



REQUEST FOR PROPOSAL

**OWNER'S REPRESENTATIVE
FOR
OURAY COUNTY COURTHOUSE RESTORATION
AND NEW CONSTRUCTION PROJECT**

**PROJECT LOCATION:
541 4TH Street
Ouray, CO 81427**

SEALED PROPOSALS MUST BE DELIVERED TO:

**Ouray County Administration
Attention: Connie I. Hunt, County Administrator**

**Mailed: P.O. Box C, Ouray, CO 81427
Physical: 541 4th Street, Ouray, CO 81427
By: 3:30 pm, Thursday, March 1, 2018**

Request for Proposal Ouray County Courthouse Owner's Representative

Ouray County is soliciting requests for proposals to serve as Owner's Representative for the Ouray County Courthouse Restoration and New Construction Project. The Owner's Representative shall serve as the County's point of contact and liaison between the architect, general contractor and other consultants, contractors and vendors throughout the project. The Owner's Representative shall advocate for the County's interests of quality, timely and cost-sensitive design and construction while maintaining professional relationships with all parties. The Owner's Representative will be responsible for overseeing the delivery of the project at the best overall price and highest degree of functionality and quality in accordance with the Scope of Work, "Attachment A." Successful Proposer must have experience working with historic buildings and restoration. The entire **Request for Proposal** and the **Ouray County Courthouse Feasibility Study** providing an overview of the project can be found on the Ouray County website www.ouraycountyco.gov under "**Bids and Requests for Proposals.**"

It is the responsibility of the proposer to ensure that its proposal is received at the designated location at or before the closing time for the receipt of proposals in response to this RFP. Any proposals received after the scheduled closing time will not be considered. **Seven (7) copies of the proposal** must be placed in a **sealed envelope or package along with an electronic copy on an external thumb drive and Attachment B, "Information and Signature Page"**, marked "**Owner's Representative Services Proposal**" and submitted to Ouray County Administration at the Ouray County Courthouse, P. O. Box C, 541 4th St., Ouray, CO 81427 **by 3:30 p.m. on March 1, 2018.**

All questions regarding this RFP should be directed to Connie Hunt, Ouray County Administrator, at (970) 325-7263 or chunt@ouraycountyco.gov.

Ouray County reserves the right to reject any and all proposals, to waive any and all informalities, or to accept the proposal for the contract which in its judgment best serves the interest of the County, and the right to disregard all non-conforming, non-responsive, or conditional proposals. Awarding of the proposal is not based solely upon low quotation price, but on overall service, quality, and "best value" to the county in accordance with the Ouray County Purchasing Manual.

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(Attachment A)**Scope of Work**

The Owner's Representative shall serve as Ouray County's principal point of contact and liaison between the architect, general contractor, and other consultants, contractors and vendors throughout the project. The Owner's Representative shall advocate for the County's interests of quality, timely and cost-sensitive design and construction while maintaining professional relationships with the architect, contractors and consultants. The Owner's Representative will be responsible for overseeing the delivery of the project at the best overall value to the County and with the highest degree of functionality and quality. The Owner's Representative will be responsible for monitoring progress on all aspects of the project and shall comply with the following sections:

1. Pre-Construction Activities:

1.1 Owner's Representative shall advise the Owner with regard to the constructability, schedule, site logistics and construction budget of the proposed project.

1.2 Owner's Representative shall review the Architect's and General Contractor's budgets to determine its appropriateness and help prepare budget forecasts and other related data required to support the project.

1.3 Owner's Representative shall participate in pre-construction community engagement activities as requested.

2. General Services:

2.1. Owner's Representative, in general, shall work with Architect, Contractor, County Administrator and County Facilities Manager to coordinate all Project matters.

2.2. Owner's Representative shall maintain an organized filing system for all Project documents and records. At Project completion, Owner's Representative will deliver the document(s) and record(s) to the Owner at the end of the Term or at any time reasonable during the Term at the Owner's request.

