

**Construction Manager at Risk  
Request for Qualifications (RFQ)  
Dine' College Science Wing Facility  
Tsaile, Arizona  
Dated: May 18, 2022**

Dine' College ("The Owner") is planning to construct a Science Wing building for educational purposes and seeks a qualified and licensed firm to manage the preconstruction and construction of the project as its Construction Manager at Risk ("CMAR"). Firms are invited to submit its Statement of Qualifications to the Owner for consideration as noted within this RFQ.

Dyron Murphy Architects, PC (DMA) of Albuquerque, New Mexico is the Architect. The selected CMAR firm shall be expected to work closely with the Owner and the Architect to develop this project. The Owner intends to select a CMAR that will work well together in the spirit of cooperation and mutually supportive manner for the benefit of all project stakeholders.

**1.0 Project Scope**

The project includes approximately 1/4 acre of site development within the existing Tsaile, Arizona campus, utilities coordination as required and project coordination with the Owner.

The Owner wishes to develop a new Science Wing building, anticipated as a single-story commercial facility, to house science labs and classroom, including faculty offices/work spaces, work room, conference rooms, storage, mechanical/electrical space, janitorial, and public restrooms. The building area is approximately 9,700 gross square feet.

The Science Wing facility is in process of being designed to current 2015 IBC, IFC, NEC, UMC, UPC, NFPA, and 2010 ADA and coordinated with local utility provider requirements where applicable.

**2.0 Project Description**

The Architect has completed programming and conceptual design phases. The selected CMAR firm will provide Design Phase preconstruction services and construction services. Design phase preconstruction services shall include constructability review, systems review, value engineering, scheduling and cost estimating. Full design documents are expected to be completed by the Architect by late October, 2022.

**3.0 Schedule of Activities**

The Owner intends to develop this project delivery in two distinct stages:

- a. Award a contract to the successful CMAR firm on the basis of conducting Preconstruction Services, including constructability reviews, value engineering (if necessary), and construction estimates, leading to the formulation of a Guaranteed

- Maximum Price (GMP);
- b. Extend the contract with the CMAR, if the GMP is acceptable, on the basis of delivering full construction services for the project. The Agreement is predicated to be written upon the AIA Contract Documents
- AIA® Document A133™ – 2019 “*Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price*” and;
  - AIA® Document A201® – 2017 “*General Conditions of the Contract for Construction*”.

The successful CMAR firm shall be expected to begin preconstruction services work on or around late June, 2022. The successful firm shall be expected to execute an agreement with the Owner for these initial services. At the conclusion of the Preconstruction Services, and after the successful firm has had sufficient time to prepare a construction budget in accordance with the finalized construction documents, it is the intent of the Owner to extend the initial agreement with the CMAR firm on the basis of a Guaranteed Maximum Price (GMP) format to deliver the required construction services associated with this project.

The following events are tentatively scheduled for this RFQ

May 21, 2022	RFQ Advertisement
June 3, 2022	Question Submittal Deadline, 4:00 PM MDST
June 10, 2022	RFQ Submission Deadline, 2:00 PM MDST
June 24, 2022	CMAR Firms Shortlisted
July 6+7, 2022	CMAR Interviews, if necessary
July 15, 2022	CMAR Selection
August 5, 2022	CMAR Contract Completion Date
August 16, 2022	CMAR-Owner-Architect Kickoff Meeting

No pre-submittal conference has been scheduled by the Owner; however, arrangements can be made by contacting the Owner’s representative:

Randy E. Joe, Project Manager  
 Telephone: (928) 724-6874

#### 4.0 Questions/Inquiries

Questions pertaining to this RFQ should be submitted via email to:

Dyron V. Murphy, AIA, NCARB, Principal – Dyron Murphy Architects, P.C.  
 dmurphy@dm-architects.com

All inquiries related to this RFQ must be in writing and signed on company letterhead and received no later than May 30, 2022. Owner responses to all questions received will be shared in writing to all perspective firms in addendum format. No questions will be accepted after this stated deadline date.

Responses to inquiries which directly affect an interpretation or change to this RFQ will be issued in writing by the Architect, as an addendum and emailed to all parties recorded as having notified the Architect of their interest in the RFQ. All such addenda issued by the Architect prior to the time that proposals are received shall be considered part of the RFQ. Only those inquiries the Architect replies to by addenda shall be binding. Oral and other interpretations or clarifications shall be without legal effect.

