REQUEST FOR QUALIFICATIONS

PHX SKY TRAIN STAGE 2 – FIXED FACILITIES
CONSTRUCTION MANAGER AT RISK SERVICES

PROJECT NO. AV10000011-1

MAYOR
GREG STANTON

CITY COUNCIL

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CITY MANAGER    ED ZUERCHER
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The City of Phoenix is seeking a qualified Construction Manager at Risk (CMAR) to provide design phase assistance and complete construction services for the PHX Sky Train Stage 2 – Fixed Facilities Project located at Phoenix Sky Harbor International Airport. The estimated construction cost is $280 million.

SECTION I - PROJECT DESCRIPTION

On April 25, 2016, the Phoenix City Council approved the Aviation Capital Investment Plan. The PHX Sky Train Stage 2 Project was included in the approved Plan and provided approval to design and construct the Project.

Phoenix Sky Harbor International Airport (PHX) served 44.2 million passengers in fiscal year 2015-16, Arizona’s only large hub and largest economic engine has seen consistent growth and achieved a new passenger record last year. This growth has put severe strains on the Airport roadways. Passenger forecasts currently project PHX will serve 51 million passengers in 2019 and 58 million passengers by 2024. This anticipated passenger growth will further exacerbate existing roadway congestion. In order to address these capacity issues, staff proposed the completion of Stage 2 of the PHX Sky Train.

PROGRAM HISTORY

The PHX Sky Train program began in 2008. The PHX Sky Train Program is comprised of three stages. In April 2013, Stage 1 was completed and connected the Metro Light Rail Station at 44th Street to the East Economy Parking Lot and Terminal 4. In December 2014, Stage 1A was completed and extended the Sky Train from Terminal 4 to Terminal 3 with a walkway to Terminal 2. Stage 2 of the system is in the Schematic Design phase and is expected to be operational at the end of 2021.

PHX SKY TRAIN STAGE 2 PROJECT

The project is anticipated to include the following components, but the City reserves the right to modify or reduce the scope of the project and/or component(s) based on the needs of the airport. The PHX Sky Train Stage 2 project includes two components: the Train System and the Train Fixed Facilities. The Train System will be provided by the Design-Builder, Bombardier Transportation USA, Inc., and the Train Fixed Facilities will be provided by the CMAR. Stage 2 will connect the PHX Sky Train to a new west ground transportation center (West GTC) and the Rental Car Center (RCC).

This solicitation is for the CMAR on the Stage 2 Fixed Facilities component only. Gannett Fleming is the designer of the PHX Sky Train Fixed Facilities, and has started the design for Stage 2. The City expects the design to be 30% complete when the contract is executed with the successful CMAR.
PHX Sky Train Stage 2 Fixed Facilities Component

A. Elevated Guideway – there are five separate segments of elevated guideway through the project:
   1. RCC to I-10 – standard spans (approximately 90 to 120 feet) to carry the guideway from RCC to grade at a point west of I-10.
   2. I-10 to West GTC – standard spans to carry the guideway from east of I-10 to the West GTC Station.
   3. West GTC to Taxiways U&V - standard spans to carry the guideway from the West GTC Station to grade at a point west of the future Taxiway V.
   4. U&V to Terminal 2 - standard spans to carry the guideway from grade at a point east of the future Taxiway U to Terminal 2.
   5. Terminal 2 to Terminal 3 – spans to carry the guideway from Terminal 2 to the existing Terminal 3 Station. This section includes non-standard/complex spans to clear a future airfield taxi lane and existing Terminal 2 facilities.

B. At Grade Guideway – there are two separate sections of at grade (or depressed) guideway:
   1. I-10 Crossing – utilizes existing Sky Harbor Circle right of way to cross under I-10 at grade. This section requires relocation of a portion of the existing roadway to create space for the guideway.
   2. Taxiway U & V Crossing - depressed section of guideway to accommodate future taxiways to be built over the guideway. Scope includes building full undercrossing structures such that they facilitate the future taxiway construction without impacting the train operations. Work will also include accommodations for a future airside service road and pedestrian tunnel to run parallel to the train alignment and cross under the future taxiways.

