



# Standard Form of Request for Qualifications

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This **REQUEST FOR QUALIFICATIONS** ("RFQ") from the Owner named below invites the submittal of a Statement of Qualifications ("SOQ") from firms interested in providing design-build services for the Project described below. By submitting an SOQ, the Offeror represents that it has carefully read the terms and conditions of this RFQ and all attachments and Addenda and agrees to be bound by them. This RFQ is not an offer to enter into a contract, but merely a solicitation of persons interested in submitting SOQ to the Owner for the Project.

**OWNER:**

*(Name and address)*

**Warren County Board of Commissioners**  
406 Justice Drive  
Lebanon, OH 45036

**PROJECT:**

*(Include Project name and location)*

**Warren County Probate Juvenile Court Expansion**  
900 Memorial Drive  
Lebanon, OH 45036

**OWNER'S CONTACT PERSON:**

Offerors shall submit the SOQ to

*(Name and address)*

**Tiffany Zindel**  
Warren County Administrator  
406 Justice Drive  
Lebanon, OH 45036  
[Tiffany.Zindel@co.warren.oh.us](mailto:Tiffany.Zindel@co.warren.oh.us)

**SOQ DUE DATE AND TIME**

Offeror's SOQ shall be submitted no later than:

*(Insert date and time)*

Tuesday, **December 19, 2017**  
2:00 PM, Eastern Standard Time

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

## **SECTION 1: OWNER DESCRIPTION**

### **1.1 General**

#### **Warren County, Ohio**

A board of three County Commissioners serves as the general administrative body for Warren County, Ohio. The Commissioners hold title to all county properties, serve as the sole taxing authority for the county and control county purchasing. The Commissioners are the budget and appropriating authority for all county government agencies. In the above capacities, the Board of Commissioners of Warren County, Ohio will serve as Owner for this project.

The Project involves an addition to the existing Warren County Juvenile Justice Center to expand facilities for the Warren County Probate Court and the Warren County Juvenile Court. A description of the function of each court, taken from the Warren County, Ohio website follows:

#### **Warren County Probate Court**

The Warren County Probate Court began operation in 1835. It holds the distinction of being one of the oldest operating courts in the state. Probate Courts are established in each county in the State of Ohio. Each of Ohio's eighty-eight counties has one probate judge except Cuyahoga County which has two.

The Probate Court has a specialized jurisdiction. The Probate Court establishes decedent's estates, guardianships and trusts and appoints fiduciaries to administer the foregoing. Sales of land by fiduciaries must be approved by the Probate Court unless the instrument, which creates the trust estate, allows for a sale without court approval. The Court must supervise these fiduciaries to ensure that they exercise their trust efficiently and honestly.

As an exception to the unpleasant matters with which courts frequently deal, the Probate Court considers adoptions which are typically joyous occasions.

The Court must also approve wrongful death settlements and their allocation among the various statutory beneficiaries. Claims for injuries to minors are also subject to Probate Court approval.

The Probate Court hears actions which allege a person is mentally ill and subject to Court Order. In this regard the Court must also determine the least restrictive treatment setting for those mentally ill persons subject to the Court's jurisdiction.

The Probate Court's jurisdiction includes determination of adult protective services petitions where the Court must decide if an adult over sixty years of age has been neglected, abused or exploited and if so what services are necessary to remediate those problems.

Persons seeking name changes must obtain Probate Court permission. In exercising this jurisdiction the Court is mindful that a person is entitled to change their name so long as the name change does not contravene public interest or tends to facilitate the avoidance of creditors or hinder law enforcement officials in the performance of their duties.

The issuance of marriage licenses is another important function of the Probate Court.

As is obvious by the foregoing descriptions of the Probate Court's jurisdiction, the Court is oftentimes charged with the responsibility of acting in the public interest and looking out for those that cannot or will not look out for themselves. It is this philosophy that guides the operation of the Warren County Probate Court.

#### **Warren County Juvenile Court**

The Mission of the Juvenile Court is stated in Ohio Revised Code Section 2151.01 and the rules of Juvenile Procedure as promulgated by the Supreme Court of Ohio. The Guidelines of are as follows:

- To provide for the care, protection and mental and physical development of children subject to Chapter 2151 of the Ohio Revised Code.
- To protect the public interest in removing the consequences of criminal behavior and the taint of criminality from children committing delinquent acts and to substitute, therefore, a program of supervision, care and rehabilitation.
- To achieve the foregoing purposes whenever possible, in a family environment separating the child from its parents only when necessary for his/her welfare or in the interests of public safety.
- To provide judicial procedures through which the parties are assured a fair legal hearing and where their constitutional and other legal rights are recognized and enforced.

Warren County Juvenile Court has developed a broad base of programs and services to help fulfill its mission. Probation intervention is the most widely used technique to address delinquent and unruly behaviors. The Probation Department integrates sanctions, safety, rehabilitation and victim losses to effectively deal with offenders.

In addition to probation, the County provides other services through our Court Clinic. The Court Clinic provides assessments and services as ordered by the court or recommended through probation. Assessment types include mental health, drug and alcohol, juvenile sex offender, risk and placement assessments. The Court Clinic also provides several programs including drug/alcohol intervention, wrap-around services, out-patient sex offender treatment, certified through the Department of Youth Services, and services to unruly youths.

Transition services are available to facilitate a youth's return to school and home following placement. Court Clinic staff provides treatment and case management services to the residents of Mary Haven Youth Center. The Court Clinic directs the SOAR program, an after-school program held in Mary Haven Youth Center to serve at risk youth. The classes that are provided include anger management, life skills, a girl's relationship group called Voices, the Real World, Real Money curriculum and the YES program, a youth educational shoplifting program.

SOAR participants are ordered through the court or are also recommended by probation. In addition to providing services through the Court Clinic and SOAR program, the court recommends and orders services provided by the county and outside agencies such as: a litter collection program; alcohol and drug urine screening; assessments; intervention; education and therapy; counseling; anger management groups; parenting education groups; victim impact reporting; sex offender group; theft classes; Car-Teen driving school; Detention Center; Residential Treatment; out-of-home placement; guardian ad litem services and indigent legal representation among other things.

## **1.2 Funding/Authority**

The project is funded by Warren County, Ohio with properly appropriated, in-hand funds.

## **1.3 Procurement Website**

Information about this RFQ and the progress of the procurement process is available on the Warren County Bid Projects website: <http://www.co.warren.oh.us/commissioners/Resources/Bids/Default.aspx>. Additionally, those Design-Builders who are shortlisted to proceed to the Proposal Phase of the Best Value Design-Builder selection process will be granted access to the County's Criteria Architect's Citrix Sharefile® project website.

