



Shoalwater Bay Indian Tribe

REQUEST FOR PROPOSAL

FOR A

DESIGN-BID-BUILD PROJECT

UPLAND RELOCATION ROAD AND HOUSING PROJECT

RFP #: SBIT-2024-2 (Revised)

Date of Issuance: 6/26/2024

Proposal Due Date & Time: 07/31/24 by 4:00pm Pacific Time

Pre-Proposal & Site Visit Conference:

Date and Time: 07/10/24 at 10:30am Pacific Time

To be held at:

Shoalwater bay Tribe's Administration Building

2373 Tokeland Rd.

Tokeland, WA 98590

PART 1 - PROJECT INTRODUCTION AND INSTRUCTIONS FOR OFFERORS

1.0 Procurement Overview

The Shoalwater Bay Indian Tribe under an award by the Housing and Urban Development's (HUD) Indian Housing Block Grant Competitive (IHBGC) in the amount of \$6,167,683 submits this Request for Proposals ("RFP") to solicit design-bid-build proposals ("Proposal(s)") from offerors or bidders ("Offeror(s)") interested in contracting to serve as the Project Manager, Engineer of record, Architect, and Construction Manager herein referred to as ("Consultant") for work to cut in and develop a two-lane paved road as an expansion of the existing Eagle Hill Road along with the neighborhood development of utilities, 3 lots, and the building of 2 duplexes located on tribal trust land at coordinates of 46.728340; -124.029483. The purpose of this RFP is to determine which Offeror will be awarded the Consultant contract ("Agreement" or "Contract") for the Project.

1.1 Project Introduction and Overview

The Planning Department is issuing this RFP to engage a Consultant to complete preconstruction including project management/planning, geotechnical investigations, design survey, environmental reviews, roadway design, architectural design, site design, wetland mitigation, and utility and water system design. The selected Consultant's team will need to include an architect/engineer and the Consultant shall be required to implement the approved drawings, providing all labor, materials, supervision, and other services as may be necessary to accomplish the Project (collectively the "Work"). All work will be done following HUD requirements including but not limited to 24 CFR 1000 or which activities are subject to environmental review provisions set out at CFR 1000.18 – 1000.24. The preconstruction work will be followed by the Consultant providing construction management of the Road, Site Development, Utility, and Housing Construction. This project is a part of the phased relocation efforts of the Tribe, and the Consultant will coordinate this project with Consultant(s) who may be working on other phases of the relocation project. In this solicitation, the Tribe is seeking the support of a qualified Consultant to provide the Project Management, Planning, Engineering, Architectural and Construction Management for the project. The following information is provided to identify the entirety of the project as the Tribe would like to see it implemented and it includes information on the Construction of the project, which will be bid out under separate solicitation once the Engineering and Architectural bid packages are complete.

1.2 Project Background

The Tribe is relocating its village, and the first project will be cutting in a road that will consist of

the upgrading of an existing primitive logging road into a 24-ft. wide paved road with a typical section consistent with a rural minor collector. This phase extends the existing Eagle Hill Road to provide approximately 0.67 miles of new paved roadway widening the existing Eagle Hill gravel road. The Tribe's current Emergency Operations Center is located at the south end of the proposed road improvements. This road continues the 24-ft. wide paved typical section and includes a scenic overlook turnout just west of the existing water tank. The road will provide paved access to the dirt road of BIA Route 0003, and residential roadways for the first neighborhood. Necessary utility improvements will be included as "dry lines" to minimize any future trenching or excavation of the completed roadway.

1.3 Project Budget and Funding Limitations

Services at a minimum shall be completed as set forth below:

Phase 1 Preconstruction:

- Roadway Design
- Residential Site Design
- Architectural Design
- Geotechnical Investigations
- Design Survey
- Environmental Compliance
- Wetland Mitigation
- Water System Expansion Feasibility Study/Design
- Cost of project/construction management for parts 1, 2, and 3.

Phase 2 Road Construction & Water Utilities:

- Construction and Mobilization
- Clearing and Grubbing
- Roadway Surveying
- Roadway Excavation with Haul
- Embankment Completion
- Water supply including tank, pumps, & pipes
- Concrete curb, gutter, and sidewalk installation

Phase 3 Housing Construction:

- Site Improvements
- Broadband and Electrical Service development
- Construction of two duplexes

1.4 Milestones and Substantial Completion Date

The total project timeline is 60 months.