C. Stations and Facilities – the project includes two new stations and a partial build of a third future station. Station descriptions are noted below along with additional minor facilities that will be included with the project.
   1. Rental Car Center Station – new end of line triple platform station built in to the upper level of the Rental Car Center. It includes a fully conditioned center platform, open air side platforms and a vertical connection to the lower level guest parking area.
   2. West GTC Station – fully enclosed and air conditioned new station just east of 24th Street.
   3. Future West Terminal Station – partial station components are to be constructed such that the rest of the station can be completed with minimal impacts to train operations when the future Terminal is constructed.
   4. GT Rest Area. This minor existing facility will be impacted by the train program and must be replaced in kind at a new location.

D. Roadways – new roadways and roadway reconstruction will be required to enable the project and provide connectivity to key elements. Key roadway elements include:
1. Realign Sky Harbor Circle South to the south to accommodate the train alignment as it crosses below I-10 using the existing bridge opening. Limits of the realignment are from approximately 200 feet west of I-10 to 24th Street.
2. Provide a new ramp connection to the I-10 eastbound ramp entrance to Sky Harbor Boulevard that connects to 25th Place and then on to the West GTC Station and parking. This work includes maintaining roadway connectivity to the Air Cargo facility area.
3. Provide a rotary roadway and surface parking areas at the West GTC Station and connectivity to the surrounding street network and planned parking areas.

E. Primary Power – includes all work required for propulsion power feeds and facility power to new stations/facilities. Main feeds are assumed to come from a new APS substation (not part of the project) to be located on the west side of the airport. Three propulsion substations will be required along the train alignment.

F. Enabling Work – Work which may be required to be completed prior to the start of Stage 2 fixed facilities construction include but are not limited to the following:

1. Demolition and Relocation of Site Utilities
2. Hazardous Material Remediation
3. Potential Demolition of the Sky Chef’s Facility
4. Potential Demolition of the Bus Maintenance and CNG Facility
5. Demolition of the ACE Parking office building/ancillary support structures (FED EX) and relocation of the tenants
6. Potential Relocation of the FAA Radio Transmitter 3 Facility
7. Revise access to Chase Bank facilities parking
8. Demolition of the Terminal 2 C & D Gate area.

Estimated Construction Cost: The total construction cost for the fixed facility component, based on preliminary planning, is approximately $280 million. These costs do not include design or other soft costs. Once the 30% design review is complete the final construction budgets will be set.

Preliminary Project Schedule:

- July 2017 Start Preconstruction Design Phase Services
- Early-2018 Start Enabling Projects (utility relocations & site work as required).
- Mid-2018 Start Construction of Foundations
- Late-2018 Start Construction of Heavy Structural/Civil
- Mid-2019 Start Construction of Finishes
- Early-2020 Component 2 the System Design Builder starts Construction & Testing
- Late-2020 Complete Component 1 Fixed Facilities
- Late-2021 Completion of the Project Train Service Opening

Project Delivery Method:

The City intends to use a CMAR delivery method wherein the successful CMAR is selected solely on qualifications. The CMAR submissions should demonstrate a relevant past performance history in this delivery method, a thorough understanding of the project requirements, a clear understanding of the partnering/teaming relationships and a commitment to excellence in all aspects of project execution. In the performance of the requirements of the contract, the CMAR shall work in concert with all parties of the Aviation Project Delivery Team and the System Design Builder’s Team. The Aviation Project Delivery Team will include, but not be limited to the Design and Construction Services (DCS) Project Management Team, Aviation Operation Division (Owning Division), representatives from multiple Aviation stakeholder divisions, multiple tenant Car Rental Company representatives and various regulatory agencies.
CMAR Firm/Team Experience

The preferred CMAR should have, but not be limited to the following capabilities:

- Experience in performance of CMAR contracts.
- Experience in pre-construction services, construction and commissioning of large, automated train projects or equivalent large Civil and Vertical projects.
- Experience constructing within an operating airport with minimal disruption to ongoing operations.
- Knowledge of the work force availability and construction costs in the local market.
- Expertise in managing CMAR projects within a fixed, guaranteed maximum price.
- Experience in delivery of energy efficient and sustainable construction.
- Experience Coordinating work in conjunction with environmental consultants and contracting with abatement/remediation contractors.
- Experienced in working during airport non-peak hours 11:00 pm to 5:00 am and ability to accommodate peak airport events (Holidays, Spring Break, special events).
- Demonstrated history of managing successful small business enterprise (SBE) and subcontractor outreach programs.
- Demonstrated history of maximizing participation of SBE on large public projects.
- Knowledge of the local subcontracting community including SBE subcontractors in order to meet or exceed the City’s goals for the project.
- Experience managing large public art programs and integrating the art into the construction of projects.
- Capable of providing a robust Building Information Modeling (BIM) program for accurate existing condition surveys, design visualization/documentation and construction coordination.
- Experience with the City of Phoenix Planning and Development Department review/permitting processes.
- Experience in planning, scheduling and coordinating the work of public utility entities.
- Experience in obtaining local and national regulatory approvals and permits associated with airport development.
- Fiscal capacity to obtain the necessary bonds for the project.
- Experience with Contractor Controlled Insurance Policy management.
- Demonstrated knowledge and enforcement of a strict on-site safety program.

SECTION II – SCOPE OF WORK

The Construction Manager at Risk will begin with the firm in an agency support role for design phase services and will hold the construction contract with the City for construction of the project. At some point prior to construction, the CMAR will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) contract. The CMAR will be responsible for construction means and methods, and will be required to solicit bids from prequalified subcontractors to perform the work using the City’s subcontractor selection process. The CMAR may also compete to self-perform limited amounts of work.

A. Design phase services by the CMAR may include the following:

- Provide detailed cost estimating and knowledge of marketplace conditions
- Provide project planning and scheduling
- Provide for construction phasing and scheduling that will minimize interruption to airport
- provide alternate systems evaluation and constructability studies
- advise City on ways to gain efficiencies in project delivery
- provide long-lead procurement studies and initiate procurement of long-lead items
- assist in the permitting processes
- participate with the City in a process to set goals for local and SBE participation and implement the local and SBE process
- protect the owner’s sensitivity to quality, safety, and environmental factors
- advise City on choosing green building materials
- develop and implement an existing utility investigation plan; and
• prepare and provide early GMP packages for phased construction scope of work

B. Construction phase services by the CMAR may include:

- Construct the PHX Sky Train Stage 2 – Fixed Facilities
- Select subcontractors/suppliers for this project
- Prepare a Guaranteed Maximum Price (GMP) proposal that meets the approval of the City
- Coordinate with various City of Phoenix departments, other agencies, utility companies, etc.
- Arrange for procurement of materials and equipment
- Schedule and manage site operations
- Bid, award, and manage all construction related contracts while meeting City bid requirements including local and SBE participation goals
- Provide quality controls
- Bond and insure the construction
- Address all federal, state and local permitting requirements
- Deal with owner issues
- Maintain a safe work site for all project participants during construction (surveying, layout, environmental controls and monitoring, safety, installation, quality control/quality assurance, testing, commissioning, project controls, project documentation management, inspection coordination, subcontractor coordination, phasing, security badging, etc.
- Public art procurement and installation (design by the City).
- Coordination with owner-performed oversight
- Full building systems commissioning
- Existing conditions surveying
- Environmental remediation, hazardous materials abatement and disposal (asbestos, lead, PCB’s and petroleum contaminated soils).
- Project related coordination with Aviation Public Information Office
- SBE and subcontractor outreach program development and management
- Building Information Modeling
- Coordination with Project stakeholders, existing RCC tenants, the active Terminal 3 Modernization project team, the Train System provider (Bombardier), other contractors/consultants, and any other tenant improvements
- Cost estimating
- Value Engineering
- Lifecycle cost analysis
- Building decommissioning
- Closeout (punchlist documentation and resolution, O & M manuals, Aviation personnel systems and equipment training, attic stock, warranty/guarantee, electronic as -built documentation, final inspection and acceptance)

The Aviation Department utilizes Unifier a web based project management program for design and construction collaboration and document control. Training and the Unifier system will be provided through the Aviation Department.

**SECTION III – SMALL BUSINESS ENTERPRISE (SBE) REQUIREMENTS**

Only firms whose physical business is located within the Phoenix Metropolitan Statistical Area (Maricopa County) are eligible to meet SBE subcontracting goals, which will be set prior to the construction phase of this project. Final goals will be set during the design phase of this project and will be based on SBE subcontractor availability.