## **5.0 RFQ Response and Instructions**

This section outlines the requirements that your organization is requested to address in order to comply with this RFQ. Please provide one original plus four (4) hard copies and one (1) digital copy in PDF file format on a USB flash drive device.

Submittals by prospective firms must be delivered no later than June 6, 2022 by 2:00 PM MDST to be considered. Responses received after this time/date will not be considered. The RFQ submittal shall be sent to:

Dine' College  
Attn: Teresa Holtsoi, Purchasing Agent  
Accounting Office, Ned Hatathli Center  
6th floor Room 634  
Tsaile, AZ 86556  
Telephone: (928) 724-6686

The RFQ response must be returned in an envelope or package marked on the outside with the proposer's name and address. Proposal responses must be returned in sufficient time so as to be received and time stamped on or before the date and time listed on this RFP. It is the sole responsibility of the proposer to ensure timely delivery of the proposal response. The Owner will not be responsible for failure of service on the part of the US Postal Office, courier companies, or any other form of delivery services chosen by the proposer.

Responses shall be tabbed and numbered in accordance with this section of the RFQ. A limit of 45 pages is imposed. Front and Back Covers, Introductory Letter, Table of Contents, Tabbed dividers, and Exhibits (where necessary) are not included in the page count.

### **A. Company Profile and Qualifications**

In five pages or less, provide the following general information about your company.

- Introductory Letter signed by Authorized party on behalf of the firm.
- Firm information: Name of Firm/Address/Website/Telephone
- Primary Contact Authorized to Represent the Firm
- Firm Licensing/Business Credentials

- Company financial statements, within last 3 years.
- List of pending projects and timelines for completion.
- Written Statement from Bonding Company on bonding capacity and Statement for providing a Payment and Performance Bond for the full value of the contract.

## **B. Qualifications, Related Experience and References**

This section is intended to establish the ability of the Construction Manager to satisfactorily perform the required work, including demonstrated experience and competence in performing work of a similar nature. Consideration will also be given to the proposer's strength and stability, staffing capability, record of meeting schedules on similar projects and supportive client references. Provide responses to the questions/statements below:

1. State number of years your organization has been in business in its current capacity.
2. Has your organization operated under any former names? If so, list those names.
3. If your organization is a corporation, state the date of incorporation, the state of incorporation, president's name, vice president's name, secretary's name, and treasurer's name.
4. If your organization is a partnership, state the date of organization, type of partnership, and names of general partners.
5. If your organization is individually owned, state the date of organization and the name of the owner.
6. If your organization is a firm other than those listed above, please describe it and name your principals.
7. List jurisdictions and trade categories in which your organization is legally qualified to do business and indicate registration or license numbers, if applicable.
8. List jurisdictions in which your organization's partnership or trade name is filed.
9. Attach a financial statement, preferable audited, including your organization's latest balance sheet and income statement.
10. Provide the name of the bonding company your organization uses, including the name and address of an agent. Proof of ability to bond will be required prior to selection.
11. List a minimum of five (5) Higher Education/Laboratory projects constructed by your organization over the last five years. For each project, provide the name, nature of the project/function of the building, size (square footage), location, cost, delivery method used, date of notice to proceed, contractual completion date, actual completion, owner and architect (including telephone numbers) and type of project. It is preferable to list contracts using the construction manager at-risk delivery method for construction. If your organization has no Higher Education/Laboratory projects, list three projects similar in scope or budget.
12. List the categories of work that your organization normally performs with its forces. Would you propose to do any work with your own forces or bid all work to subcontractors?
13. List any subcontractors in which your organization has some ownership and list the

categories of work those subcontractors normally perform.

14. Within the last five years, has an officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract? (If the answer is yes, please attach details).
15. List the major construction projects your organization has in progress, giving the name and location of the project, owner, architect, contract amount, percent complete, and scheduled completion date.
16. Claims and suits: If the answer to any of the questions below is yes, please attach details:
  - a. Has your organization ever failed to complete any work awarded to it?
  - b. Are there any judgments, claims, arbitration proceedings or suits outstanding against your organization or its officers?
  - c. Has your organization filed any lawsuits or requested arbitration with regard to construction contracts within the last five years?