## **SECTION 2: OVERVIEW OF PROJECT**

### **2.1 General**

The project will add approximately 16,500 square feet to the existing Warren County Juvenile Justice Center. There are also approximately 1,800 square feet of existing building space that will require remodeling to accommodate the addition.

The proposed addition will provide office space for the probate and juvenile court offices, (in addition to the office areas those departments currently occupy in the existing building). The addition will also provide one courtroom and two hearing rooms, along with the requisite public support spaces. Finally, the addition will provide training space that will be used jointly by the probate court, juvenile court and juvenile detention center.

Site development associated with the project includes remodeling of the facility's existing parking and driveway network to provide a more efficient flow of vehicles, parking areas and public pedestrian pathways. It also includes improvements to utilities and storm water management needed for the addition and driveway/parking changes.

### **2.2 Project Objectives**

- Establish and sustain an integrated and cohesive project team relationship between the Owner, the Owner's stakeholders, the Design-Builder and the Design-Builder's entire team to deliver optimized high quality design and construction on time and within the Owner's budget.
- Design and construct a project that will achieve Design Excellence, as manifested by these traits:
  - The facility will be an appropriate extension of the architectural expression of the existing facility, particularly as viewed from the main entrance on the south side of the building, and from the adjacent highway to the east.
  - The facility will accommodate appropriate function of the mixed-use facility, maintaining appropriate levels of access control and security between public areas, secured staff areas and juvenile detention environments.

- Interior finishes in courtrooms, hearing rooms and public areas shall be similar to other such spaces serving the citizens of Warren County. Specifically, the recently renovated Common Pleas courtroom shall serve as a model for desired features, components and finishes.
- Interior finishes in secure staff area spaces shall be similar to other such spaces serving Warren County employees
- The facility will be safe, functional, durable and efficient to own and operate
  - The addition must be designed to achieve an ENERGY STAR® certification rating of at least 85, as defined by the United States Environmental Protection Agency; and achieve a “Designed to Earn ENERGY STAR®” designation prior to the start of construction.
  - The Energy Use Intensity (EUI) for the completed addition must not exceed 55 kBtu/ft<sup>2</sup>.
  - Comply with ANSI Standard 90.1-2010 or higher.
  - Incorporate sound, practical and readily attainable CPTED (Crime Prevention through Environmental Design) principles into the project.
  - Provide Acoustical Privacy and Acoustic Comfort. Static state ambient background noise in any occupied space outdoor activity, mechanical equipment noise, electrical noise, sound generated in adjacent spaces, etc. should not exceed 45 dBA, with HVAC systems designed to NC 30-35 and sound transmission ratings between individual offices and around courtrooms and hearing rooms constructed to achieve at least STC 55.
  - Provide Thermal Comfort in all inhabited workspaces. Temperatures in individual spaces must be controlled within a range of 2°F from setpoint at temperatures appropriate for the season (71°F Winter | 74°F Summer). Individual offices and meeting rooms should be individually controlled. Relative humidity should be maintained between 30% and 60%.
  - Provide acceptable Indoor Air Quality, in compliance with ASHRAE Standard 62.1-2016.
  - Provide adequate and even illumination in all work spaces. Comply with Illuminating Engineering Society’s IES Lighting Handbook, 10th Edition to provide appropriate illumination for each application.
- Maintain a safe, injury free work site.
  - Do not, at anytime, compromise security and safe containment of juveniles held in detention at the facility.
- Minimize impacts to the public and building occupants through close coordination with the Owner and its stakeholders.
- Fully complete the project within the Design-Builder’s proposed project schedule, with no incomplete work, no unresolved issues, and all systems fully functional and operational to the established performance criteria metrics.

### 2.3 **Scope of Work**

The Owner intends to execute one Design-Build Contract for all the Work of this project, based on Design-Build Institute of America (DBIA) Document 530, Standard Form of Agreement Between Owner and Design-Builder – Cost Plus Fee with an Option for a Guaranteed Maximum Price and DBIA Document 535, Standard Form of General Conditions of Contract Between Owner and Design-Builder, each edited for the specific requirements of this project, Ohio Law and Warren County Standards.

Design-Builder is to provide all project management services, architectural services, interior design services, site design (including civil engineering and landscape architecture), structural engineering, fire protection engineering, plumbing engineering, HVAC engineering, electrical engineering, lighting design & engineering, Data & Voice communications systems design & engineering services, Audio-Video communications systems design & engineering, Access Control systems design & engineering, Video Surveillance systems design & engineering, cost management services, permitting assistance and other such pre-construction services required for the successful completion of the project.

Design-Builder is to provide all quality management controls and monitoring needed for a successful project, including Quality Assurance and Quality Control of both design and construction phases of the Project.

Design-Builder to provide all construction management and supervision, General Conditions for Construction, Construction Services for all required trades, including all labor, materials and equipment required for a complete

and workable project. Design-Builder's work includes all fixed equipment.

Design-Builder to provide a Performance and Payment Bond, Worker's Compensation Liability Insurance, Commercial General Liability Insurance, Professional Services Liability Insurance, Comprehensive Auto Liability Insurance, and Umbrella Excess Liability Insurance in amounts not less than those set forth in this RFQ.

Design-Builder to provide services for systems commissioning, performance requirements validation, project Substantial Completion, close-out, Final Completion and warranty follow-up services.

Owner to provide Builders' Risk Insurance, loose furniture and loose equipment, window treatments and building accessories.

## 2.4 **Estimated Budget**

The estimated maximum budget for the Scope of Work referenced in Section 2.3 and as further set forth in Attachment A is currently Three Million Five Hundred Thousand Dollars (\$3,500,000.00). This includes the Design-Builder's contract sum, plus Owner's miscellaneous soft costs. It does not include loose furnishings. A more exact breakdown of funds available for the Design-Build Contract will be included in the RFP.

## 2.5 **Project Procurement Schedule**

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

Date	Activity
November 22, 2017	Post RFQ on Warren County Bid Projects Website
December 3, 2017	Publication of Legal Notice of Request for Qualifications in local newspaper
December 7, 2017   10:00 AM	RFQ Phase Pre-Submittal Conference
December 8, 2017	Last Date to Submit Questions Regarding the RFQ
December 19, 2017   2:00 PM	Design-Builders' Statements of Qualifications Due
January 4, 2018	Evaluation Committee Meeting <ul style="list-style-type: none"> <li>Review submitted Statements of Qualification</li> <li>Shortlist to three (3) most highly qualified, or decide to interview prior to shortlisting.</li> </ul>
January 5, 2018	Notify all offerors of action of Evaluation Committee <ul style="list-style-type: none"> <li>Announce shortlist, or</li> <li>Announce schedule for Qualification Phase interviews.</li> </ul>
January 10, 2018	Evaluation Committee Meeting <ul style="list-style-type: none"> <li>Conduct Qualification Phase Interviews</li> <li>Shortlist to three (3) most highly qualified Design-Builders</li> </ul>
January 16, 2018	Board of Commissioners Meeting <ul style="list-style-type: none"> <li>Receive and endorse Evaluation Committee's recommendation for shortlist of most highly qualified Design-Builders</li> <li>Authorize issuance of Draft and Final Request for Proposal (RFP).</li> </ul>
January 17, 2018	Issue Draft RFP to shortlisted Design-Build Teams
January 24, 2018	Pre-Proposal Confidential Individual Breakout Meetings
January 25, 2018	Design-Builders' written comments on Draft RFP due
February 7, 2018	Issue Final RFP
February 21, 2018	Pre-Proposal Confidential Individual Breakout Meetings