**SECTION IV - PRE-SUBMITTAL CONFERENCE**

A pre-submittal conference will be held on Tuesday, February 7, 2017, at 2:30 p.m., local time, at Aviation Facilities and Services Complex, 2515 East Buckeye Rd., Large Conference Rooms A & B, located at
2515 East Buckeye Rd, 2nd Floor, Phoenix, Arizona. At this meeting, City staff will discuss the scope of work, general contract issues and respond to questions from the attendees. As City staff will not be available to respond to individual inquiries regarding the project scope outside of this pre-submittal conference, it is strongly recommended that interested firms send a representative to the pre-submittal conference.

SECTION V - STATEMENT OF QUALIFICATIONS EVALUATION CRITERIA

Firm will be selected through a qualifications-based selection process based on the following criteria:

A. General information (15 points)

1. Provide a general description of the firm that is proposing to provide construction management services and general construction services. Explain the legal organization of the proposed firm or team. Provide an organization chart showing key personnel.

2. Provide the following information:
   
a. List the Arizona contractor licenses held by the firm and the key personnel who will be assigned to this project. Provide the contractor license number. Reference the appropriate licenses held, if needed. In order to be considered for this project, the contractor must hold the correct license as deemed appropriate by the Arizona Registrar of Contractors prior to submitting a Statement of Qualifications (SOQ) for this project in accordance with Arizona Revised Statute §32-1151.

b. Identify the location of the firm’s principal office and the home office location of key staff on this project.

c. Identify any contract or subcontract held by the firm or officers of the firm, which has been terminated within the last five years. Identify any claims arising from a contract which resulted in litigation or arbitration within the last three years. Briefly describe the circumstances and the outcomes.

d. If selected as a finalist for this project, you will be required to provide a statement from an A- or better surety company describing the Company’s bonding capacity.

B. Experience and qualifications of the firm (20 points)

1. Identify at least three comparable projects in which the firm served as either CMAR, agency Construction Manager during design and construction phases (without providing construction services), or General Contractor. The comparable projects need to be automated train projects but large airport (civil or architectural) projects with similar criteria as described under “General Project Information.” Special consideration will be given to firms that have provided Construction Manager at Risk services on similar successful projects. For each project identified, provide the following:

   a. Description of the project
   b. Role of the firm (specify whether Construction Manager at Risk, Construction Manager or General Contractor. If CMAR or General Contractor, identify the percent of work self-performed. Also specify services provided during design phase, i.e. cost estimating, scheduling, value engineering, etc.)
   c. Project’s original contracted construction cost and final construction cost
   d. Construction dates
   e. Project owner
   f. Reference information (two current names with telephone numbers per project)
2. List of all City of Phoenix projects where the firm provided CMAR, agency construction management, or general construction services in the last five years, either completed or ongoing.

C. Experience of key personnel to be assigned to this project (25 points)

1. For each key person identified, list their length of time with the firm and at least two comparable projects in which they have played a primary role. If a project selected for a key person is the same as one selected for the firm, provide just the project name and the role of the key person. For other projects provide the following:
   a. Description of project
   b. Role of the person
   c. Project’s original construction cost and final construction cost
   d. Construction dates
   e. Project owner
   f. Reference information (two current names with telephone numbers per project)

2. List any proposed consultants, including key staff names and the experience and qualifications of these individuals.

D. Understanding of the project and approach to performing the required services (30 points)

1. Discuss the major issues your firm has identified on this project and how you intend to address those issues. As a minimum include the following issues in your discussion:
   a. Rapid implementation of the construction process, phased construction and an integrated design and construction schedule
   b. Coordination with the Train System Design-Build
   c. Critical value engineering to maintain the project budget
   d. Work in an active and operational airport environment, while minimizing impact to passengers and airport operations

2. Attached to this Request for Qualifications is the City of Phoenix general subcontractor selection plan (see Exhibit “A”). Describe how you intend to implement this subcontractor selection plan including your recommendations for subcontractor trades to be selected by qualifications only vs. qualifications and bids; and discuss the benefit that your subcontractor selection plan provides to the project.

3. Describe your firm’s project management approach and team organization during design and construction phase services. Describe systems used for planning, scheduling, estimating, and managing construction. Briefly describe the firm’s experience on quality control, dispute resolution, and safety management.