- Phase 1 Preconstruction: To be completed within 12 months of NTP.
- Phase 2 Road and Utility Construction: To be completed within 36 months of the project period.
- Phase 3 Housing Construction: To be completed within 60 months of the project period.

1.5 Tribally-Designated Point of Contact

The Tribe's sole point of contact ("POC") for matters related to this RFP is the only individual authorized to discuss this RFP with any interested parties, including Offerors. All communications with the Department's POC about the Project or this RFP shall be sent in writing to:

Name:	Risa Thomas
Title:	Community Development Coordinator Tribal Climate Resilience Coordinator Shoalwater Bay Indian Tribe
Mailing address:	P.O. Box 130 Tokeland, WA 98590
Phone:	306-267-8252
E-mail:	rthomas@shoalwaterbay-nsn.gov Cc all email to: solicitations@shoalwaterbay-nsn.gov

The Tribe disclaims the accuracy of information derived from any source other than the Tribe's POC, and the use of any such information is at the sole risk of the Offeror. All communications and requests for information shall be submitted by the Offeror's point of contact identified in the Submission. Written communications to the Planning Department from Offerors shall specifically reference the correspondence as being associated with the Upland Relocation and Housing Project and RFP#SBIT-2024-2

1.6 Consultant Designated Point of Contact

All Offerors responding to this RFP shall provide the name, address, phone number, and email address of its designated point of contact to the Planning Department’s POC as part of its proposal. Offerors shall notify the Planning Department of any changes in the Offeror’s designated point of contact’s information. Notification of change(s) may be communicated by email and shall be as soon as practicable following the event(s) causing the change(s). Failure to identify a designated point of contact in writing may result in the Offeror failing to receive post-bid addenda or other important communications from the Planning Department, for which the Planning Department shall not be responsible.

1.7 Procurement Schedule and Project Milestones

The Tribe anticipates conducting the procurement of the Project in accordance with the following list of milestones leading to the award of the Agreement. The schedule is subject to revision and the Planning Department reserves the right to modify this schedule as it finds necessary, in its sole discretion.

1.7.1 Schedule of Selection

RFP Released.....	6/21/24
RFP Revision Released.....	6/26/24
Pre-proposal and Site Visit Conference.....	7/12/24 at 10:30am PT
Deadline to Submit Questions (in writing)	7/17/24
Responses to Questions (posted on the website no later than date)	7/24/24
Proposals Due.....	7/31/24 by 4:00pm PT
Completed Review Proposal Submissions.....	8/16/24
Notice of Selection.....	8/23/24
Complete Contract Negotiations.....	8/30/24
Contract Executions/NTP.....	9/06/24
Construction Bidding.....	1/31/26
Project Completion Date.....	6/30/28

*Dates are subject to change at any time by the Tribe.

1.8 Proposal Requirements

The proposal must contain the following components. Additional information that may prove beneficial to the Tribe during the rating and awarding process is welcomed. Proposers are asked to refrain from submitting proposals that will not be easily duplicated such as those with spiral binding, photos, and fold-out or other larger than letter-size paper. Proposals in excess of 50 pages will not be reviewed excluding resumes and certifications.

1. Contact name, address, telephone number, fax number, and email address.
2. General overview of the firm's company profile and qualifications, including experience with Design-Build projects and knowledge of HUD guidelines and requirements.
3. Project approach and methodology, including detailed work plan and timeline.
4. Detailed description of skills, experience, and ability to meet project requirements including identification and designation of roles/responsibilities of key project staff.
5. Detailed description of the approach to the project including all the requirements listed below.
6. Detailed project timeline and deliverables.
7. Cost proposal, including hourly rates and estimated total cost for the project.
8. Client references including project type, dates, contact info and description. (Provide references of similar related projects or services performed)
9. Statement of acceptance to perform services in compliance with FEMA Grant Program, Shoalwater Bay tribal policies and procedures as well as other grant funder and/or tribal requirements.
10. Statement addressing minority, women, and/or Native American business ownership (if applicable)
 - a. (Extra points are awarded for ownership by a minority, women, or Native American)
11. Must meet the requirements detailed above. Proposals should clearly demonstrate how the proposer meets or exceeds these requirements.