Date	Activity
March 22, 2018   2:00 PM	Design-Builder's Proposals Due <ul style="list-style-type: none"> <li>• <i>Technical Proposal</i></li> <li>• <i>Sealed Price Proposal</i></li> </ul>
April 4, 2018	Evaluation Committee Meeting <ul style="list-style-type: none"> <li>• <i>Discuss Criteria Architect's review of Technical Proposal</i></li> <li>• <i>Conduct Technical Proposal Interviews with each proposing Design-Builder</i></li> <li>• <i>Apply evaluation criteria to assign a score to each Technical Proposal.</i></li> <li>• <i>Open Price Proposals</i></li> <li>• <i>Incorporate Price Proposal into Best Value evaluation rubric</i></li> <li>• <i>Affirm recommendation to Board of Commissioners for award of Design-Build contract.</i></li> </ul>
April 5, 2018	Proposal validation meeting with apparent Best Value Design-Builder
April 10, 2018	Board of Commissioners Meeting <ul style="list-style-type: none"> <li>• <i>Receive Evaluation Committee's recommendation for award of Design-Build contract</i></li> <li>• <i>Award Design-Build contract, subject to final negotiation of terms and conditions of the contract.</i></li> </ul>
April 11-27, 2018	Proposal reconciliation meetings between Owner and Design-Builder to finally negotiate all terms and conditions of the contract
April 30, 2018	Board of Commissioners Meeting <ul style="list-style-type: none"> <li>• <i>Execute finally negotiated agreement between Owner and Design-Builder.</i></li> <li>• <i>Authorize issuance of a Notice to Proceed with the Project.</i></li> </ul>
Spring-Summer 2018	Design-Builder and Owner meet regularly to advance the design, complete permitting and full team engagement of all trade subcontractors.
Summer 2018	Design-Builder mobilizes for construction
2018-2019	Construction
Summer 2019	Substantial Completion, Occupancy and Final Completion

## 2.6 Definitions

- 2.6.1 Business Day:** any day on which the Owner is open for regularly conducted business.
- 2.6.2 Confidential Individual Meetings:** The confidential meeting(s) conducted individually between the Owner and each Short Listed Offeror after the issuance of the RFP. All Confidential Individual Meetings will be conducted pursuant to the instructions in the Procurement Documents, and all participants will be required to enter into a confidentiality agreement before the meeting.
- 2.6.3 Design-Builder:** The entity with the prime design-build contract with the Owner.
- 2.6.4 Design-Build Team:** All entities listed by the Design-Builder as providing services or construction on the Project. The Design-Builder is not required to list all members of the Design-Build Team in the SOQ. Members of the Design-Build Team may also be referred to as "Team Members."
- 2.6.5 Design Excellence:** Design Excellence is achieved with memorable design solutions that exceed the Owner's vision and defined functional requirements; include architectural design of the addition that is compatible with the existing building and facilities that are high performance and sustainable; and possess

a holistic awareness that considers context, site, and the environment.

**2.6.6 Evaluation Committee:** A committee appointed by the Owner (Warren County Board of Commissioners) to act on the Owner's behalf in accordance with R.C. § 153.693, *Evaluation of Design-Build Firms* and R.C. § 153.1-6-02, *Best Value Selection of a Design-Build Firm* for all aspects of this procurement other than final award of design-build contract. In this RFQ document, all references to "Owner" in the text of the document is the Evaluation Committee acting as agent for, and under the authorization of the Board of Commissioners. The members of the Evaluation Committee are:

Tiffany Zindel	County Administrator
Martin Russell	Deputy Administrator
Trevor Hearn	Director of Facilities
Judge Joseph Kirby	Probate Juvenile Court Judge
Tony Brigano	Probate Juvenile Court Administrator
Daniel Rawlins, RA, DBIA	K2M Design, Inc.   Criteria Architect   Technical Advisor

**2.6.7 Key Team Member:** Individuals who will be assigned to the Project who play an important role in the design, construction, or management of the Project.

**2.6.8 Procurement:** The Owner's process for selecting a Design-Build Team for this Project.

**2.6.9 Procurement Documents:** All documents issued by the Owner in connection with the Procurement or Project.

**2.6.10 Projects of Similar Scope and Complexity:** Projects that had completion dates within the last ten years and that have many or all of the following characteristics:

- a. Projects of a similar size and budget that include design and construction of probate and/or juvenile court facilities
- b. Projects that utilize an integrated delivery method that require strong coordination and integration of the design and construction professionals and early involvement of the construction professionals during design;
- c. Projects where the Design-Builder was selected prior to the establishment of the final price and schedule and where the Design-Builder collaborated with the Owner to develop the final price and schedule; and/or
- d. Projects that include separation of public access areas from staff secured areas
- e. Projects that include additions to architecturally distinct structures.

**2.6.11 RFP:** The Owner's Request for Proposals, which will be issued to those Short Listed Offerors who are selected to proceed to the next phase of this Procurement.

## **SECTION 3: PROCUREMENT PROCESS**

### **3.1 General Information**

#### **3.1.1 Compliance with Legal Requirements**

This Procurement will be in accordance with R.C. § 153.693, *Evaluation of Design-Build Firms*, R.C. § 153.1-6-02, *Best Value Selection of a Design-Build Firm*, and all applicable federal, state, and local laws; and Owner policies and procedures.