2.3. Owner's Representative shall attend, take minutes and assist the Owner at all Project meetings. Owner's Representative will provide Owner with minutes from such meetings prepared by Owner's Representative. Owner's Representative is responsible for having minutes signed by those attending meetings to attest to the accuracy of the meeting contents. Owner's Representative shall review for accuracy the minutes of such meetings. Owner's Representative shall clarify, amend and report any discrepancies affecting the Project.

2.4. Owner's Representative shall furnish to the Owner bi-weekly reports containing: (a) the status of the Project; (b) a comparison of the Project budget to costs incurred through the date of the report; (c) a comparison of the Project schedule to the work actually completed through the date of the report; (d) any revision to the Project schedule or Project budget made during the week covered by the report; (e) a summary of Board of County Commissioner approved change orders made during the week covered by the report; (f) a list of all pending change orders and all outstanding issues

requiring action or approval by Owner; (g) the status of any governmental requirements and activities required to facilitate approval of the Project; and (h) any other reports concerning the Project as Owner may reasonably request.

2.5. Owner's Representative shall provide financial oversight services for the Project, including but not limited to (a) preparing monthly variance reports (i.e. actual cost to budget, and actual activities to schedule); (b) monthly project payment application processing related to assembling, reviewing and forwarding to Owner for payment the invoices from the Architect and Contractor and other consultants; and (c) working with County Administrator regarding the processing and coordination of payment regarding Contractors' applications for payment. If possible, Owner's Representative shall provide such reports in an electronic format in a form acceptable to Owner.

2.6. Owner's Representative shall be collaboratively involved in and provide owner guidance in all matters relating to the planning, design, construction and other activities necessary to complete the Project.

2.7. Owner's Representative shall assist the Architect and CM/GC in obtaining permits for the Project; coordinate with the various governmental agencies having permit responsibilities for the Project; represent the Owner at meetings; recommend to the Owner appropriate process to be followed affecting the Project; coordinate with the Architect to ascertain whether there are any significant building code or other governmental compliance issues; coordinate with the Contractor the obtaining of necessary building permits or other necessary construction approvals for the Project; and advise the Owner as to any material issues noted by the Architect.

2.8. Owner's Representative shall attend regular meetings with the Architect and Contractor related to the development of the design.

2.9. Owner's Representative shall collaboratively provide recommendations to the Owner and Architect regarding construction feasibility, value engineering, availability of materials and labor, time requirements for installation and construction, and factors relating to costs, including costs of alternative designs or materials in a manner consistent with the Project, Budget and Schedule, and possible cost reductions and economies if and when necessary to reconcile the Project and Project Budget.

2.10. Upon approval by Owner of design development plans and specifications, Owner's Representative shall: a) on behalf of the Owner, represent the Owner with regard to the review and coordination of the Design and Construction Documents, and b) make recommendations regarding alternative solutions whenever design details appear to: (i) adversely affect construction feasibility, the Project, Budget or Schedule, or (ii) cause the Project to deviate from the approved drawings or requirements of Owner.

2.11. Owner's Representative shall review CM/GC GMP cost estimates for the estimated Overall Project costs to be incurred by Owner, in coordination with designing and constructing the Project, including the projected monthly expenditures (the "Project Costs Estimate"). The Project Costs Estimate shall include separate line items for each cost category included in the Project cost, with line items for anticipated contracts and subcontracts. Owner's Representative shall evaluate pricing for alternative building and engineering systems. In addition, Owner's Representative shall:

2.11.1. Assist Owner, Architect and CM/GC with modifications to the Project design, Project Budget, Project Schedule and Project Program to reconcile each with the others, for final decision by Owner; and

2.11.2. Assist Owner in setting a final Project Budget, based on the approved design and the Project Schedule, the Project Program, the Project Cost Estimate and financial constraints identified by Owner.

