

REQUEST FOR QUALIFICATIONS
DESIGN BUILD SERVICES FOR 48" RAW WATER TRANSMISSION MAIN
DESIGN BUILD PROJECT
LOWER CAPE FEAR WATER AND SEWER AUTHORITY
LELAND, NORTH CAROLINA

NOTICE IS HEREBY GIVEN that Lower Cape Fear Water and Sewer Authority (LCFWASA) is requesting QUALIFICATIONS ("RFQ") and invites the submittal of a Statement of Qualifications ("SOQ") from firms interested in providing design-build services for the Project described below. By submitting a SOQ, the Respondent represents that it has carefully read the terms and conditions of this RFQ and all attachments and Addenda and agrees to be bound by them. This RFQ is not an offer to enter a contract, but a solicitation of persons interested in submitting a SOQ to the Owner for the Project. This RFQ solicitation does not commit the Owner to award a contract, to pay any cost incurred by any firm in preparation of a SOQ in response to this RFQ, or to procure or contract for these services.

All proposals must be sealed.

Lower Cape Fear Water and Sewer Authority

1107 New Pointe Blvd., Suite 17

Leland, N.C. 28451

ATTENTION: Danielle Hertzog, Finance Administrative Assistant

UP TO THE HOUR OF 2:00 P.M local time. February 17, 2023

Copies of the Request for Quotes document are available from the LCFWASA website at www.lcfwasa.org. Please contact Danielle Hertzog at admin@lcfwasa.gov with questions.

All SOQs must be submitted pursuant to the instructions below. It is the Respondent's sole responsibility to ensure that the SOQ is delivered in the manner required by this RFQ by the Due Date and Time. Owner has the right to reject any SOQs not properly delivered.

The Statement of Qualifications (SOQ) must be received by the Administration Department at *1107 New Pointe Blvd, Suite 17, Leland, NC 28451*

This Project may in whole or in part be funded with North Carolina Drinking Water State Revolving Fund and/or Federal American Rescue Plan Act of 2021 ("ARPA") funds. State and Federal terms and conditions will apply.

All proposal forms must be properly executed and submitted as part of the proposal. LCFWASA The Authority reserves the right to reject any or all proposals.

REQUEST FOR QUALIFICATIONS
For
Design Build Services
For Kings Bluff 48” Raw Water Transmission Main

This REQUEST FOR QUALIFICATIONS (“RFQ”) from the Owner named below invites the submittal of a Statement of Qualifications (“SOQ”) from firms interested in providing design-build services for the Project described below. By submitting a SOQ, the Respondent represents that it has carefully read the terms and conditions of this RFQ and all attachments and Addenda and agrees to be bound by them. This RFQ is not an offer to enter a contract, but a solicitation of persons interested in submitting a SOQ to the Owner for the Project. This RFQ solicitation does not commit the Owner to award a contract, to pay any cost incurred by any firm in preparation of a SOQ in response to this RFQ, or to procure or contract for these services.

OWNER:

*Lower Cape Fear Water and Sewer Authority
1107 New Pointe Blvd, Suite 17
Leland, NC 28451*

PROJECT:

Kings Bluff 48” Raw Water Transmission Main

OWNER CONTACT PERSON:

Tim H. Holloman
Executive Director
Director@lcfwasa.gov

SOQ DUE DATE AND TIME:

Respondent’s SOQ shall be submitted no later than: **February 17, 2023, at 2:00 p.m. local time.**

All SOQs must be submitted in a sealed envelope pursuant to the instructions below. SOQs shall not be submitted via email. It is the Respondent’s sole responsibility to ensure that the SOQ is delivered in the manner required by this RFQ by the Due Date and Time. Owner has the right to reject any SOQs not properly delivered.

The Statement of Qualifications (SOQ) must be received by the Lower Cape Fear Water and Sewer Authority, 1107 New Pointe Blvd, Suite 17, Leland, NC 28451, no later than **February 17, 2023, at 2:00 p.m. local time.**

SECTION 1: OWNER DESCRIPTION

1.1 General

Lower Cape Fear Water and Sewer Authority (LCFWASA) serves Brunswick, Bladen, Pender, New Hanover, Columbus Counties, and the City of Wilmington. As the largest regional water system in Eastern North Carolina, the Authority's primary role is to provide raw water from the Cape Fear River to supply treatment facilities that serve 550,000 customers.