E. Overall evaluation of the firm and its perceived ability to provide the required services (10 points)

   Overall evaluation of the firm’s capability to provide the required services as determined by the selection panel members. No additional submittal response is required.

SECTION VI - SUBMITTAL REQUIREMENTS

Firms interested in this project should submit a Statement of Qualifications (SOQ). Submittal requirements are as follows:

☑ Cover Letter: Provide a cover letter which includes full firm company name, address, phone number and the email address of your contact person for the project.
☑ **Evaluation Criteria:** Address the SOQ evaluation criteria and include a project organizational chart.

☑ **Additional Content:** Resumes and other information may be included (*content shall be included within the permitted maximum page limit*).

☑ **Submittals:**

- Clearly display the firm name, project title, and project number on the cover of the SOQ and submittal package.
- Submittals must be placed in the depository located in the reception area on the 6th Floor of Phoenix City Hall by the submittal due date/time.
- All submittals must be addressed to:

  City of Phoenix  
  Kini L.E. Knudson, PE, City Engineer  
  200 W. Washington Street, 6th Floor  
  Phoenix, AZ 85003-1611  
  c/o Liz Blakley

- Provide **9 copies** of the Statement of Qualifications
- A maximum of **25 pages** is permitted to address all content in the SOQ submittal (*Maximum page limit includes evaluation criteria and all additional content. It does not include cover letter.*)
- Submit the Statement of Qualifications by **12:00 noon, local time, on Friday, February 24, 2017**
- Paper Size shall be **8½ ” x 11”**
- Font size may not be less than 10 point
- Each side of a page containing evaluation criteria and additional content will be counted toward the maximum page limit noted above
- Pages that have project photos, charts and/or graphs will be counted towards the maximum page limit noted above
- Front and back covers, cover letter, Table of Contents pages, and divider (tab) pages will NOT be counted toward the maximum page limit noted above, unless it contains evaluation criteria and additional content that could be considered by the selection panel

**Note:** All pages exceeding the specified maximum page limit will be removed from the submittal and not considered in evaluating a submitted SOQ.

**GROUNDS FOR DISQUALIFICATION:**

Please be advised that the following **will be grounds for disqualification**, and will be strictly enforced:

- Receipt of submittal after the specified cut-off date and time.
- Too few copies of the submittal.
- Deposit of submittal in the wrong location.
- Violating the “Contact with City Employees” policy contained in this RFQ.

**SECTION VII - SELECTION PROCESS AND SCHEDULE**

The successful firm will be selected through a qualifications based selection process. Interested firms will submit a Statement of Qualifications (SOQ). A Selection Panel will evaluate each SOQ according to the criteria set forth in Section V above. Finalists from the SOQ evaluation will be invited to participate in detailed interviews. An invitation letter to each finalist will provide the evaluation criteria to be used during the interview presentation. Interview evaluations to select the highest qualified firm are final and do not include scores from the SOQ evaluation process. The City may conduct a due diligence review on the firms receiving the highest evaluation.
The City expects to create a final list of at least three, but not more than five firms for this project. The City will enter into negotiations with the selected firm and execute a contract upon completion of negotiation of fees and contract terms for City Council approval.

The following tentative schedule has been prepared for this project. Firms interested in this project must be available on the dates as specified below.

Pre-submittal meeting February 7, 2017
SOQs due February 24, 2017
Firms notified for interview March 15, 2017
Interview April 10, 2017
Scope Meeting April 19, 2017

If the City is unsuccessful in negotiating a contract with the best-qualified firm, the City may then negotiate with the next most qualified firm until a contract is executed, or the City may decide to terminate the selection process. Once a contract is executed with the successful firm, the procurement is complete.

Firms on the short list for interviews for this project will be notified directly by the City. Notification to all other firms on the status of a short list for this project will be posted on the Design and Construction Procurement “Project Interviews” website:

http://phoenix.gov/streets/procurement/project-interviews

Firm selected for this project will be notified directly by the City. Notification to all other firms on the status of a selection on this project will be posted on the City of Phoenix Design and Construction Procurement “Preliminary Bid Results and Recent Awards” website:

http://phoenix.gov/streets/procurement/bid-results

SECTION VIII - GENERAL INFORMATION

Citywide Capital Improvement Projects. Consulting and contractor services supporting the City's Capital Improvement Projects are procured under the authority of the City Engineer, currently located within the Street Transportation Department (STR). Design and Construction Procurement coordinates the citywide consulting and construction contracting procurement processes.

