



Request for Qualifications (RFQ)

Date: September 19th, 2017

Project: Hibbing Community College
Right-Sizing and Renovation Project
1515 East 25th Street, Hibbing, MN

Response Due: Tuesday, October 17th, 2017 @ 2:00 PM

Received By: Max Gray Construction
Attn: Neil McFarland
2501 5th Avenue West
P.O. Box 689
Hibbing, MN 55746

Invitation:

Max Gray Construction (MGC), the Construction Manager @ Risk (CM@R), on behalf of Hibbing Community College (HCC), hereafter referred to as "Owner" presents this Request for Qualifications (RFQ). This RFQ is soliciting responses for review and pre-qualification of prime bid package contractors to participate in a competitive bid process for the Hibbing Community College Right-Sizing and Renovation Project. **Prime bid package contractors must be pre-qualified to be eligible to bid.**

Project Description:

The project consists of the demolition of approximately 21,890 GSF which is Building G, and connecting link ways. Additionally, the project will renovate approximately 33,614 GSF which is located in Building L, Building M, and a portion of Buildings C and D to create a one-stop service hub for student services, learning resources and customized training/continuing education. The project will also construct approximately 5,000 GSF of new space which will improve circulation, accessibility, and create a recognizable Main Entrance.

Workforce Goals:

This project will require all bid package contractors to comply with workforce goals of **9% Female and 12% Minority** of total workforce hours. All project efforts to comply with this requirement and ongoing Good Faith Efforts must be documented and provided to MGC at the end of your work, prior to release of retainage. Please plan accordingly keeping these goals in mind. Prime bid contractors will also be required to provide **Certified Payroll reports for all laborers to MGC on a weekly basis.**

RFQ Response Requirements (Smartbid Prequal Online Form):

Your response to the request is to simply fill out the online form and upload the required documents.

Questions:

If you have questions regarding this RFQ, please contact:

Max Gray Construction
Attn: Neil McFarland
218-262-6622
nmcfarland@maxgrayconstruction.com

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P (218) 262-6622
F (218) 262-8901
www.maxgrayconstruction.com



Project Schedule:

The ability to deliver the project within the schedule is of critical importance to the Owner. The tentative schedule is as follows:

Start: October 2017
Completion: December 2018

	<u>Construction Start Date</u>
Building L Renovation:	December 2017
Building M Renovation:	May 2018
Addition:	May 2018
Building G Demolition	August 2018

Basis of Pre-Qualification:

The burden is upon the respondent to clearly demonstrate their ability to perform on this project. **The RFQ Response will be scored on a pass / fail basis. A respondent receiving any failing score will not be qualified to participate in the competitive bid process.**

If you are deemed to be pre-qualified, you will be invited to participate in a competitive bid process for this project. All bids received will be subject to a detailed and thorough review for completeness and compliance with the construction documents.

The respondent must provide a full and truthful response. Failure to do so will be cause for rejection. The project team reserves the right to require the respondent to submit additional information if necessary. The project team reserves the right to accept or reject any and all responses and to waive any informality in responses.

Date of Substantial Completion:

The construction schedule requires work on the project being substantially complete by **December 2018**.

Prequalification Selection Process Schedule of Events:

The intended schedule for prequalification of prime bid package subcontractors for the project is set forth below; however; the Construction Manager at Risk reserves the right to modify this schedule as necessary.

EVENT	DATE
Issue RFQ	09/19/2017
Deadline for RFQ Questions to CM@Risk	10/16/2017
RFQ Responses due	10/17/2017

Estimated Cost of the Work:

The total estimated project cost of the construction work is \$9,000,000.

Response Due Date and Time:

To be considered for selection, fill out the online questionnaire and submit the required documents

A response received after the deadline will not be accepted. Receipt of a Proposal after the closing date and time, as stated herein, shall not be construed as acceptance of the response.