1.2 Funding / Authority

Pursuant to Section 12.9(e) of Session Law 2022-74, LCFWASA received \$23,500,000 from the North Carolina General Assembly 2022 Budget appropriations through the Department of Environmental Quality (DEQ) for water and/or wastewater projects as approved in Session Law 2022-74. Funding for this project will be from Federal funds provided through The American Rescue Plan Act of 2021, Pub. L. No. 117-2 ("ARPA") and State appropriations. The project will be required to meet ARPA Federal requirements and all applicable requirements of Chapter 159G of the North Carolina General Statutes. Additional funds for the \$35.2 million-dollar project (anticipated project budget) will be contributed by an Interlocal Agreement with Pender County, Brunswick County, and Cape Fear Public Utility Authority.

SECTION 2: OVERVIEW OF PROJECT

2.1 General

Lower Cape Fear Water and Sewer Authority (LCFWASA) intends to procure a qualified Design Builder (DB) to provide design and construction services to install a new 48" Raw Water Transmission Main that will parallel the existing raw water transmission main. The new approximately 7-mile line will parallel the existing 48-inch raw water line that supplies Pender County, CFPWA and several industries on US Highway 421. The route of the existing 48-inch raw water line begins at the 3-million-gallon ground reservoir located near Brunswick County's Northwest Water Treatment Plant and travels through Brunswick, Pender, and New Hanover Counties to US Highway 421.

See Exhibit A for anticipated route.

2.2 Project Objectives

The overall objective is to design and construct a new 48" raw water transmission main in a cost-effective approach.

- Establish a collaborative relationship between the Owner and the Design-Build Team to deliver quality design and construction on time and within the Owner's budget.
- Design and construct a project that will achieve design excellence, provide redundancy, and meets or exceeds all regulatory and industry standards.
- Design and construct raw water line that is cost effective and utilizes the ARPA funds available in an effective approach and meeting all funding milestones.

2.3 Scope of work

The Project scope of work includes, but is not limited to, the following primary tasks:

- Preliminary Engineers Report/ Design memorandum (per funding agency requirements)
- Existing asset evaluation
- Subsurface utility engineering
- Geotechnical engineering and testing
- Validation of project site conditions
- Design of the project
- Cost estimating and reporting
- Lifecycle cost analysis
- Permitting
- Construction
- Closeout (punch list documentation and resolution, O&M manuals, record drawings, final inspection, and acceptance)
- Project commissioning
- Project acceptance testing

The DB will assume the risk of delivering the Project and will be responsible for construction means and methods.

2.4 Anticipated Project Budget

The selected Design Builder (DB) will form a team with LCFWASA and execute preliminary and final comprehensive agreements for the design of approximately 7 miles of a new 48” raw water transmission main, with an anticipated Project budget amount of \$35.2M.

2.5 Project Procurement Schedule

The following is the Project Procurement Schedule. The Owner reserves the right to modify the Project Procurement Schedule via Addenda issued prior to the date set forth below.

Date	Activity
January 13, 2023	Issue RFQ
February 3, 2023	Deadline to Submit Questions
February 17, 2023	SOQ Due Date
February 24, 2023	Notification of Shortlist

2.6 Questions and Addenda

2.6.1 Questions pertaining to the selection process should be directed to Executive Director at Director@lcfwasa.gov

2.6.2 LCFWASA shall not be held responsible for any oral instructions. Any changes to this Request for Qualifications (RFQ) will be in the form of an addendum, which will be furnished to all registered RFQ holders.

2.6.3 LCFWASA reserves the right to reject any or all SOQs, to waive any informality or irregularity in any SOQ received, and to be the sole judge of the merits of the respective SOQ received.

2.7 Notice of Rules, Ordinances, or Goals.

LCFWASA has established a 10% verifiable percentage goal for participation by minority businesses in the total value of work for building projects awarded by LCFWASA.

State of NC MBE/WBE participation goal: 10% (combined)

See NC Division of Water Infrastructure MBE/WBE (DBE) Compliance Supplement.

SECTION: 3 STATEMENT OF QUALIFICATIONS OF SELECTION CRITERIA

3.1 General Information

Firms interested in providing Design Build services must submit a Statement of Qualifications (SOQ) that addresses the following evaluation criteria. Applicants are encouraged to organize their submissions in such a way as to follow the general evaluation criteria listed below. Information included within the SOQ may be used to evaluate your firm as part of any criteria regardless of where that information is found within the SOQ. Information obtained from the SOQ and from any other relevant source may be used in the evaluation and selection process.