#### **3.1.2 Conflict of Interest and Communications with the Owner**

- a. Consultants who assisted the Owner in the RFQ/RFP preparations as Criteria Architect in accordance with R.C. § 153.692 may not propose or participate on any Design-Build Team on this Project. The Criteria Architect and key contact person is:

**K2M Design, Inc.**  
3121 Bridge Avenue  
Cleveland, Ohio 44113

**Daniel D. Rawlins**, RA, DBIA  
*Project Manager*  
(317) 441-7905 Mobile  
(317) 419-5440 Office  
[drawlins@K2MDesign.com](mailto:drawlins@K2MDesign.com)

b. Offerors are required to conduct the preparation of their SOQs with professional integrity and free of lobbying activities. Communication with the Owner regarding this Project shall be via email or regular mail only and directed to the Owner's Criteria Architect: Do not communicate about the Project or the Procurement with any other Owner employees, representatives, or consultants. Communication with other Owner employees, representatives, or consultants regarding the Procurement may cause the firm involved to be disqualified from submitting under this Procurement. Any verified allegation that a responding Offeror or Team Member or an agent or consultant of the foregoing has made such contact or attempted to influence the evaluation, ranking, and/or selection of short-listed Offerors may be the cause for Owner to disqualify the Offeror team from submitting an SOQ or Proposal, to disqualify the Team Member from participating in the Procurement, and/or to discontinue any further consideration of such Offeror or Team Member.

c. Following the Owner's approval of the Short Listed Offerors, the Owner anticipates that certain communications and contacts will be permitted. The RFQ, RFP and/or other written communications from Owner will set forth the rules and parameters of such permitted contacts and communications. To the extent any Offeror intends at any time to initiate contact with the general public regarding the Project, the nature of such intended contact and the substance thereof must be approved in writing by the Owner prior to the commencement of such activities.

### **3.1.3 Expenses of Offeror and Payment of Stipend**

The Owner accepts no liability for the costs and expenses incurred by firms in responding to this Procurement. Each Offeror that enters into the Procurement process shall prepare the required materials, the SOQ, and the Proposal at its own expense and with the express understanding that the Offeror cannot make any claims whatsoever for reimbursement from the Owner for the costs and expenses associated with the process, even in the event the Owner cancels this Project or rejects all Proposals.

The Owner will provide a preliminary design as part of the RFP, and will require minimal advancement of the design as deliverables for the Proposal. The Owner has elected not to offer a stipend to the two Short Listed Offerors submitting responsive Proposals to the RFP, but are not awarded the Design-Build Contract.

### **3.1.4 Public Disclosure**

All documentation and submittals provided to the Owner may be considered public documents under applicable laws and may be subject to disclosure. Offerors recognize and agree that the Owner will not be responsible or liable in any way for any losses that the Offeror may suffer from the lawful disclosure of information or materials to third parties.

Any materials requested to be treated as confidential documents, proprietary information, or trade secrets must be clearly identified and readily separable from the balance of the SOQ or Proposal. Such designations will not necessarily be conclusive, and Offerors may be required to justify why such material should not, upon written request, be disclosed by the Owner under the applicable public records act. The Owner will endeavor to provide at least two (2) Business Days' notice of a public records request for material submitted pursuant to this Procurement. Offerors must respond to the notice in writing with any objection to the production of the documents within two (2) Business Days of receipt of the notice. All costs incurred by Offerors associated with any public records request are the responsibility of the Offerors.

### **3.1.5 Protest Procedures**

The protest procedures applicable to the Qualifications and Shortlisting phase of this procurement are as follows:

a. All Protests will be directed to:

**Tiffany Zindel**  
Warren County Administrator  
406 Justice Drive  
Lebanon, OH 45036



- b. Any Protest based on the form or content of the Procurement documents, which is or should have been apparent prior to the date established for submittal of the SOQ, will not be considered if received by the person set forth above later than ten (10) calendar days prior to the specified submittal date.
- c. Protests based on any other circumstances must be received by the person noted above within five (5) business days from the date the Offeror or Short Listed Offeror was notified of any selection decision; however, in no event will a protest be considered if all SOQ or Proposals are rejected or if the Protest is received after award of the Contract.
- d. To be considered, a Protest shall be in writing and shall include: (1) the name, street address, and email address of the aggrieved party; (2) the name of the Project for which the Protest is submitted; (3) a detailed description of the specific grounds for the Protest and any supporting legal and/or factual documentation; and (4) the specific ruling or relief requested.
- e. In computing any period of time prescribed by this procedure, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period shall be included. Any document received after the close of regular business hours (8:00 a.m. to 5:00 p.m.) shall be deemed received the following Business Day.
- f. By submitting an SOQ in response to this Procurement, the Offeror acknowledges that it has reviewed and acquainted itself with the protest procedures herein and agrees to be bound by such procedures as a condition of submitting a SOQ.
- g. A Protest filed in regards to the Qualifications Phase actions of the Owner and its Evaluation Committee during this Procurement will initially be reviewed by the County Administrator for compliance with Protest procedure, and if found in compliance, will be forwarded to the Board of Commissioners for consideration. The Board of Commissioners will review the Protest submittal and testimony from other parties involved in the procurement and take appropriate action. The decision of the Board of Commissioners during the Qualifications Phase regarding a Protest is final.
- h. The project procurement schedule will be adjusted accordingly to reflect the action of the Board of Commissioners and the time spent in consideration of the Protest.
- i. Protest policy for the Request for Proposal Phase will be included as part of the RFP.

## **3.2 Owner Rights and Procurement Conditions**

- 3.2.1** The Owner reserves without limitation, and may exercise at its sole discretion, the following rights and conditions with regard to this Procurement process:
- a. To cancel the Procurement process and reject any and all SOQs and/or Proposals;
  - b. To waive any informality or irregularity;
  - c. To revise the Procurement Documents and Schedule via an Addendum;
  - d. To reject any Offeror that submits an incomplete or inadequate response or is not responsive to the requirements of this RFQ;
  - e. To require confirmation of information furnished by an Offeror, require additional information from an Offeror concerning its SOQ or Proposal and require additional evidence of qualifications to perform the work described in this RFQ or a subsequent RFP;
  - f. To provide clarifications or conduct discussions, at any time, with one or more Offerors;
  - g. To contact references who are not listed in the Offeror's SOQs and investigate statements on the SOQs and/or qualification of the Offeror and any firms or individuals identified in the SOQ;
  - h. To consider Alternative Technical Concepts and/or approaches identified by Offerors;
  - i. To take any action affecting the RFQ process, the RFP process, or the Project that is determined to be in the Owner's best interests; and
  - j. Approve or disapprove of the use of particular Subconsultants, Subcontractors, or Key Team Members and/or substitutions and/or changes to Subconsultants, Subcontractors, or Key Team Members from those identified in the SOQ or Proposal. Such approval or disapproval shall not be unreasonably exercised.