Contracting Requirements:

The Construction Manager @ Risk has assumed the risk of delivering the project through a Guaranteed

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Maximum Price (GMP) with the owner. Prime bid package contractors interested in being pre-qualified must complete the RFQ process. The successful prime bid package contractors on the Request for Bid (RFB) process will be required to enter into a contract with the Construction Manager. The subcontract will require, but not be limited to the following:

- A. State of Minnesota's Prevailing Wage requirements.
- B. Bonds and insurance per the construction contract requirements.
- C. Arranging for and identifying long lead times and procurement of materials and equipment.
- D. Participating in preparing and periodic updating of a detailed CPM schedules.
- E. Managing and scheduling work in accordance with the master schedule.
- F. Participating in pre-bid conferences as specified in the construction documents.
- G. Safety Requirements as identified by the Construction Manager and the contract documents.
- H. Obtaining State and City permits as it applies to the subcontractor's work.
- I. Request for Information and change order documentation per the contract requirements.
- J. Attendance at Construction meetings.
- K. Implementation and Adherence to Construction Manager's safety program.
- L. Close-out submittals as specified.
- N. Providing monthly cost and schedule status reports.
- O. Providing monthly Job Reporting Documents.
- P. Reporting certified payrolls.

Those Meeting the pre-qualification requirements will receive an official bid invitation.

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Hibbing Community College Rightsizing and Renovation

RFQ Bid Package Summary

Company	Bid Group	Contact Person
	02-01 Selective Demolition	
	03-01 Cast-in Place Concrete	
	04-01 Masonry	
	05-01 Metals	
	06-01 General Work & labor	
	07-03 Roofing & Sheetmetal, Wall Panels	
	08-01 Glass & Glazing	
	09-01 Drywall	
	09-02 Tiling, 09-04 Resilient Flooring	
	09-05 Painting	
	09-03 Acoustical Ceilings	
	21-01 Fire Suppression	
	22-01 Plumbing, 23-01 HVAC	
	26-01 Electrical	
	31-01 Earthwork/Utilities & Structure Demolition	

Section 1. Company Background

1. Company Background

Company Name:	FEIN:
Organization:	Web Site:

Company Locations

Location Info: **Hibbing, Minnesota (HQ)**

Address 1:	Zip/Postal:
Address 2:	Phone:
City:	Plus Four:
State:	Fax:
	DUNS:
	Country: United States of America

Contacts

Name/Title/Email	Phone/Fax/Mobile

2. Years in Business

3. Number of Employees

4. List the Type(s) of Work Your Company Performs

5. Within the past three years, has respondent or anyone with a financial interest in the company been subject of any criminal indictment or judgment of conviction for any business related conduct constituting a crime under state or federal law?

6. (Evaluation criteria: To pass, company must have at least three years in business to demonstrate their stability and success and no criminal indictments or judgments as noted in Item #6)

Section 2. Company Financial Information

1. Financial institutions that regularly provide financial assistance to your company.

2. Gross annual volume completed each year over the past three years.

2016	
2015	
2014	

3. State that you will comply with the project's prevailing wage requirements.

4. Name of your surety or bonding company including contact information.

5. Bonding capacity including single limit, total capacity and available capacity.

single limit	
total capacity	
available capacity	

6. Provide a letter from your Bonding Company stating that you are approved for a bond for this project.

Upload Bonding Letter

7. (Evaluation criteria: To pass, firm must commit to compliance with the project's prevailing wage requirements and provide a letter from your Bonding Company stating you are approved for a bond for this project)

Section 3. Insurance Requirements

1. Workers' Compensation - Statutory Limits

2. Employer's Liability, including - \$1,000,000 each accident

3. "Stop Gap" coverage and USL&H - \$1,000,000 disease-policy limit if applicable

4. "Stop Gap" coverage and USL&H -\$1,000,000 disease-each employee if applicable

5. Commercial General Liability \$2,000,000 each occurrence, \$2,000,000 products/completed operations, \$2,000,000 general aggregate (per project)

6. Commercial Automobile Liability \$1,000,000 any one accident or loss

7. Excess Umbrella Liability \$5,000,000 each occurrence

8. Contractor's Pollution Liability Insurance:* \$1,000,000 each claim \$2,000,000 aggregate

9. (Evaluation criteria: To pass, Company must provide a letter from their insurance carrier stating that they can provide the above minimum insurance coverage and limits of liability)

Upload Letter From Insurance Company

Section 4. Safety

1. Do you have a formal written safety program? If requested, you must provide a printed copy.

2. Provide your Experience Modification Rating (EMR) for the previous three years.

2016	
2015	
2014	

3. Provide your current EMR.

4. Provide a listing of any serious or willful OSHA citations you have received in the past three years.

5. Please provide EMR documentation from your Insurance Carrier on their letterhead with their representative's name, signature, title and date of document.