3.2 Cover Letter

One (1) page containing, at a minimum:

- a. Legal name
- b. Contact name
- c. Address
- d. Fax number
- e. Email address

3.3 Qualifications Criteria

For the development of a shortlist, a rating system will be utilized by LCFWASA to score and rank each proposal. Proposers are encouraged to keep their proposals concise and to include a minimum of marketing materials. At a minimum, each proposal must address the following criteria:

Item	Evaluation Criteria	Maximum Points
1	General Information & Relevant Firm Experience	20
2	Team Experience & Qualifications	25
3	Project Understanding & Approach	20
4	Demonstrated Past Performance w/ Successful Projects of Similar Scope & Complexity	20
5	Other Factors	5
6	Price	10
7	Financial & Legal	Pass/Fail
Total Possible Points		100

3.3.1 Evaluation Criteria 1 – General Information & Relevant Firm Experience

- a. Description of firm/team's overall reputation, service capabilities and quality as it relates to this Project.
- b. List of applicable North Carolina licenses for construction, engineering, or other trades/professions pertinent to the Project requirements.
- c. Each Proposer shall submit in its response to this RFQ an explanation of its project team selection consisting of either of the following team selection options:
 - i. A list of the licensed contractors, licensed subcontractors, and design professionals whom the design-builder proposes to use for the project's design and construction. If this project team selection option is used, the design-builder may self-perform some or all of the work with employees of the design-builder and, without bidding, also enter into negotiated subcontracts to perform some or all of the work with subcontractors, including, but not exclusively with, those identified in the list. In submitting its list, the design-builder may, but is not required to, include one or more unlicensed subcontractors the design-builder proposes to use. If this project team selection option is used, the design-builder may, at its election and with or without the use of negotiated subcontracts, accept bids for the selection of one or more of its first-tier subcontractors; or,
 - ii. A list of the licensed contractors and design professionals whom the design-builder proposes to use for the project's design and construction and an outline of the strategy the design-builder plans to use for open subcontractor selection based upon the provisions of Article 8 of Chapter 143 of the General Statutes. If this project team selection option is used, the design-builder may also self-perform some of the work with employees of the design-builder, but shall not enter into negotiated contracts with first-tier subcontractors.
- d. A minimum of three referrals and references from other agencies and owners. If possible, references should be from the projects listed in response to Evaluation Criteria 4.
- e. Type and amount of work that is anticipated to be self-performed.

3.3.2 Evaluation Criteria 2 – Team Experience & Qualifications

- a. Provide an overall organizational chart (showing Team Members, Key Team Members, and their firm affiliation) for all phases of the Project from design through final acceptance and warranty maintenance period with names, including subcontractors.
- b. Identify the Project Manager for the Design Build firm who will be assigned to this Project.
- c. Illustrate size of the anticipated team (technical and professional) and other resources to perform the work within schedule.
- d. Describe each team member's position within the firm. Provide resumés of each proposed team member in Appendix A.
- e. Briefly describe each team member's role on this Project.
- f. Provide "team" experience working together on similar projects.
- g. Describe experience working with LCFWASA or other similar units of local government.

3.3.3 Evaluation Criteria 3 – Project Understanding & Approach

- a. Describe your understanding of the project.
- b. Methodology and approach to the design, permitting, and construction services including creative alternatives that could be proposed to add value or cost saving measures.
- c. Identify and discuss any potential risk during design and construction and possible mitigation measures.
- d. Describe the work you anticipate self-performing, and the work you anticipate being performed by sub-consultants/subcontractors.
- e. Provide an anticipated project schedule with ideas to accelerate the overall duration.
- f. Explain process to develop GMP.
- g. Describe approach to maintaining operations at the existing facilities during construction activities.
- h. Describe approach to coordination with vendors for startup, training, and warranty compliance.

3.3.4 Evaluation Criteria 4 – Demonstrated Past Performance with Successful Projects of Similar Scope & Complexity

- a. List and briefly describe 3-5 comparable projects completed by your firm within the last five years or currently in progress; include your firm's role, and discuss contract amendment history, if applicable. For each project, include:
 - i. Project budget and describe if completed below or above GMP.
 - ii. Project schedule, initial contract time, actual time to complete, and completion date.
 - iii. Penalties assessed by the owner including but not limited to claims or liquidated damages.
 - iv. Project owner, project location, contact name and title, address, current and accurate telephone number, and email address (if available).
 - v. Include a description of any issues or problems that arose on the projects and how those issues or problems were resolved.
- b. Projects involving installation of large-diameter pipeline and river crossings will have an increased weight in the evaluation process.