### **Technical Competence**

17. Describe your organization's concepts for working in a team relationship with the Owner and Architect during the design and construction for major projects. What is your experience working with a program manager throughout the design and construction phases?
18. Describe the most common problem or challenge that you have encountered in school construction and your method for addressing the issue (Maximum length: 2 pages).
19. What do you bring to the project team that is unique? Please answer in essay form.
20. Provide the following information for the five largest projects your firm currently has under contract: Project name, location, owner, architect, current contract amount, percentage complete, and specified contract completion date.
21. Identify any claims or suits brought against your firm within the last five (5) years.
22. Describe all instances in which your firm was unable to complete the work under a contract.
23. Please describe your firm's ability to complete projects on schedule, including the number of projects that have not been completed on schedule, and the reasons for such delay.
24. List awards for academic projects including quality, safety, energy efficiency, etc.

### **Safety Record**

25. Provide information related to your firm's accident frequency rate for the last five years, including OSHA citations and deaths that have occurred on your projects.
26. Describe your organization's safety program and provide your workers' compensation experience modification factor. List any safety awards your company has received within the past five (5) years.

## **C. CMAR TEAM**

Please provide an Organization Chart and Resumes of preconstruction and construction

phase personnel you propose for this project.

1. Provide education, experience and applicable professional credentials of project staff. Furnish brief resumes for the proposed Project Executive, Project Manager, Estimating personnel, Superintendent, and other key personnel you propose.
2. Include a statement that key personnel will be available for the duration of the project, acknowledging that no person designated as "key" to the project shall be removed or replaced without prior written concurrence of the Owner.
3. Provide a statement on your firm's plan to comply with Navajo Nation regulations/laws pertaining to hiring qualified subcontractors, laborers, staff, or others associated in the delivery of this project.

#### **D. WORK PLAN & SCHEDULE**

1. Provide a list of CMAR services that you will provide during Preconstruction, Construction and Post-Construction Phases of the project.
2. Describe the approach/process to completing the tasks necessary for the successful execution of this project during design and construction. Include statements on how to address potential material procurement delays that may impact the project schedule, and potential cost increases as a result of market-influenced factors.
3. Describe innovative approaches in the design and construction phases of a project that your firm has used relating to the speed of construction, quality of construction and cost containment and how you will apply these approaches to this project.
4. Describe your Project Safety Plan that you have implemented on projects of similar size and scope.

#### **E. FEES**

1. Provide your pre-construction services fee, including anticipated labor, overhead/profit, insurance, taxes, contingencies identified within.
2. Provide your proposed Construction Manager's fee as a percentage of the anticipated Cost of the Work.
3. Provide any associated fees/taxes that may be necessary to deliver the intended services. Include Navajo Nation Taxes at a 6% rate for services/labor (excluded from reimbursable expenses).

### **6.0 SELECTION CRITERIA**

#### **CONSTRUCTION MANAGER AT RISK SELECTION PROCESS**

The Owner and Architect will evaluate the proposers on the basis of the selection criteria stated below. Selection will be based on a point system to evaluate the proposals. The following criteria will be considered:

CRITERIA	AVAILABLE POINTS
1. Offeror's General Firm Information, Experience and Reputation	25
2. Offeror's Technical Competence	20
3. Offeror's Work Plan/Approach to the Project	35
4. Offeror's Safety Record	10
5. Offeror's Proposed Team	<u>10</u>
<b>Total Potential Points</b>	<b>100</b>

This Procurement will be conducted in accordance with the Navajo Nation Business Opportunity Act (NN Title 5, Chapter 2). For more information, visit <https://www.navajobusiness.com/pdf/DngBus/BusRegultry/Opportunity%20Act.pdf>

By submitting a Qualifications Statement, each firm agrees to waive any claim it has or may have against Dine' College, its trustees, agents and employees, and any reference sources, arising out of or in connection with the administration, evaluation, or recommendation of any proposal; waiver of any requirements under the proposal documents; acceptance or rejection of any proposal; and award of the proposal. Dine' College shall have no contractual obligation to any proposer, nor will any proposer have any property interest or other right in the proposal or contract being proposed unless and until the contract is unconditionally executed and delivered by all parties, and all conditions to be fulfilled by the proposer have been fulfilled by the proposer.