1.9 Evaluation Factors and Scoring

1. Selection Procedures: The Shoalwater Bay Indian Tribe is utilizing a formal advertising of Request for Proposals awarded to the most highly rated proposal subject to negotiation of fair and equitable compensation. All timely responses to this RFP will be considered. The Shoalwater Bay Indian Tribe reserves the right to reject any or all proposals.
2. In the case of duplicate proposals, the earliest postmarked envelope will be considered unless otherwise advised in writing by the applicant that the later proposal is the appropriate one to review.
3. Method of Review: The Shoalwater Bay Indian Tribe and their authorized representatives will review all proposals received and may contact the party to request further information. The Shoalwater Bay Indian Tribe may accept any given proposal as submitted or may negotiate with the party to establish terms most advantageous to the Tribes. The decision of the Shoalwater Bay Indian Tribe shall be final and not subject to appeal.
4. Method of Scoring: All proposals received on time will be evaluated and scored in the following categories:

- a. Scope of Work, Project understanding, work plan, and schedule, thoroughness of material submitted (60 points possible)
- b. Cost estimate (25 points possible)
- c. Experience and qualifications of key staff assigned to project, completion of projects similar in scope, experience working with Tribes (15 points possible)

Additional Preference Points Possible:

- d. Tribal Preference (10 points possible)
- e. MBE/WBE/DBE Preference (5 points possible)

100 TOTAL POINTS POSSIBLE (*not including possible Indian preference points or DBE's, WBE's and MBE's points) **In the event that more than one preference category applies, the highest preference category would be applied to the scoring.**

PART 2 - PROJECT REQUIREMENTS

2.0 Scope of Work

Under this RFP, the Tribe will engage a Consultant to provide any and all Preconstruction services required to design and complete the Project. Please see Exhibit A for map.

Generally, the Consultant's responsibilities shall include, but will not be limited to the following:

1. To provide all investigation, and preconstruction services necessary to implement the goals of the Project inclusive of, but not limited to, the following: civil, architectural, electrical, structural, and mechanical design services as required for the Project; construction management services inclusive of budgeting, value engineering ("Value Engineering"), scheduling, project administration, management and coordination of subcontractors.
2. To conduct subsurface investigation work if and as required for the Project.
3. To furnish and provide all materials, management, personnel, equipment, hazardous material abatement, supervision, labor, and other services necessary to complete the Project.

2.1 Consultant's Duties; General Intent

The Consultant will be required to work with the Tribe through a collaborative design process to develop Bid Sets for the Project under the available budget. The Consultant will be required to engage in extensive preconstruction efforts to ensure that the design is developed in a manner consistent with the Department's goals for the Project (e.g., programmatic, budgetary, schedule and quality); to solicit competitive trade bids for the construction work and to develop an acceptable guaranteed maximum price and corresponding scope and schedule for the work; and to assist the

construction contractor to implement the requisite deconstruction/construction and other work. The Consultant shall be responsible for delivering the project services herein.

Design and Preconstruction Phases and Construction Management.

2.1.1 Initial Deliverables

Once evaluation of all proposals submitted for RFP #: SBIT-2024-2 are complete, contract will be awarded to the selected Consultant. The Design and Preconstruction Phases will start from the issuance of the Notice to Proceed (NTP) by the Tribe.

The Consultant's responsibility shall include, but will not be limited to the following:

2.1.1.1 Baseline Schedule. Within twenty-one (21) days after the NTP is issued, the Consultant shall prepare and submit a Baseline Schedule for the Project (the "Baseline Schedule"). The Baseline Schedule shall be subject to review and approval by the Tribe and the Consultant shall incorporate such adjustments to the Baseline Schedule as may be reasonably requested by the Tribe. The Baseline Schedule shall be prepared in a critical path method ("CPM") in a sufficient level of detail to permit the Tribe, the Consultant, and any other affected parties to properly plan the Project. The construction phase will be bid under separate process and the Construction Contractor will provide a Baseline Schedule that shall show (i) key design milestones and bid packages; (ii) release dates for long lead items; (iii) release dates for key subcontractors; and (iv) Substantial and Final Completion Dates. The Baseline Schedule shall include durations and logic ties for those building systems that the Construction Contractor, Engineer of Record, and Architect are recommending for replacement.

2.1.1.2 Additional Preconstruction Services. In addition to those items enumerated above, the Consultant shall provide such preconstruction services as are necessary to properly advance the Project. These services shall include, but are not limited to, scheduling, estimating, drawings, archeological studies, recommended testing, additional geotechnical testing, and monitoring of historic assets. The Consultant shall conduct a Phase I archeological survey of the site in accordance with Historic Preservation Officer's (SHPO) standards and guidelines for archaeological survey current at the time of the investigation, in accordance with the standards of Historic Preservation Office, and present all findings in a report to the Tribe within thirty (30) days of the NTP. The Consultant must contact SHPO for guidelines.