3.3.5 Evaluation Criteria 5 – Other Factors

- a. Describe approach to safety management. Provide current safety ratings, practices, and firm approach to safety. Note, proposers are directed not to submit full safety plans; however, LCFWASA may request a copy of safety plans if deemed necessary for the selection process or project implementation.
- b. Current workload and ability to proceed promptly.
- c. Willingness to abide by LCFWASA's standard form Agreements with few or no objections or changes. LCFWASA accepts the latest version of DBIA Standard Documents with appropriate modifications agreed upon by both parties.
- d. Provide a statement regarding your assurance that this engagement will not result in a conflict of interest.

3.3.6 Evaluation Criteria 6 – Price

- a. Provide Design Builder’s fixed fee or tiered fee for subcontractors and consultant worked performed.
- b. Provide fixed-price and/or hourly rates for specific components of the Design Build services.
- c. Provide Design Builder’s fee expressed as a percentage of cost of work.

3.3.7 Evaluation Criteria 7 – Financial & Legal

No points will be allocated for Evaluation Criteria No. 7; Proposers will be rated as acceptable (pass) or unacceptable (fail)

- a. The selected DB firm will be required to provide a Performance and Payment Bond in the full amount of the contract. For this submittal, proposers shall provide evidence of their ability to provide and maintain the following:
 - i. A Performance and Payment Bond in the amount of at least \$5M.
 - ii. General Liability Insurance at \$5M per occurrence and \$10M aggregate.
 - iii. Umbrella Liability Insurance at \$5M per occurrence.
 - iv. Workman’s Compensation \$1M Each Accident, \$1M Disease-Each Employee, \$1M Disease-Policy Limit.
 - v. Professional Liability at \$2M per occurrence.
- b. List and describe any litigation; arbitration; claims filed by your firm against any project owner because of a contract dispute; any claim filed against your firm; and/or termination from a project.

SECTION 4: SUBMITTAL REQUIREMENTS

4.1 General Information

The SOQ shall include a one-page cover letter plus a maximum of forty-five (45) pages to address the SOQ criteria specified in Section 3 (excluding Resumés and Sub-consultant/Subcontractor Selection Plan). Table of Contents and section divider pages do not count toward the total page count. Resumés for each key team member shall be limited to no more than two pages. Resumés and Sub-consultant/Subcontractor Selection Plan shall be attached as Appendix A.

Sealed submittals are due by 2:00 p.m. local time on February 17, 2023, at the following address:

Lower Cape Fear Water and Sewer Authority
Attn: Executive Director Tim H. Holloman
1107 New Pointe Blvd, Suite 17
Leland, NC 28451

Firms shall submit three (3) hard copies and one (1) thumb drive with digital copy of the Statement of Qualifications and Appendix A in a sealed envelope. Copies via email will not be accepted. Firms mailing responses should allow delivery time to ensure timely receipt of their Statement of Qualifications. LCFWASA is not responsible for late submissions. Mark the outside of the sealed envelope with a label titled “**PROPOSAL**” with the due date.

Failure to comply with the following criteria may be grounds for disqualifications:

- Receipt of submittal by the specified cut-off date and time.
- The number of originals and/or copies of the submittal specified.
- Adherence to maximum page requirements. Adherence to the maximum page criteria is critical; each page side (maximum 8 1/2" x 11") with criteria information will be counted. Pages that have photos, charts and graphs will be counted toward the maximum number of pages.

SECTION 5: SELECTION PROCESS AND SCHEDULE

- 5.1** The Design Builder (DB) will be selected based upon the above-stated criteria.
- a. The Design Build services will be performed using Design Build Institute of America (DBIA) contract documents with one entity identified as the Design Builder (DB). Services will include all necessary activities to design and construct the project.
 - b. The DB will be an integral member of the Project Team, consisting of the DB, representatives from LCFWASA, and other consultants required. It will be the responsibility of the DB to integrate the design and construction phases, utilizing skills and knowledge of design and general contracting, to provide design, code analysis, value engineering and constructability reviews, develop schedules; prepare detailed project construction estimates; study labor conditions; and, in any other way deemed necessary, to contribute to the development of the Project during the pre-construction/design phase.
 - c. The DB assumes design and construction risk and has direct authority over the sub-consultants and subcontractors. The DB will act as the LCFWASA's fiduciary and have a relationship of trust and confidence between itself and LCFWASA. LCFWASA intends to enter into a Preliminary Design-Build Agreement with the selected Design-Build firm utilizing DBIA form 520. Upon completion of the preliminary design-build scope of work, LCFWASA intends to develop a Guaranteed Maximum Price (GMP) with the selected Design-Build firm for the project utilizing DBIA forms 530 and 535. The Project will be an "open book" job whereby LCFWASA may attend all meetings of the DB firm relating to the Project and have access to any and all books and records of the DB relating to the Project.
- 5.2** A Project Evaluation Team will evaluate each Statement of Qualifications (SOQ) according to the above-stated criteria. No oral interviews are planned in the first step of the selection process.
- 5.3** If after the solicitation for design-builders not as many as three responses have been received from qualified design-builders, LCFWASA shall again solicit for design-builders. If as a result of the second solicitation not as many as three responses are received, LCFWASA may make a selection as provided herein even though fewer than three responses were received.
- 5.4** Following a review of the submittals, the Project Evaluation Team will rank the design-builders based on the selection factors identified above. LCFWASA shall select and commence contract negotiations with the design-builder whose response is ranked most advantageous to LCFWASA based on the selection factors identified above. If a contract cannot be negotiated with the highest ranked design-builder, negotiations with that design-builder shall be terminated and negotiations shall be initiated with the next-highest ranked design-builder. Contract award and authorization will be sought from the LCFWASA Board of Directors.
- 5.5** The following tentative schedule has been prepared for this project. If LCFWASA deems appropriate, it may invite some or all responders to interviews. Interviews are not anticipated at this time but may be requested if deemed necessary.
- a. SOQs due: February 17, 2023 @ 2:00 PM