Dine' College believes the information included in this RFQ is materially accurate, however, Dine' College does not warrant this information to be free from errors or omissions. Proposers are encouraged to inspect the premises prior to submitting a response.

Issuance of this RFQ does not commit Dine' College to award a contract or pay any costs incurred in the preparation of a response to this RFQ.

Dine' College reserves the right to waive any formality and to reject any or all proposals.

By submitting a Statement of Qualifications, it is agreed that such Statement shall be valid and not withdrawn for a period of ninety (90) days from the date of opening.

**Dine' College Science Wing Facility**

Tsaile, Arizona

Dyron Murphy Architects Project No. 2020.05



**ADDENDUM No. 1**

May 25, 2022

---

This addendum forms part of the Request for Qualifications (RFQ) Documents dated, May 18, 2022, as noted below. All Proposers must acknowledge receipt of this Addendum, and include it within their Qualifications package response. Failure to do so may subject the Proposer to disqualification.

**AMENDMENTS TO THE BID DOCUMENTS AS FOLLOWS:**

**1. Section 5.0, "RFQ Response and Instructions":**

- a. Submittals by prospective firms must be delivered no later than June 6 10, 2022 by 2:00 PM MDST to be considered.

**By:**

Dyron V. Murphy, AIA, NCARB

Dyron Murphy Architects, P.C

**Acknowledgement:**

The firm submitting their Qualifications Package must sign below and include within the proposal, as the last document within.

**ACKNOWLEDGEMENT OF ADDENDUM ONE (1):**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**END OF ADDENDUM ONE (1).**



# Dine' College Science Wing Facility

Tsaile, Arizona

Dyron Murphy Architects Project No. 2020.05



## ADDENDUM No. 2

June 6, 2022

This addendum forms part of the Request for Qualifications (RFQ) Documents dated, May 18, 2022, as noted below. All Proposers must acknowledge receipt of this Addendum, and include it within their Qualifications package response. Failure to do so may subject the Proposer to disqualification.

### AMENDMENTS TO THE BID DOCUMENTS AS FOLLOWS:

**1. Section 3.0, "Schedule of Activities":** The schedule of activities is changed as follows:

May 21, 2022 RFQ Advertisement

June 17, 2022 Question Submittal Deadline, 4:00 PM MDST

June 24, 2022 RFQ Submission Deadline, 2:00 PM MDST

July 8, 2022 CMAR Firms Shortlisted

July 13 + 14, 2022 CMAR Interviews, if necessary

August 15, 2022 CMAR Selection

September 5, 2022 CMAR Contract Completion Date

September 8, 2022 CMAR-Owner-Architect Kickoff Meeting

**2. Section 6.0, "Selection Criteria":**

a. The Owner has reiterated the need to conduct procurement in compliance with the Navajo Nation Business Opportunity Act, for services under this solicitation. Qualification packages will be reviewed on this basis.

b. The selection point system is modified as follows:

<u>CRITERIA</u>	<u>AVAILABLE POINTS</u>
1. Offeror's General Firm Information, Experience and Reputation	25
2. Offeror's Technical Competence	20
3. Offeror's Work Plan/Approach to the Project	<del>35</del> 30
4. Offeror's Safety Record	10
5. Offeror's Proposed Team	10
6. Navajo Preference - 5 pts	<u>5</u>
<b>Total Potential Points</b>	<b>100</b>

**By:**

Dyron V. Murphy, AIA, NCARB

Dyron Murphy Architects, P.C

**Acknowledgement:**

The firm submitting their Qualifications Package must sign below and include within the proposal, as the last document within.

**ACKNOWLEDGEMENT OF ADDENDUM TWO (2):**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**END OF ADDENDUM TWO (2).**

## **REQUEST FOR QUALIFICATIONS**

Dine' College (the "Owner"), invites general contractors to prepare and submit qualification packages for Construction Manager At Risk (CMAR) for the Science Wing Project. The site is located on the property of Dine' College within the existing campus property, at Tsaille, Arizona.

The work includes the construction of new science research facility, approximately 8,000 GSF.

The specific services requested by the Owner is noted in a separate RFQ document, available to interested companies. Proposers are subject to the Navajo Nation Business Preference Law; Title 5, Navajo Tribal Code, Section 201 through 218 and other applicable Navajo Nation Laws. Each qualifications package must be submitted in accordance with CMAR Services documents prepared by the Project Architect, Dyron Murphy Architects, P.C., Albuquerque, NM, (505) 830-0203.