Planholder Lists. All firms who download the Request for Qualifications packet for this project from the "Current Opportunities" webpage will be listed on the project’s Planholder List. This report is available within the project folder. The website address is:

http://phoenix.gov/streets/procurement/current-opportunities

Firms receiving a copy of the Request for Qualifications (RFQ) through any other means must download the RFQ from the City webpage and register as a planholder for the project.

Changes to Request for Qualifications. Any changes to this Request for Qualifications will be in the form of a Notification Letter. The City of Phoenix shall not be held responsible for any oral instructions. Notification Letters are available within the project folder. The address is:

http://phoenix.gov/streets/procurement/current-opportunities

It shall be the responsibility of the registered RFQ holder to determine, prior to the submittal of the Statement of Qualifications, if Notification Letters have been issued. Registered RFQ holders may refer to the webpage or call the Contract Specialist (listed below) in order to ascertain if Notification Letters have been issued for this project.
Alternate Format. For more information or a copy of this publication in an alternate format, contact the Contract Specialist (listed below) - Voice or 602-256-4286 – TTY. Requests will only be honored if made within the first week of the advertising period.

Release of Project Information. The City shall provide the release of all public information concerning the project, including selection announcements and contract awards. Those desiring to release information to the public must receive prior written approval from the City.

City Rights. The City of Phoenix reserves the right to reject any or all Statements of Qualifications, to waive any informality or irregularity in any Statement of Qualifications received, and to be the sole judge of the merits of the respective Statements of Qualifications received.

Contact with City Employees. Beginning on the date the RFQ is issued and until the date the contract is awarded or the RFQ withdrawn, all persons or entities that respond to the RFQ, including their authorized employees, agents, representatives, proposed partner(s), subcontractor(s), joint venture(s), member(s), or any of their lobbyists or attorneys (collectively the Proposer), will refrain from any direct or indirect contact with any person (other than the designated Contract Specialist) who may play a part in the selection process, including members of the evaluation panel, the City Manager, Assistant City Manager, Deputy City Managers, Department heads, the Mayor and other members of the Phoenix City Council. As long as the RFQ solicitation is not discussed, Proposers may continue to conduct business with the City and discuss business that is unrelated to this RFQ solicitation with City staff.

Proposers may discuss their proposal or the RFQ solicitation with the Mayor or one or more members of the Phoenix City Council, provided such meetings are scheduled through the Contract Specialist (listed below), conducted in person at 200 West Washington, Phoenix, Arizona 85003, and are posted as open meetings with the City Clerk at least twenty-four (24) hours prior to the scheduled meetings. The City Clerk will be responsible for posting the meetings. The posted notice shall identify the participants and the subject matter, as well as invite the public to participate.

This policy is intended to create a level playing field for all Proposers, assure that contracts are awarded in public, and protect the integrity of the selection process. OFFERORS THAT VIOLATE THIS POLICY WILL BE DISQUALIFIED.

Conflict of Interest. The City reserves the right to disqualify any Proposer on the basis of any real or apparent conflict of interest that is disclosed by the proposal submitted or any other data available to the City. This disqualification is at the sole discretion of the City. Any Proposer submitting a proposal herein waves any right to object now or at any future time, before any body or agency, including but not limited to, the City Council of the City of Phoenix or any court.

Data Confidentiality. Except as specifically provided in the Contract, the CMAR or its subcontractors shall not divulge data to any third party without prior written consent of the City.

Legal Worker Requirements. The City of Phoenix is prohibited by A.R.S. § 41-4401 from awarding a contract to any CMAR who fails, or whose subcontractors fail, to comply with A.R.S. § 23-214(A). The CMAR and each subcontractor shall comply with all federal immigration laws and regulations related to their employees and compliance with the stated law. The City of Phoenix retains the legal right to inspect the papers of any CMAR or subcontractor employee who is awarded a contract to ensure that the CMAR or subcontractor is complying with the law.

Lawful Presence Requirement. Pursuant to A.R.S. §§ 1-501 and 1-502, the City of Phoenix is prohibited from awarding a contract to any natural person who cannot establish that such person is lawfully present in the United States. To establish lawful presence, a person must produce qualifying identification and sign a City-provided affidavit affirming that the identification provided is genuine. This
requirement will be imposed at the time of contract award. This requirement does not apply to business organizations such as corporations, partnerships or limited liability companies.