Upload EMR documentation

6. (Evaluation criteria: To pass, firm must have a formal written safety plan and fewer than three serious and no willful OSHA citations in the past three years)

Section 5. Project Experience

1. List of a minimum of three projects that are similar in size and scope completed within the last three years. Include a project description, a description of the services you provided, and the type of construction.

Project 1	Project 2	Project 3

2. Provide a list any projects completed for Minnesota State Colleges and Universities (MnSCU) within the last three years. Include a project description, a description of the services you provided, the type of construction, construction cost

Project 1	Project 2	Project 3

3. State whether or not your company has ever failed to complete any work awarded to it.

4. (Evaluation criteria: To pass, your company must have completed one project that is similar in scope and size)

Section 6. Responsible Contractor

1. Please download the Responsible Contractor Verification and Certification of Compliance Form and Sign and complete and then upload.

Upload the Completed Form

Section 7. Signature of Authorized Representative

1. Please download the form and have an authorized representative of the company complete the form.

Upload the Completed Form



**RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION
OF COMPLIANCE**

PROJECT TITLE: HCC Right-Sizing and Renovation Project

<p>Minn. Stat. § 16C.285, Subd. 7. IMPLEMENTATION. ... any prime contractor or subcontractor or motor carrier that does not meet the minimum criteria in subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project.</p>	
<p>Minn. Stat. § 16C.285, Subd. 3. RESPONSIBLE CONTRACTOR, MINIMUM CRITERIA. "Responsible contractor" means a contractor that conforms to the responsibility requirements in the solicitation document for its portion of the work on the project and verifies that it meets the following minimum criteria:</p>	
<p>(1)</p>	<p>The Contractor:</p> <ul style="list-style-type: none"> (i) is in compliance with workers' compensation and unemployment insurance requirements; (ii) is in compliance with the Department of Revenue and Department of Employment and Economic Development registration requirements if it has employees; (iii) has a valid federal tax identification number or a valid Social Security number if an individual; and (iv) has filed a certificate of authority to transact business in Minnesota with the Secretary of State if a foreign corporation or cooperative.
<p>(2)</p>	<p>The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 177.24, 177.25, 177.41 to 177.44, 181.13, 181.14, or 181.722, and has not violated United States Code, title 29, sections 201 to 219, or United States Code, title 40, sections 3141 to 3148. For purposes of this clause, a violation occurs when a contractor or related entity:</p> <ul style="list-style-type: none"> (i) repeatedly fails to pay statutorily required wages or penalties on one or more separate projects for a total underpayment of \$25,000 or more within the three-year period, provided that a failure to pay is "repeated" only if it involves two or more separate and distinct occurrences of underpayment during the three-year period; (ii) has been issued an order to comply by the commissioner of Labor and Industry that has become final; (iii) has been issued at least two determination letters within the three-year period by the Department of Transportation finding an underpayment by the contractor or related entity to its own employees; (iv) has been found by the commissioner of Labor and Industry to have repeatedly or willfully violated any of the sections referenced in this clause pursuant to section 177.27;



	<p>(v) has been issued a ruling or findings of underpayment by the administrator of the Wage and Hour Division of the United States Department of Labor that have become final or have been upheld by an administrative law judge or the Administrative Review Board; or</p> <p>(vi) has been found liable for underpayment of wages or penalties or misrepresenting a construction worker as an independent contractor in an action brought in a court having jurisdiction. Provided that, if the contractor or related entity contests a determination of underpayment by the Department of Transportation in a contested case proceeding, a violation does not occur until the contested case proceeding has concluded with a determination that the contractor or related entity underpaid wages or penalties;*</p>
(3)	The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 181.723 or chapter 326B. For purposes of this clause, a violation occurs when a contractor or related entity has been issued a final administrative or licensing order;*
(4)	The contractor or related entity has not, more than twice during the three-year period before submitting the verification, had a certificate of compliance under section 363A.36 revoked or suspended based on the provisions of section 363A.36, with the revocation or suspension becoming final because it was upheld by the Office of Administrative Hearings or was not appealed to the office;*
(5)	The contractor or related entity has not received a final determination assessing a monetary sanction from the Department of Administration or Transportation for failure to meet targeted group business, disadvantaged business enterprise, or veteran-owned business goals, due to a lack of good faith effort, more than once during the three-year period before submitting the verification;*
	* Any violations, suspensions, revocations, or sanctions, as defined in clauses (2) to (5), occurring prior to July 1, 2014, shall not be considered in determining whether a contractor or related entity meets the minimum criteria.
(6)	The contractor or related entity is not currently suspended or debarred by the federal government or the state of Minnesota or any of its departments, commissions, agencies, or political subdivisions that have authority to debar the contractor; and
(7)	All subcontractors and motor carriers that the contractor intends to use to perform project work have verified to the contractor through a signed statement under oath by an owner or officer that they meet the minimum criteria listed in clauses (1) to (6).