2.12. Owner's Representative shall coordinate with the Owner and make recommendations for prequalification criteria for bidders, including bonding capabilities of any bidder if selected as a contractor, and development of a bid list for prospective contractors and subcontractors.

2.13. Owner's Representative shall assist with coordination of FF&E (Furniture, Fixtures, and Equipment) design, acquisition and integration of, Information Technology, Security, Audio/Visual and other building systems.

2.14. Owner's Representative shall work with Architect for the CM/GC pre-bid conferences to familiarize bidders with the bid documents and any special or unique systems, materials or methods.

2.15. Owner's Representative shall work with Architect to review bids/proposals, prepare analyses and make recommendations to Owner for award of a contract for the Project.

2.16. Owner's Representative shall work with the Architect to conduct pre-award conferences with the "best overall value" respondent for a Project construction contract; advise Owner regarding the negotiation of business terms of each Project construction contract; and advise Owner on the acceptability of Contractor for the Project.

2.17. Owner's Representative shall review insurance certificates, surety bonds, sworn statements and waivers for contract compliance.

2.18. Owner's Representative shall review and comment on all safety, health and environmental protection measures proposed by each Contractor, and make recommendations with respect to any changes to Owner.

3. **Construction Services:**

3.1. Owner's Representative shall represent the Owner in its communications with the Architect, Contractor, and Consultant(s); assist in schedule, attend, and participate in progress meetings, regular on-site meetings to review construction progress and pay requests and to provide appropriate recommendations to the Owner concerning the Owner's decisions on construction matters, including, where necessary, alternative designs or materials; and coordinate, review and advise the Owner on impacts to budget, timelines, etc.; concerning change orders, submittals, and requests for information.

3.2. Owner's Representative shall: (i) assist and review the processing of change orders, (ii) advise Owner concerning the necessity for, scope of and recommended cost of change orders, and (iii) negotiate (upon authorization of the Owner), on Owner's behalf; all change orders with Contractor for Owner approval. Work with the Architect regarding

the final Project Budget and/or Project Schedule, as applicable, to reflect revised based upon approved change orders.

3.3. Owner's Representative shall review applications for payment by the Architect and Contractor, review and certify certificates for payment issued by Architect and make written recommendations to Owner concerning payment.

3.4. Owner's Representative shall notify Owner in writing, with photos and supporting documentation, if Owner's Representative becomes aware that the work of Contractor is not being performed in accordance with the requirements of the Contract Documents.

3.5. Owner's Representative shall attend on-site review of the Project to confirm substantial and final completion of the construction of the Project, and notify Owner when Owner's Representative believes the work under a Project construction contract is substantially complete and that a punch-list should be prepared.

3.6. Owner's Representative shall coordinate with the Architect and County Facilities Manager in its review of the work to enable the Architect to determine the date of substantial completion.

3.7. Owner's Representative shall obtain from Contractor record drawings or, if required by the applicable Project construction contract, "as-built" drawings, as construction completes.

3.8. Owner's Representative shall ensure that a rough-in photo book of installed building infrastructure (prior to wall cover) is created.

3.9. Together with the Architect and Owner, Owner's Representative shall monitor and observe the testing and start-up of all utilities, systems and equipment for the Project and review test reports.

3.10. Owner's Representative shall assist owner in the final close-out of the Project by: (i) coordinating with the Contractor to obtain all government approvals required for the legal use and occupancy of the Project, (ii) obtaining all warranties, guarantees, bonds, insurance certificates, installation manuals, and other items required pursuant to the Project construction contracts, (iii) obtaining all affidavits, waivers, and releases the Contractors are required to provide pursuant to the Project construction contracts to achieve final completion of the Project, and (iv) representing Owner at meetings and/or inspections scheduled by Owner, Architect or Contractor to resolve problems relating to design, physical condition or operation of the Project to seek enforcement of warranties.