### **3.3 Outline of the Procurement Process**

#### **3.3.1 Request for Qualifications (RFQ).**

- a. This RFQ invites firms to submit SOQs describing in detail their technical, management, and financial qualifications to design, permit, construct, commission, and close out the Project. The issuance of this RFQ is the first phase of the Procurement process.
- b. Offerors will submit their SOQ and other deliverables required pursuant to this Procurement at the time and in the manner set forth in this RFQ and any Addenda. The Owner will not consider SOQ or other deliverables that are submitted after the Time set forth in the RFQ. Offerors are solely responsible for making sure that the Owner receives the SOQ in a timely fashion.
- c. The Owner will evaluate the information submitted by each Offeror to 1) determine whether the Offeror meets the mandatory minimum requirements and 2) evaluate the SOQ provided by each Offeror pursuant to the evaluation system described below. Any Offeror who fails to meet the mandatory minimum requirements set forth in this SOQ will be deemed non-responsive and will not be considered further by the Owner in this Procurement.
- d. All SOQ will be evaluated in accordance solely with the criteria established in the RFQ and any Addenda issued thereto. The evaluation criteria are listed below, including the relative weight or importance given to each criterion.
- e. Not more than three responsive and responsible firms will be selected as Short Listed Offerors. Only those firms that have been short-listed will be invited to submit a Proposal in response to the RFP.
- f. The results of the SOQ evaluations will not be carried forward and included in the final evaluation and selection.
- g. Design-Build Team Members and individual Key Team Members will be used as a basis for selection. Once shortlisted, neither the Offeror nor Team Members that are submitted to the Owner as part of the SOQ or Proposal may substitute a listed consultant, subconsultant or subcontractor, or any individual listed as a Key Team Member; however, a change to any submitted Team Member or Key Team Member will result in re-evaluation and may result in a change to the evaluation and ranking of the Offeror.

#### **3.3.2 Request for Proposal (RFP), Confidential Individual Meetings & Selection Process**

- a. The Owner will issue the RFP to the Short Listed Offerors in draft form for initial review and comment. The RFP will further explain the evaluation criteria, Proprietary Meetings, and other elements of the RFP process.
- b. Prior to the submission date for Proposals, written questions will be accepted as defined in the RFP.
- c. The Owner will conduct two Confidential Individual Meetings with each Short Listed Offeror as described in the RFP. The format of the Confidential Individual Meetings will be designed to allow the Short Listed Offerors to ask the Owner questions regarding the Project and the Owner's goals and concerns. All information from the Design-Build Teams provided in the Confidential Individual Meetings will remain confidential during the procurement process; however, see Section 3.15 with respect to the potential public disclosure of information provided during the procurement pursuant to any applicable public records act. The Proprietary meetings will also provide an opportunity for direct interaction between the Short Listed Offeror and the RFP Evaluation Committee.
- e. A Short Listed Offeror may submit suggested proposed changes to the Contract provisions or Alternative Technical Concepts no later than the date set forth in the Schedule. The Owner, at its sole discretion, may revise the draft RFP, the contract provisions, and/or program documents in the Final RFP issued to all Short Listed Offerors.
- f. Short Listed Offerors will submit a Technical Proposal and Price Proposal in accordance with the Procurement schedule.

- g. The Price Proposal will be submitted in a separate distinctly marked and sealed envelope from the Technical Proposal.
- h. The Owner will establish an Evaluation Committee to review and evaluate the Technical Proposal. The RFP Evaluation Committee may be the same as the RFQ Evaluation Committee. The RFP Evaluation Committee will evaluate the Proposals in accordance with the published evaluation criteria.
- i. At its sole discretion, the Owner may ask written questions of Offerors, seek written clarifications, and conduct discussions with Offerors on Proposals.
- j. The Owner will provide written notification to all Short Listed Offerors of the selection decision and make a selection summary available to all Offerors at the conclusion of the Procurement.
- k. At the Owner's discretion, it will initiate negotiations with the apparent Best Value Offeror. The apparent "Best Value Offeror" is the Offeror that the Owner determines achieves the apparent best value ranking according to the Technical Proposal and Price Proposal rating criteria set forth in the RFP. If the Owner is unable to execute a contract with the Best Value Offeror, negotiations with the Best Value Offeror may be terminated, and provided that such negotiations are terminated in writing, the Owner may proceed to negotiate with the next Best Value Offeror. The Owner will continue in accordance with this procedure until a contract agreement is reached or the selection process is terminated. Negotiations are at the Owner's sole discretion. By submitting a Proposal pursuant to the RFP, the Offeror represents and warrants that it will enter into the contract provided by the Owner subject to the terms set forth in its Proposal.

### 3.3.3 Price Proposal

Short Listed Offerors will submit a Price Proposal pursuant to the instructions set forth in the RFP.

### 3.3.4 Qualifications Phase Evaluation and Ranking of Offerors

In the evaluation and ranking of Offerors, the Owner's Evaluation Committee will consider the information submitted in the SOQ, as well as the meetings with the Offerors, if interviews are conducted, with respect to the evaluation criteria set forth in the RFQ. The result of the evaluation will be a comparative ranking of Offerors, with the three (3) most highly qualified moving forward to the RFP phase, where a new set of evaluation criteria, included in the RFP will be used.

An initial set of prerequisites will be evaluated on a pass/fail basis. Offerors who do not comply with the following minimum qualifications will not be considered further in the evaluation process:

- A complete response to the RFQ submittal requirements as set forth in Attachment B of this RFQ.
- Design-Build entity submitting the SOQ has assembled a team with the licenses, professional registrations and credentials necessary to design and construct the project.
- Design-Build entity submitting the SOQ has adequately demonstrated the capacity to provide a Performance and Payment Bond of not less than \$3,500,000 from an acceptable surety.
- Design-Build entity submitting the SOQ has adequately demonstrated the capacity to provide all insurance coverage required by this RFQ.
- Design-Build entity submitting the SOQ has established and maintained a safety program that results in a safety record below industry averages (or has adequately explained a higher than average record) according to the following metrics:
 

Experience Modifier Rate (EMR):	Less than 1.0
Total Recordable Incidence Rate (TRIR):	Less than 0.5
Days Away, Restricted or Transferred	
Accident Incident Rate (DART):	Less than 1.3
- Design-Build entity submitting the SOQ has a written plan for employee drug testing, and will cause all team members to maintain a similar plan.
- Design-Build entity submitting the SOQ has a written corporate non-discrimination plan that complies with all federal, state and local requirements.

- Design-Build entity submitting the SOQ has demonstrated compliance with the Federal E-Verify program.
- Design-Build entity submitting the SOQ has no record of unacceptable past performance, failure to perform or unresolved disputes on a similar project, as evidenced by reference checks.

Offerors who meet all prerequisites will be considered further, using the weighted evaluation criteria established by the Evaluation Committee that includes the following categories:

- Overall team qualifications
- Quality and capabilities of key management staff assigned to the project
- Past performance and the ability to perform
- Managerial Resources and Management Plan for this Project.