Proposals shall be sealed, labeled, and filed with Dine' College, on or before June 10, 2022 by 4:00 PM MDST. Proposals received after the specified date and time will not be accepted and returned unopened. No faxed or emailed proposals will be accepted.

RFQ documents may be obtained from the office of the Architect, by emailing Dyron Murphy Architects, P.C., at [dmurphy@dm-architects.com](mailto:dmurphy@dm-architects.com). No pre-submittal conference is scheduled however, interested CMAR firms are encouraged to visit the site to examine existing conditions. Contact Randy E. Joe, Owner's Representative, at (928) 724-6874/(928) 225-1038 to schedule a site visit.

This "Request For Qualifications" (RFQ) does not commit the Owner to reimburse any costs incurred by the Proposer in the preparation of proposals. The Owner reserves the right to reject any and all proposals, to waive any informalities or irregularities when it is in the best interest of the Owner. No Proposer may withdraw his/her bid for a period of 90 days after the date of opening thereof. Dine' College is not bound to enter into a contract under this RFQ and may issue a subsequent RFQ for the same services.

End of Request For Qualifications

**Dine' College, Navajo Nation**

**PROJECT TITLE: South Shiprock Campus Student Housing Units Project**

<b>Firm</b>	<b>Navajo Preference</b>	<b>Navajo-Owned 100% Priority 1 Ranking</b>	<b>Navajo-Owned Less than 100% Priority 2 Ranking</b>	<b>Indian-Owned Businesses</b>	<b>Non-Indian Owned Businesses</b>	<b>Rank</b>
Arviso Construction Company	x	X				1
NezFCI Native American	x		X			2
KI-VA Construction				X		3
						4
						5
<b>GUARENTEED MAXIMUM PRICE (GMP)</b>	<b>\$7,000,000</b>					

**Navajo Business Opportunity Act, Title 5, Chapter 2**

Dine' College reviewed the qualifications of bidders for the Tsailé Gorman Classroom Building Science Wing project. Two bidders from qualified Navajo-owned firms submitted bids. ONE was a priority one and the other was a priority, both of which are listed on the Navajo Business Regulatory Source List. The other bidder was a woman owned minority business which was not listed on the Navajo Nation Source List. The College adheres to the Navajo Business Opportunity Act Title 5, Section 2 which specifies that an award shall be made to the qualified Priority #1 bidder with lowest responsive bid among the Priority #1 bidders provided the bid does not exceed the maximum feasible price. In this instance, there is only one Priority #1 100% owned Navajo business who submitted a bid. The overall

**Criteria Used to Examine Qualifications:**

A	Offeror's General Firm Information, Experience and Reputation	Dine' College examined the qualifications of proposals received using the Criteria A through F (left). Eleven independent reviewers were utilized. College policy requires that all procurements over \$65K are presented to the College's Board of Regents for review and approval. No Notice of Award may be generated until Board approval is generated.
B	Offeror's Technical Competence	
C	Offeror's Work Plan / Approach to the Project	
D	Offeror's Safety Record	
E	Offeror's Proposed Team	
F	Qualified Indian preference firm	

## Title 3 - FY 2020-2025

**Performance Period: 10/01/2020 - 09/30/2025**

Award Number: P031D200007

Account number: 304-K0J5-xxxx

Budget Period	Date	Amount
1	10/01/2020 - 09/30/2021	\$ 1,970,121.00
2	10/01/2021 - 09/30/2022	\$ 1,970,121.00
3	10/01/2022 - 09/30/2023	\$ 1,970,121.00
4	10/01/2023 - 09/30/2024	\$ 1,970,121.00
5	10/01/2024 - 09/30/2025	\$ 1,970,121.00
		\$ 9,850,605.00

yearly allocation	5 year plan	
\$ 1,400,000.00	\$ 7,000,000.00	STEM Building
\$ 250,000.00	\$ 1,250,000.00	Support Building Renovations
\$ 250,000.00	\$ 1,250,000.00	Expand Current Future Faculty Prof Development
\$ 1,900,000.00	\$ 9,500,000.00	Total allocation

\$ 350,605.00 Contingency