b. Firms notified of Short List:

February 24, 2023

5.6 LCFWASA will negotiate a contract as provided above using standard form Design Build Contract until a contract is executed, or LCFWASA, in its sole discretion, may decide to terminate the selection process.

5.7 Anticipated Project Schedule:

Item	Activity	Date
1	Advertise Design Build RFQ for Design Build Teams	January 13, 2023
2	Receive Design Build SOQs for Design Build Teams	February 17, 2023
3	Design Build Firm Selection & Notification	March 13, 2023
4	Execute Preliminary Design Build Agreement DBIA 520	March 13, 2023
5	Design Team Develops 60% Drawings and Specifications	December 2023
6	Execute Construction Contract	January 2024
7	Substantial Completion of Project	June 2026

SECTION 6: COMPLIANCE WITH FEDERAL AND STATE LAWS

6.1 Pursuant to Section 12.9(e) of Session Law 2022-74, LCFWASA received \$23,500,000 from the North Carolina General Assembly 2022 Budget appropriations through the Department of Environmental Quality (DEQ) for water and/or wastewater projects as approved in Session Law 2022-74. Funding for this project will be from Federal funds provided through The American Rescue Plan Act of 2021, Pub. L. No. 117-2 (“ARPA”) and State appropriations. Firms submitting a qualifications statement hereby acknowledge that Federal financial assistance will be used to fund all or a portion of this procurement. As such, the firm will comply with all applicable Federal laws, regulations, executive orders, Federal government policies, procedures, directives, and the terms and conditions of the funding award. Firms further acknowledge that funding is contingent upon compliance with the foregoing. The project will be required to meet ARPA Federal requirements and all applicable requirements of Chapter 159G of the North Carolina General Statutes.

6.2 FEDERAL UNIFORM GUIDANCE. Under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) the following provisions apply to this RFQ (as applicable):

- Equal Employment Opportunity (2 C.F.R. Part 200, App. II, § (C))
- Davis-Bacon Act (2 C.F.R. Part 200, App. II, § (D))
- Copeland “Anti-Kickback” Act (2 C.F.R. Part 200, App. II, § (D))
- Contract Work Hours and Safety Standards Act (2 C.F.R. Part 200, App. II, § (E))
- Rights to Inventions Made Under a Contract or Agreement (2 C.F.R. Part 200, App. II, § (F))
- Clean Air Act and the Federal Water Pollution Control Act (2 C.F.R. Part 200, App. II, § (G))
- Debarment and Suspension (2 C.F.R. Part 200, App. II, § (H))
- Byrd Anti-Lobbying Amendment (2 C.F.R. Part 200, App. II, § (I))
- Procurement of Recovered Materials (2 C.F.R. Part 200, App. II, § (J), 2 C.F.R. § 200.323)
- Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment (2 C.F.R. Part 200, App. II § (K), 2 C.F.R. § 200.216)
- Domestic Preferences for Procurements (2 C.F.R. Part 200, App. II, § (L), 2 C.F.R. § 200.322)

- Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms (2 C.F.R. § 200.321)
- Record Retention and Access
- Assurances of Compliance with Title VI of the Civil Rights Act of 1964

SECTION 7: ATTACHMENTS

7.1 Exhibit A –vicinity map

Note that LCFWASA does not guarantee the accuracy of the information in this document.

7.1 EXHIBIT A