The exact evaluation criteria and relative weighting will be closely held by the Evaluation Committee

#### **SECTION 4: SOQ DOCUMENTATION REQUIREMENTS**

##### **4.1. SOQ Format Requirements**

The SOQs shall comply with the following format requirements:

- 4.1.1** Present all materials in an 8.5" x 11" bound volume with divider tabs.
- On each page, provide the project name, a page number and the Design-Builder's name
- 4.1.2** The body of the SOQ shall be organized in accordance with the Qualifications Questionnaire found as Attachment B to this RFQ.
- For each item in the questionnaire, restate the question exactly as it appears, then provide the appropriate response.
  - Use differing typefaces, or other such graphic distinctions to allow the reader to clearly distinguish between questions and responses.
  - Arrange document with tabs that are coordinated with the questionnaire.
- 4.1.3** The number of pages in the SOQ is not limited.

##### **4.2 SOQ Submittal Requirements**

The Statement of Qualifications submittal package must include the following items:

- 4.2.1** One (1) Original SOQ, with original notarized signatures on the affidavit page found in the Questionnaire.
- Clearly mark this document as "Original".
  - Include financial statements in this volume.
- 4.2.2** Six (6) bound copies of the SOQ.
- These copies may include photocopies of the notarized affidavit page
- 4.2.3** One (1) Electronic copy of the SOQ on a flash drive

#### **SECTION 5: LIST OF ATTACHMENTS**

- Legal Notice of Request for Qualifications
- Qualification Phase Questionnaire



# Exhibit A

## Notice of Request for Qualifications

---

### NOTICE OF REQUEST FOR QUALIFICATION FOR DESIGN-BUILD CONTRACT

Notice is hereby given that Warren County, Ohio (The "Owner"), requests any Design-Builder which is interested in being considered by the Owner as a potential Design-Builder with respect to the design, construction and equipping of the Warren County Probate and Judicial Courts Expansion Project, located at 900 Memorial Drive, Lebanon, OH 45036 (the "Project"), all as described in more detail in the Request for Qualifications dated as of November 22, 2017 (The "RFQ") to submit Statements of Qualifications to provide Design-Build services for the Project.

Statements of Qualification shall be received by the Owner until 2:00 PM, Eastern Standard Time on Tuesday, December 19, 2017 at the office of the Warren County Administrator as indicated below:

**Tiffany Zindel**  
Warren County Administrator  
406 Justice Drive  
Lebanon, OH 45036  
[Tiffany.Zindel@co.warren.oh.us](mailto:Tiffany.Zindel@co.warren.oh.us)

Each response to the RFQ must be in accordance with the RFQ, all of which is incorporated herein by reference, and all of the provisions of Ohio Code, as amended and as applicable to the RFQ process.

The RFQ may be downloaded from the Warren County Board of Commissioners Bid Projects Website: <http://www.co.warren.oh.us/commissioners/Resources/Bids/Default.aspx>, or a copy may be received electronically by contacting the Owner's Design Criteria Consultant:

**K2M Design, Inc.**  
3121 Bridge Avenue  
Cleveland, Ohio 44113  
**Daniel D. Rawlins**, RA, DBIA  
*Project Manager*  
(317) 441-7905 Mobile  
(317) 419-5440 Office  
[drawlins@K2MDesign.com](mailto:drawlins@K2MDesign.com)

A Pre-Submittal Conference is scheduled for Thursday, December 7, 2017 at 10:00 AM EST in room 349 of the Warren County Administration Building located at 406 Justice Drive Lebanon, OH 45036. Attendance at the Pre-Submittal Conference is optional. At the Conference, the Owner's goals for the project, the process to select the Design-Builder and the Best Value Design-Build delivery of the project will be discussed. There will be opportunity for ask questions and receive answers. Following the conference, those interested may visit the project site and benchmark similar spaces, all of which are near the conference location.

Unless otherwise specifically authorized by the Owner's Design Criteria Consultant, as of the date of this notice, all communication between prospective Design-Builders and the Owner and/or its Evaluation Committee or agents shall be conducted through the Owner's Design Criteria Consultant, listed above. Any prospective Design-Builder who otherwise contacts any employee or agent of the Owner between the date of this notification and the award of the Design-Build Contract is subject to disqualification.

All responses to the RFQ received by the date and time set forth above will initially be reviewed by the Owner's Design Criteria Consultant for compliance with the RFQ. The Owner's Evaluation Committee will shortlist to no more than three (3) most highly qualified Design-Builders, who will be invited to submit Design-Build Proposals. The Owner intends to award a single Design-Build Contract on the basis of Best Value as set forth in Ohio Admin. Code 153:1-6-02, as amended.

The Owner's Evaluation Committee reserves the right to reject for any reason and for no reason at all any and all responses received to the RFQ and to be the sole judge of the value and merit of the responses offered. The Owner reserves the right to terminate for any reason and for no reason at all this Project prior to awarding the design-build contract.

Dated: November 22, 2017  
Warren County, Ohio  
By: Tina Osborne, Clerk



## Exhibit B

# Qualification Phase Questionnaire For Design-Build Services

---

Warren County, Ohio

**Probate and Juvenile Courts Expansion Project**

**Qualification Questionnaire for Design-Build Services**

**Include a Table of Contents before TAB 1**

**TAB 1: DESIGN-BUILDER IDENTIFICATION**

1.1. Date of Submittal of Verified Statement of Qualifications

1.2. Legal Name of Design-Build Entity

- 1.2.1. d/b/a Name (*if different than legal name*)
- 1.2.2. Street Address
- 1.2.3. City, State, Zip Code
- 1.2.4. Federal ID Number
- 1.2.5. Website URL

1.3. Identification of Primary Contact Person

- 1.3.1. Name
- 1.3.2. Title
- 1.3.3. Office Telephone Number
- 1.3.4. Cellular Telephone Number
- 1.3.5. E-mail address

1.4. Verification: Provide a Notarized Oath and Affirmation on Design-Builder's Letterhead that reads as follows:

**"OATH AND AFFIRMATION**

I affirm under the penalties of perjury that the facts and information included in this Verified Statement of Qualifications are true and correct to the best of my knowledge and belief.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_  
(Name of Design-Build Entity)

By: \_\_\_\_\_

(Title of Individual Signing)

**ACKNOWLEDGEMENT**

State of \_\_\_\_\_ )

) SS:

County of: \_\_\_\_\_ )

\_\_\_\_\_ being duly sworn, deposes and says that he/she is \_\_\_\_\_ of the above \_\_\_\_\_

(Name of Individual)

(Title)

(Name of Organization)

and that the statements contained in this Verified Statement of Qualifications are true and correct.

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_

My Commission Expires \_\_\_/\_\_\_/\_\_\_

County of Residence \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

## **Tab 2: EXECUTIVE SUMMARY**

Provide a concise statement that summarizes the reasons, in accordance with the stated evaluation criteria, why this team should be considered a highly qualified Design-Builder.

