgement that the Respondent has read the Standard Contract. Respondent shall note any exceptions to the Standard Contract in its cover letter.
 - d. A specific statement regarding compliance with the minimum requirements identified in Item 4 of this Request for Services to include identification of registration, number of years of experience and where obtained.
 - e. A description of the Respondent's organization and its history.
 - f. The signature of an individual authorized to negotiate and execute the Contract for Project Management Services, in the form that is attached to the RFS, on behalf of the Respondent.
 - g. The name, title, address, e-mail and telephone number of the contact person who can respond to requests for additional information.
 2. Selection Criteria: The response shall address the Respondent's ability to meet the "Selection Criteria" Section including submittal of additional information as needed.

Additional Required Certifications are as follows:

Attachment A: Contract for Owner's Project Management Services
Attachment B: OPM Application Form- **September 2010**
Attachment C: Tax Compliance Certification
Attachment D: Non-collusion affidavit of the Bidder
Attachment E: Certificate of Vote

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7. Payment Schedule and Fee Explanation:

The Owner will negotiate the fee for services dependent upon an evaluation of the level of effort required, job complexity, specialized knowledge required, estimated construction cost, comparison with past project fees, and other considerations. As construction cost is but one of several factors, a final construction figure in excess of the initial construction estimate will not, in and of itself, constitute a justification for an increased Owner's Project Manager fee.

8. Other Provisions

A. Public Record

All responses and information submitted in response to this RFS are subject to the Massachusetts Public Records Law, M.G.L. c. 66, § 10 and c. 4, § 7(26). Any statements in submitted responses that are inconsistent with the provisions of these statutes shall be disregarded.

B. Waiver/Cure of Minor Informalities, Errors and Omissions

The Owner reserves the right to waive or permit cure of minor informalities, errors or omissions prior to the selection of a Respondent, and to conduct discussions with any qualified Respondents and to take any other measures with respect to this RFS in any manner necessary to serve the best interest of the Owner and its beneficiaries.

C. Communications with the Owner

The Owner's Procurement Officer for this Request for Services is:

Pam Callahan – Select Boards Office
19 Moore Street, Belmont, MA 02478
Telephone: 617-993-2615

Respondents that intend to submit a response are prohibited from contacting any of the Owner's staff other than the Procurement Officer. An exception to this rule applies to Respondents that currently do business with the Owner, but any contact made with persons other than the Procurement Officer must be limited to that business, and must not relate to this RFS. In addition, such respondents shall not discuss this RFS with any of the Owner's consultants, legal counsel or other advisors. **FAILURE**

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TO OBSERVE THIS RULE MAY BE GROUNDS FOR DISQUALIFICATION.

D. Costs

The Town of Belmont will NOT be liable for any costs incurred by any Respondent in preparing a response to this RFS or for any other costs incurred prior to entering into a Contract.

E. Withdrawn/Irrevocability of Responses

A Respondent may withdraw and resubmit their response prior to the deadline. No withdrawals or re-submissions will be allowed after the deadline.

F. Rejection of Responses, Modification of RFS

The Owner reserves the right to reject any and all responses if the Owner determines, within its own discretion, that it is in the Owner's best interests to do so. This RFS does not commit the Owner to select any Respondent, award any contract, pay any costs in preparing a response, or procure a contract for any services. The Owner also reserves the right to cancel or modify this RFS in part or in its entirety, or to change the RFS guidelines. A Respondent may not alter the RFS or its components.

G. Subcontracting and Joint Ventures

Respondent's intention to subcontract or partner or joint venture with other firm(s), individual or entity must be clearly described in the response

H. Validity of Response

Submitted responses must be valid in all respects for a minimum period of ninety (90) days after the submission deadline.

FURTHER INFORMATION

ATTACHMENTS:

Attachment A: Contract for Owner's Project Management Services
Attachment B: OPM Application Form- September 2010
Attachment C: Tax Compliance Certification

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Attachment D: Non-collusion affidavit of the
Bidder Attachment E: Certificate of Vote

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