4. Security/Safety:

While performing the Work, the Owner's Representative shall promptly inform the Owner if the Owner's Representative becomes aware of any security concerns and/or unsafe conditions.

5. Deliverables:

Based on Scope of Work, deliverables will include:

- 5.1. Meeting Minutes;
- 5.2. Progress Reports; and
- 5.3 Rough-in photo book of installed building infrastructure prior to wall cover

6. Proposal Content:

Proposals should be of sufficient length and detail to demonstrate the proposer has a thorough understanding of the skills necessary to deliver the services requested.

7. General Information:

7.1. Provide an individual or company profile including principal areas of expertise and experience providing owner's representative services.

7.2. Include an organizational chart depicting the management of the individual's or firm's organization and its relationship to any other business entity.

7.3. Proposals must include the following information:

7.3.1. Date, State and Type of Business Organization (i.e. Sole Proprietor, General, Corporation; LLC; etc.);

7.3.2. Federal and State Tax ID numbers;

7.3.3. Names of Owners, Principals and/or Officers;

7.3.4. Civil or criminal claims, judgments or suits within the last ten (10) years;

7.3.5. Evidence of the individual's or firm's financial wherewithal to undertake and see the project through to fruition;

7.3.6. The name, title, email address, mailing address, fax and telephone number of the officer authorized to represent the individual or firm in any correspondence, negotiations and sign any contract that may result;

7.3.7. The project manager's name, title, email address, mailing address, fax and telephone number; and

7.3.8. Describe the individual's or firm's current staffing, workload and ability to competently and expeditiously provide owner's representation services for the County.

8. Project Understanding & Approach:

Describe your understanding of the project and approach to delivering Owner's Representation services. It is important to demonstrate the ability to advocate for the County while maintaining professional relationships with the Architect, Contractors and County staff during the project. Most importantly, you must demonstrate the ability to help the County make important decisions during the project by collecting and interpreting technical information from the Architect and Contractor. Proposals must include the following information:

8.1. Describe how you will organize and perform tasks for the project;

8.2 Describe how you will identify critical milestones and ensure progress;

- 8.3 Describe how you will address contingencies that may arise during the project; and
- 8.4 Describe how you will ensure quality control.

9. Similar Project Experience & References:

Describe the individual's or firm's current and recent experience representing owners on similar projects. Proposals must include the following information:

9.1. Brief descriptions of similar projects where the individual or firm represented counties, cities, tribal government, school districts, fire districts, townships and/or villages including the Owner; along with project delivery methods (design-bid-build, design-build, etc.), Architect, Contractor, owner reference including name, title, phone number and email address;

9.2. Describe how successful the individual or firm was in managing similar project(s) on time and within budget; and

10. Fee Proposal:

Describe your not-to-exceed fee proposal for professional services for the project inclusive of reimbursable expenses. A range of fees or rates is not acceptable and may disqualify the proposal. The individual or firm may not bill the County for any other products or services without the County's written approval.

11. Proposal Submissions:

To be considered, **seven (7) copies of the proposal** must be placed in a **sealed envelope or package along with an electronic copy on an external thumb drive and Attachment B, "Information and Signature Page"**, marked **"Owner's Representative Services Proposal"** and delivered to:

Ouray County Administration
Attention: Connie I. Hunt, County Administrator

Mailed: P.O. Box C, Ouray, CO 81427
Physical: 541 4th Street, Ouray, CO 81427
By: **3:30 pm, Thursday, March 1, 2018**

12. RFP Schedule:

The County reserves the right to delete or modify any part of this schedule.

Request for Proposal Schedule	
Thursday, February 1, 2018	RFP distributed and Published
Thursday, February 15, 2018	Pre-Proposal Meeting (Attendance is mandatory) Location: Ouray County Courthouse, 541 4 th Street, Ouray; Time: 11:00 a.m.
Thursday, March 1, 2018, by 3:30 p.m.	Proposals are due
Wednesday, March 15, 2018	Interviews
Tuesday, March 20, 2018 or April 3, 2018	Board of County Commissioners may consider award to successful Proposer

Questions should be directed to Connie I. Hunt, County Administrator, at chunt@ouraycountyco.gov.