## **Tab 3: ORGANIZATION AND LEADERSHIP**

3.1. What is the business organization of the Design-Build Entity?

- Integrated Team:** Design-Build Entity includes both design and construction services as employees of the Design-Build Entity. Services not performed by the Design-Build Entity are subcontracted to the Design-Build Entity.
- Integrated Team with a Teaming Agreement:** Design-Build Entity includes both design and construction services as employees of the Design-Build Entity. Services not performed by the Design-Build Entity are subcontracted to the Design-Build Entity, with key subcontractors and subconsultants performing under a teaming agreement. If so, provide a copy of the Teaming Agreement behind Tab 1, with other supplementary information.
- Sole Services:** Design-Build Entity holds the Contract with the Owner and all other team members are subcontracted to the Design-Build Entity.
- Sole Services with a Teaming Agreement:** Design-Build Entity holds the Contract with the Owner and all other team members are subcontracted to the Design-Build Entity, with some key members of the team participating under a formal teaming agreement for the pursuit of the project. If so, provide a copy of the Teaming Agreement behind Tab 1, with other supplementary information.
- Joint Venture:** A special business entity has been formed to serve as the Design-Build Entity expressly for this Project. If so, provide full disclosure of the composition of the Joint Venture, including identification of the individuals that will assume the mantle of responsibility and liability for the project.
- Other:** Provide full description.



3.2. List all the entities, including prime & trade contractors, architectural and engineering firms, as well as any other sub-consultants, suppliers, etc. that will be a part of the team at any point in the duration of the project. Provide the following information for each:

3.2.1. Role of the entity in the project

3.2.2. Point of engagement with the team:

Currently a full member of the team

Currently a conditional design-assist member of the team.

*Describe the basis upon which this team member will be fully engaged, and the timing for full engagement to occur.*

Will become engaged after the draft RFP is issued and prior to the submittal of a Design-Build Proposal

Will become engaged after award of the Design-Build Contract

3.2.3. Name of the entity

*If the entity is not currently a full member of the team, list all of the entities under consideration for this position on the team.*

3.3. Provide the following information about the individuals in key leadership roles for the project:

3.3.1. Individual's Name

3.3.2. Company / Title / Role on this Project.

3.3.3. Education and Training.

3.3.4. Professional Registrations and Certifications.

3.3.5. Professional Experience, Representative Projects and Particular Talents.

3.3.6. Responsibilities, other than this project, that will run concurrently with this project.

3.3.7. Tenure this person has with the company, and in the current position.

3.4. Provide a responsibility chart and narrative that indicates how the Design-Builder's team will function, and how it will interface with Warren County, its vendors and consultants. Note that Trevor Hearn, Warren County Director of Facilities will serve as primary Owner contact.

3.5. Describe your management plan for this project.

3.5.1. What processes and procedures will you employ that will ensure success for this project?

3.5.2. Describe how the Design-Builder will maintain project budgets and communicate project cost with the Owner in a design-to-budget Design-Build process.

3.5.3. Describe how the Design-Builder will guide the Owner through making trade-off decisions that will result in a final design that optimizes the tension between maintaining the initial project budget and selecting systems and components that may have the overall lowest total cost of ownership, but a higher initial cost.

3.5.4. Describe how the Design-Builder will maintain project schedules.

3.5.5. Describe how the Design-Builder will maintain a healthy and safe optimum project site and Community environment during the execution of the Design-Build project.

3.5.6. Describe how the Design-Builder will drive early integration and cohesion, both within its team and with the Owner's prime stakeholders for the project.

3.5.7. Describe how the Design-Builder will bring the "voice" of the Trade Contractors to a point of positive influence during the design-phases of the project.

3.5.8. Describe how the Design-Builder will manage quality assurance and quality control in the design-build process, including both design and construction phases of the project.

- 3.6. Provide a statement that the Design-Builder and/or team members have the licenses, registrations and credentials required to design and construct the project.
- 3.6.1. List the names of all professionals who will provide the certifications necessary for this project and provide proof of certification of each.
- 3.6.2. List the names of any individuals or entities that hold trade licenses or certifications that are needed for this project and provide proof of each.
- 3.6.3. List the names of any individuals or entities on the Design-Builder's team who have ever been involved in debarment, disqualification or removal from a federal, state or local government public works project. Include the names of any individual or company that has had its license suspended or revoked.
- Disclosure of any such events occurring prior to December 19, 2012 is not required.
  - Provide an explanation of the situation and any extenuating circumstances or remediation that otherwise would qualify the individual or entity to serve effectively as part of the Design-Builder's team for this project.
  - If there are no such circumstances, please indicate so.
- 3.6.4. Disclose any association or other circumstance that could be construed as a conflict of interest with the Owner, its consultants and established vendors. If you do not believe there to be any such circumstances, please indicate so.

**Tab 4: GENERAL QUALIFICATIONS**

- 4.1. Provide Financial Statements for the Design-Builder that is specific enough in detail so that the Owner's Evaluation Committee can make proper determination of the Design-Builder's capability for completing the project if awarded.
- 4.1.1. Provide Audited Financial Statements for the past two (2) full years [2016, 2015].
- 4.1.2. Provide a Balance Sheet for the current year [2017] that is no more than three (3) Months old.
- Note: The Audited Financial Statements may be bound in only the Original SOQ Submittal, and may, upon submitting Design-Builder's request, be redacted from any Freedom of Information inquiry from a party other than Warren County, Ohio.
- 4.2. Provide a Statement containing information concerning any bankruptcy or receivership, past or present of the Design-Builder or a member of the Design-Builder's team. If no such condition exists, provide a statement attesting to that fact.
- 4.3. Provide an account of any history of litigation and formal disputes between any Public Entity Owner, or any other Owner, and the Design-Builder or any member of the Design-Builder's team.
- 4.3.1. Provide a list of all outstanding or past judgments or lawsuits against the Design-Builder, its team members and/or Owners.
- 4.3.2. Provide a summary of any mediation or arbitration history of the Design-Builder and its team members in the past ten (10) years.
- 4.4. Provide a summary statement that the Design-Builder has the capacity to obtain all required Payment and Performance bonding, liability insurance, and errors and omissions insurance. Provide validation of that fact with the information requested below:
- 4.4.1. Provide a letter from Surety indicating that the Design-Builder has the capacity to Bond a project of at least \$3,500,000 in value.
- 4.4.2. Provide Certificates of Insurance demonstrating compliance with the following minimum coverage for Worker's Compensation & Liability Insurance:
- |                                  |                      |
|----------------------------------|----------------------|
| Employer's Liability:            | \$1,000,000          |
| <i>Bodily Injury by Accident</i> | <i>each accident</i> |
| Employer's Liability:            | \$1,000,000          |
| <i>Bodily Injury by Disease</i>  | <i>policy limit</i>  |
| Employer's Liability:            | \$1,000,000          |
| <i>Bodily Injury by Disease</i>  | <i>each employee</i> |

4.4.3. Provide Certificates of Insurance demonstrating compliance with the following minimum coverage for Commercial General Liability Insurance.