Minn. Stat. § 16C.285, Subd. 5. **SUBCONTRACTOR VERIFICATION.**

A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the



project. Prior to execution of a construction contract, and as a condition precedent to the execution of a construction contract, the apparent successful prime contractor shall submit to the contracting authority a supplemental verification under oath confirming compliance with subdivision 3, clause (7). Each contractor or subcontractor shall obtain from all subcontractors with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all of the minimum criteria in subdivision 3 prior to execution of a construction contract with each subcontractor.

If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting Exhibit A, and Attachment A-1 verification of compliance, (see Section 004114, http://www.finance.mnscu.edu/facilities/design-construction/pm_emanual/index.html) the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification, (see Section 00 43 36 for Attachment A-2, http://www.finance.mnscu.edu/facilities/design-construction/pm_emanual/index.html) confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors.

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause (7). A prime contractor and subcontractors shall not be responsible for the false statements of any subcontractor with which they do not have a direct contractual relationship. A prime contractor and subcontractors shall be responsible for false statements by their first-tier subcontractors with which they have a direct contractual relationship only if they accept the verification of compliance with actual knowledge that it contains a false statement.

Subd. 5a. motor carrier verification. A prime contractor or subcontractor shall obtain annually from all motor carriers with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all the minimum criteria in subdivision 3 prior to execution of a construction contract with each motor carrier. A prime contractor or subcontractor shall require each such motor carrier to provide it with immediate written notification in the event that the motor carrier no longer meets one or more of the minimum criteria in subdivision 3. Upon request, a prime contractor or subcontractor shall submit to the contracting authority the signed verifications of compliance from all motor carriers providing for-hire transportation of materials, equipment, or supplies for a project.



Minn. Stat. § 16C.285, Subd. 4. VERIFICATION OF COMPLIANCE.

A contractor responding to a solicitation document of a contracting authority shall submit to the contracting authority a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in subdivision 3, with the exception of clause (7), at the time that it responds to the solicitation document.

A contracting authority may accept a signed statement under oath as sufficient to demonstrate that a contractor is a responsible contractor and shall not be held liable for awarding a contract in reasonable reliance on that statement. A prime contractor, subcontractor, or motor carrier that fails to verify compliance with any one of the minimum criteria or a false statement under oath in a verification of compliance shall be ineligible to be awarded a construction contract on the project for which the verification was submitted.

A false statement under oath verifying compliance with any of the minimum criteria may result in termination of a construction contract that has already been awarded to a prime contractor or subcontractor or motor carrier that submits a false statement. A contracting authority shall not be liable for declining to award a contract or terminating a contract based on a reasonable determination that the contractor failed to verify compliance with the minimum criteria or falsely stated that it meets the minimum criteria. A verification of compliance need not be notarized. An electronic verification of compliance made and submitted as part of an electronic bid shall be an acceptable verification of compliance under this section provided that it contains an electronic signature as defined in section 325L.02 paragraph (h)

CERTIFICATION

By signing this document I certify that I am an owner or officer of the company, and I swear under oath that:

- 1) My company meets each of the Minimum Criteria to be a responsible contractor as defined herein and is in compliance with Minn. Stat. § 16C.285, and**
- 2) if my company is awarded a contract, I will submit Attachment A-1 prior to execution of Subcontractor contracts, and**
- 3) if my company is awarded a contract, I will also submit Attachment A-2 as required.**

Authorized Signature of Owner or Officer:

Printed Name:

Title:

Date:

Company Name:



Hibbing Community College Right-Sizing and Renovation Signature Letter

Include the signature of a duly authorized representative of your firm along the following language and information.

I certify that I am a duly authorized representative of the Respondent and all information provided in our Response is truthful and accurate.

Signature:	
Name:	
Date:	