**No Israel Boycott.** By entering into this contract, the Engineer/Contractor certifies that they are not currently engaged in, and agrees for the duration of the Contract to not engage in, a boycott of Israel.

**Worker Background Screening.** CMAR and its subcontractors awarded a contract for this project shall perform Background Screening for all employees providing services for the project. The Background Screening provided by CMAR and subcontractors shall comply with A.R.S. § 41-4401, and all applicable laws, rules and regulations. In addition to the Background Screening performed by the CMAR and subcontractors, the City reserves the right to require the CMAR and subcontractors provide fingerprints and execute other documentation as necessary to obtain criminal justice information pursuant to A.R.S. § 41-1750(G)(4) or Phoenix City Code § 4-22.

**Badge Access Requirements.** The CMAR and subcontractors shall not be allowed to begin work in a City facility without prior completion and City’s acceptance of the required background screening; and when required, the CMAR’s and subcontractor’s receipt of and payment for a City issued badge.

**Protest Procedures.** Firms wishing to respond to disqualification or a procurement outcome may refer to The Code of the City of Phoenix Chapter 2, Article XII, Section 2-188 which governs protest procedures utilized throughout the selection process. The procedures may be reviewed through the City of Phoenix website at:

http://www.codepublishing.com/az/phoenix/

**Questions.** Questions pertaining to this selection process or contract issues should be directed to the Contract Specialist, Liz Blakley at (602) 681-5317.
2.8 MAJOR SUBCONTRACTOR AND MAJOR SUPPLIER SELECTIONS

2.8.1 The selection of major Subcontractors and major Suppliers may occur prior to submission of a GMP Proposal. Major Subcontractors may be selected based on qualifications or a combination of qualifications and price. Subcontractors shall not be selected based on price alone. Except as noted below, the selection of major Subcontractors/Suppliers is the responsibility of the CMAR. In any case, the CMAR is solely responsible for the performance of the selected Subcontractors/Suppliers.

2.8.1.1 The CMAR will prepare a Subcontractor/Supplier selection plan and submit the plan to the City for approval. This subcontractor selection plan shall identify those subcontractor trades anticipated to be selected by qualifications only per Section 2.8.2 and those subcontractor trades anticipated to be selected by qualifications and competitive bid in accordance with Section 2.8.3. This plan will also identify those subcontractors that will not be selected through a formalized qualifications-based selection process. The subcontractor selection plan must be consistent with the selection requirements included in this Contract.

2.8.2 Selection by qualifications only - The City may approve the selection of a Subcontractor(s) or Supplier(s) based only on their qualifications when the CMAR can demonstrate it is in the best interest of the Project.

2.8.2.1 Qualification based selection of a Subcontractor(s)/Supplier(s) should only occur during the design phase to achieve maximum benefit of the subcontractors’ involvement prior to the submittal of the GMP Proposal.

2.8.2.2 The CMAR shall apply the approved subcontractor selection plan in the evaluation of the qualifications of a Subcontractor(s) or Supplier(s) and provide the City with its review and recommendation.

2.8.2.3 The CMAR must receive City approval of the selected Subcontractor(s)/Supplier(s).

2.8.2.4 The CMAR will negotiate costs for services/supplies from each Subcontractor/Supplier selected under this method.

2.8.3 Selection by qualifications and competitive bid - The CMAR shall apply the subcontractor selection plan in the evaluation of the qualifications of a Subcontractor(s) or Supplier(s) and provide the City with its process to prequalify prospective subcontractors and suppliers. All Work for major subcontractors and major suppliers shall then be competitively bid to the prequalified subcontractors unless a Subcontractor or Supplier was selected pursuant to paragraph 2.8.2 above. Competitive bids may occur prior to or after the GMP Proposal(s).

2.8.3.1 The CMAR will develop Subcontractor and Supplier interest, submit the names of a minimum of three qualified Subcontractors or Suppliers for each trade in the Project for approval by the City and solicit bids for the various Work categories. The CMAR will identify the SBE Subcontractors and Suppliers and during the bidding process keep the City informed on the progress of meeting the desired SBE goals. If there are not three qualified Subcontractors/Suppliers available for a specific trade or there are extenuating circumstances warranting such, the CMAR may request approval by the City to submit less than three names. Without prior written notice to the City, no change in the recommended Subcontractors/Suppliers will be allowed.