General Aggregate Limit (per job): <i>Other than products/completed operations</i>	\$2,000,000
Products / Completed Operations:	\$2,000,000
Personal & Advertising Injury Limit:	\$1,000,000
Each Occurrence Limit: <i>completed operations</i>	\$1,000,000

4.4.4. Provide Certificates of Insurance demonstrating compliance with the following minimum coverage for Professional Services (Errors & Omissions) Liability Insurance.

Per Claim: <i>Minimum 3-year extended reporting or continuation of coverage for 3 years following Date of Final Completion.</i>	\$2,000,000
--	-------------

4.4.4.1. Provide verification of a minimum three-year carry-over of Professional Services Liability Insurance coverage or similar length extended reporting period from the date of Substantial Completion.

4.4.5. Provide Certificates of Insurance demonstrating compliance with the following minimum coverage for Comprehensive Auto Liability Insurance.

Single Limit – each accident: <i>Owner, Hired &amp; Non-Owned Bodily Injury &amp; Property Damage</i>	\$1,000,000
--	-------------

4.4.6. Provide Certificates of Insurance demonstrating compliance with stated minimum coverage for Umbrella Excess Liability Insurance.

Each Occurrence & Aggregate: <i>Must provide umbrella coverage for all forms of insurance listed above.</i>	\$3,000,000
--	-------------

4.5. Provide the following information to allow the Owner's Evaluation Committee to evaluate the Design-Builder's safety performance record. Provide this information for the firm that will be providing the umbrella of leadership responsibility and liability for the Design-Builder. Design-Builders must validate their on-going safety program in one of the following ways:

4.5.1. Document that the Design-Build Entity has established and maintained a participating membership status in a recognized industry construction safety programs:

4.5.2. Provide information about the Design-Build Entity's safety program:

4.5.2.1. Provide one (1) copy of the Design-Builder's Occupational Safety and Health Administration (OSHA) Form 300A, Summary of Work-Related Injuries and Illnesses for each of the three calendar years preceding the current year. Provide an accompanying explanation of the nature of injuries or illnesses reported on OSHA Forms 300A

4.5.2.2. Provide Design-Builder's SIC (Standard Industrial Classification) and/or NAICS (North American Industrial Classification System) Codes as defined by the U.S. Department of Labor's Bureau of Labor Statistics (BLS).

4.5.2.3. Provide documentation and a summary of the Design-Builder's on-going Safety and Training plans that are most pertinent to this project. (Note: A copy of the cover and Table of Contents of the Design-Builder's safety plan will generally suffice for compliance with this requirement.)

4.6. Provide documentation of Design-Builder's current Experience Modifier Rate (EMR) for each of the past three (3) calendar years [2016, 2015, 2014].

4.7. Provide documentation of Design-Builder's illness and injury total recordable case incidence rate (TCIR/TRIR) for each of the past three (3) years [2016, 2015, 2014].

4.8. Provide documentation of Design-Builder's illness and injury days away, restricted, or transfer case incident rate (DART) for each of the past three (3) years [2016, 2015, 2014].

- 4.9. Provide a statement regarding any prior serious, repeat, willful, or criminal violation of the federal Occupational Safety and Health Act of 1970 and any equivalent violation under a state plan authorized under Section 18 of the federal act that has become a final order for the Design-Builder or any member of the Design-Builder's team. If no such violations exist, provide a statement attesting to that fact.
- 4.10. Please include information required in Paragraph 3.3 for the person primarily responsible for safety on this project.
- 4.11. Provide a statement affirming the Design-Builder's current status of enrollment in the Federal E-Verify program, as well as the Design-Builder's ability to sign the Owner's E-Verify affidavit.
- 4.12. Provide a copy of the Design-Builder's written corporate non-discrimination policy.
- 4.13. Provide a copy of the Design-Builder's written employee drug testing program.

## **Tab 5: EXPERIENCE AND PERFORMANCE RECORD**

- 5.1. How long has your firm been involved in the Design-Build profession? Please provide an overview of your company's history in providing professional services for Public Owners in Ohio.
- 5.2. What experience do the team members identified for this project have in providing Design-Build services for projects of similar size and scope as the proposed project?
- 5.3. What experience do the team members identified for this project have in working together successfully on other projects of similar size and scope as the proposed project that have used delivery methods other than Design-Build?
- 5.4. Submit a list of up to five similar facilities designed / constructed by the Design-Builder and Design-Builder's team that are most representative of the experience required for this Project. For each project, provide the following information:
  - 5.4.1. Name of the Project
  - 5.4.2. A brief description of the project. Why did you include it as an example?
  - 5.4.3. Type of project delivery used
  - 5.4.4. Design-Build Entity's role in the Project
  - 5.4.5. Other Design-Builder's teammates roles in the Project
  - 5.4.6. Legal name of Owner
  - 5.4.7. Owner's Contact Person (Name, title, telephone, e-mail)
- 5.5. Provide a matrix citing the involvement those individuals identified in response to questions 3.3 and above had with the projects cited in response to question 5.4 above.
- 5.6. Has your firm ever failed to complete a project? If the answer is "yes", please explain.
- 5.7. Provide a summary statement that the Design-Builder and/or team members have completed or demonstrated the experience, competency, capability to complete projects of similar size, scope or complexity; and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the project
  - 5.7.1. Provide specific examples that serve to validate the statement required in the above paragraph.

## **Tab 6: ADDITIONAL REFERENCES**

Please provide at least three additional references from Owners other than those listed in response to question 5.4 above.

## **Tab 7: COLLATERAL MATERIAL**

Include any other material you feel would help the Owner's Evaluation Committee understand and appreciate your capabilities and unique distinction that would make the Owner's Evaluation Committee consider you most highly qualified to serve as Design-Builder for this project.

*(Note: There is no requirement to include any collateral material. If any is included, it is at the prerogative of the Design-Builder. Any and all collateral material should be placed behind Tab 7*



# Exhibit A

## Notice of Request for Qualifications

---

### NOTICE OF REQUEST FOR QUALIFICATION FOR DESIGN-BUILD CONTRACT

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**K2M Design, Inc.**  
3121 Bridge Avenue  
Cleveland, Ohio 44113  
**Daniel D. Rawlins**, RA, DBIA  
*Project Manager*  
(317) 441-7905 Mobile  
(317) 419-5440 Office  
[drawlins@K2MDesign.com](mailto:drawlins@K2MDesign.com)

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Dated: November 22, 2017  
Warren County, Ohio  
By: Tina Osborne, Clerk