General Terms

1. Nothing contained here will create any contractual relationship between the Owner and the individual or firm submitting a proposal. Statements contained in the response of the successful firm may become part of the agreement for services.
2. Information received from each individual or firm will become the property of the Owner. Information submitted by the firm cannot be considered confidential.
3. The Owner reserves the right to reject any and all proposals, to waive any and all informalities, or to accept the proposal for the contract which in its judgment best serves the interest of the County, and the right to disregard all non-conforming, non-responsive, or conditional proposals. Awarding of the proposal is not based solely upon low quotation price, but on overall service, quality, and “best value” to the county in accordance with the Ouray County Purchasing Manual.
4. The Owner is not responsible for any costs incurred by any firm for any work performed relative to the preparation of the Response to this Request for Proposal or subsequent negotiations of a contract for owner representative services.
5. Provide name, address, telephone and fax number, and e-mail address of the individual or firm responding to this Request for Proposal. Please designate a single representative or prime contact through whom the Owner may communicate with.
6. In the proposal, Owner’s Representative shall agree to indemnify and defend and hold harmless the Owner, together with its employees, agents, architects and engineers, and authorized representatives, from and against any and all losses, suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, reasonable attorney fees, costs and expenses of whatsoever kind or nature whether arising before or after completion of the work and in any manner directly or indirectly caused, occasioned or contributed to in whole or in part, by reason of any action, omission, fault or negligence whether active or passive of Owner’s Representative, or of anyone acting under its direction or control or on its behalf in connection with or incidents to the performance of the Contract. Owner’s Representative indemnity and hold harmless obligations shall apply to the fullest extent permitted by law.
7. In the proposal, the Owner’s Representative shall agree to provide insurance with the coverage stated below. The individual or firm, by submitting a proposal, acknowledges that the following insurance coverage will be required if proposal is awarded by Owner.
 - (a) Commercial general liability insurance: Including Death and coverage for Premises, Operations Products and Completed Operations, Contractual Liability, Broad Form Property Damage, Independent Contractors. Such coverage shall apply to Bodily Injury and Property Damage on an “Occurrence Form Basis” with limits of Two Million Dollars (\$2,000,000) for all claims arising out of a single accident or occurrence and One Million Dollars (\$1,000,000) for any one person in a single accident or occurrence.
 - (b) Workers compensation insurance: (Statutory Workers Compensation limits pursuant to “The Colorado Workers Compensation Act”)

- (c) Automobile Liability Insurance: Covering Death, Bodily Injury and Property Damage for owned, non-owned and hired vehicles with limits of Five Hundred Thousand Dollars (\$500,000) for all claims arising out of a single accident or occurrence and One Million Dollars (\$1,000,000) for any one person in a single accident or occurrence.
- (d) Professional liability insurance coverage in the amount of One Million Dollars (\$1,000,000) for each claim.

All insurance policies shall be primary policies. The policies shall provide that the insurance companies shall notify Owner at least thirty (30) days in advance of the effective date of any modification or termination of the policy. The Owner's Representative shall provide Owner, prior to execution of an Agreement and upon its request from time to time, a certificate or certificates of insurance evidencing coverage above issued by insurance companies authorized to conduct business under the laws of the State of Colorado



**Request for Proposal
Ouray County Courthouse
Owner's Representative**

Information and Signature Page

The undersigned certifies that he/she has examined the contents of this Request for Proposal in its entirety and has submitted a proposal based upon its contents.

Signed: _____ Date: _____

Printed Name: _____

Title: _____

Individual or Firm: _____

Address: _____

City: _____ State, Zip: _____

Telephone: _____

Cellphone: _____

Fax: _____

Email: _____