2.8.3.2 If the City objects to any nominated Subcontractor/Supplier or to any self-performed Work for good reason, the CMAR will nominate a substitute Subcontractor/Supplier that is acceptable to the City.
2.8.3.3 The CMAR will distribute Drawings and Specifications, and when appropriate, conduct a prebid conference with prospective Subcontractors and Suppliers.

2.8.3.4 If the CMAR desires to self-perform certain portions of the Work, it will request to be one of the approved Subcontractor bidders for those specific bid packages. The CMAR's bid will be evaluated in accordance with the process identified below. If events warrant and the City concurs that in order to insure compliance with the Project Schedule and/or cost, the CMAR may self perform Work without bidding or re-bidding the Work.

2.8.3.5 The CMAR shall request the pre-qualified subcontractors to provide a detailed bid for the services requested. The subcontractor bid, provided on the subcontractors' letterhead, shall contain sufficient information (i.e. unit costs/amounts) to allow an evaluation of the reasonableness of bid costs. The CMAR shall receive, open, record and evaluate the bids. The apparent low bidders will be interviewed to determine the responsiveness of their proposals. In evaluating the responsiveness of bid proposals the CMAR, in addition to bid price, may consider the following factors: past performance on similar projects, qualifications and experience of personnel assigned, quality management plan, approach or understanding of the Work to be performed, and performance schedule to complete the Work. The final evaluation of Subcontractor/Supplier bids will be done with the City Representative in attendance to observe and witness the process. The CMAR will resolve any Subcontractor/Supplier bid withdrawal, protest or disqualification in connection with the award at no increase in the Cost of the Work.

2.8.4 The CMAR will be required to prepare two different reports on the subcontracting process.

2.8.4.1 Within fifteen Days after each major Subcontractor/Supplier bid opening process, the CMAR will prepare a report for the City's review and approval identifying the recommended Subcontractors/Supplier for each category of Work. The report will provide (a) the name of the recommended Subcontractor/Supplier and the amount of the Subcontractor/Supplier bid for each subagreement, (b) the sum of all recommended Subcontractor/Supplier bids received, (c) a copy of the bids received from each subcontractor, and (d) trade work and its cost that the CMAR intends to self-perform, if any.

2.8.4.2 Upon completion of the Subcontractor/Supplier bidding process, the CMAR shall submit a summary report to the City of the entire Subcontractor/Supplier selection process. The report will indicate, by bid process, all Subcontractors/Suppliers contacted to determine interest, the Subcontractors/Suppliers solicited, the bids received and costs negotiated, and the recommended Subcontractors/Suppliers for each category of Work.

2.8.5 The approved Subcontractors/Suppliers will provide a Schedule of Values that reflects their final accepted bid proposal, which will be used to create the overall Project Schedule of Values.

2.8.6 If after receipt of sub-bids or after award of Subcontractors and Suppliers, the City objects to any nominated Subcontractor/Supplier or to any self-performed Work for good reason, the CMAR will nominate a substitute Subcontractor or Supplier, preferably if such option is still available, from those who submitted Subcontractor bids for the Work affected. Once such substitute Subcontractors and Suppliers are consented to by the City, the CMAR's proposed GMP for the Work or portion thereof will be correspondingly adjusted to reflect any higher or lower costs from any such substitution.
2.8.7 Promptly after receipt of the Notice of Intent to Award, the City will conduct a pre-award conference with the CMAR and other Project Team members. At the pre-award conference, the CMAR will (a) review the nominated slate of Subcontractors and Suppliers and discuss any concerns with or objections that the City has to any nominated Subcontractor or Supplier; (b) discuss City concerns relating to any proposed self-performed Work; (c) review the CMAR’s proposed Contract Price for the Work during the construction phase; (d) discuss the conditions, if any, under which the City will agree to leave any portion of the remaining CMAR Contingency within the Contract Price for the construction phase Work; (e) resolve possible time frames for the Date of Commencement of the Contract time for the construction phase Work; (f) schedule the pre-construction conference; and (g) discuss other matters of importance.