2.1.1.3 Deliverables Liquidated Damages. The selected Consultant acknowledges that the Tribe will be engaging the Construction Contractor to provide a thorough review of the Design Package and Bid Documents generated during the preconstruction phase of the project and the Construction Contractor will provide a

bid that will follow the requirements of the design and minimize the potential for cost overruns, schedule delays or the need for extensive Value Engineering/re-design late in the Project and that the deliverables required under this **Section 2.1.3** are key to identify the value of such services. In the event the Construction Contractor fails to deliver any of the deliverables required in executed Construction Contract (and unless such failure is the result of any event of Force Majeure), the Construction Contractor shall be subject to liquidated damages in an amount Five Hundred Dollars (\$500) per day after receiving written notice from Planning Department of failure to submit such deliverables. This will be reiterated in the Construction Contract executed with the selected Construction Contractor.

2.1.2 Design Management. Between the time the

NTP is issued and the time the GMP is accepted by the Tribe, the Consultant shall use commercially reasonable best efforts to ensure that: (i) the design evolves in a manner that is consistent with the Department's budget and programmatic requirements, as the same was defined and established by the Department at the NTP; (ii) the design work is properly coordinated; and (iii) the required design deliverables are produced on or before the dates contemplated in the project schedule. As part of this undertaking, the Consultant shall provide the following:

2.1.2.1 Design Development. The Consultant shall prepare a set of design development documents for each of Part 1 and Part 2 (each set "Design Development Documents") that is consistent with the Department's schedule, budget and programmatic requirements. The Design Development Documents shall contain at least the level of detail contemplated in the standard contract and shall contain such detail as is typically required for design development under Best Practices. The Tribe shall have the right to disapprove the Design Development Documents submittal for any reason. The design development submittal shall include at least the following:

1. Draft specifications for materials, systems, and equipment, if applicable;
2. Complete code compliance analysis and drawing;
3. Space-by-space equipment layouts for key spaces. As part of the design development phase, the Consultant and/or the Architect and any design consultants shall confer with representatives from the Tribe regarding these layouts to confirm that they are acceptable to the Tribe as appropriate;
4. A preliminary layout for equipment;
5. Present the design to any regulatory agencies as required
6. Participate in community meetings.

7. Participate in all other required meetings as necessary. The Consultant shall be responsible for acting as recorder for all such meetings.

2.1.2.2 Permits. The selected Construction Contractor shall be responsible for preparing and submitting all of the required permit applications that are necessary to complete the Project. The Construction Contractor shall develop a list of the required permits and shall track the progress of all such permits through the review process. The Construction Contractor shall update the Department with the status of each permit that is required for the Project. The Construction Contractor shall engage such permit expeditors, as the Construction Contractor deems necessary or appropriate in light of the Project's schedule.

2.1.2.3 Entitlements. The Construction Contractor shall prepare such materials and make such presentations as are necessary to obtain the required permits.

2.1.3 GMP Formation The Consultant will provide their GMP for Pre-design, Design, and Construction Management Services and the Construction Contractor shall prepare their GMP for the Construction phase through the bidding process based on the prepared Engineering and Architecture Estimates and Bid documents as set forth in the PS&E and Bid Package and the Construction Contractor will provide a detailed bid for consideration. The GMP shall be agreed upon in the manner outlined in Section 2.2.3.

2.1.3.1 Consultant will develop full bid documents and aid the Tribe in the solicitation of Construction Bids. A copy of this deliverable shall be provided to the Planning Department.

2.1.3.2 Manage Bidding Process. Consultant will develop full bid documents and aid the Tribe in the solicitation of Construction Bids. Once approved the Tribe and Consultant will follow the established procurement policies of the Tribe and HUD to solicit bids for construction.

2.1.3.3 Prepare Bid Tabs. The Consultant will develop bid tabulations and review all submitted Construction Contractor Bids with the Tribe. The Consultant will prepare a recommendation selection technical memo for the Tribe's review to support their selection of the Construction Contractor. In general, the bid tab shall be presented in tabular format that compares the bids received and any other relevant information (i.e. exclusions, past performance history, etc.)

2.1.3.4 Submission of GMP Proposal. Based on the trade bids, the Construction Contractor shall submit a GMP Proposal to the Planning Department. The GMP Proposal shall include the following elements:

1. A list of drawings, specifications, addenda, general, supplementary and other conditions on which the Guaranteed Maximum Price is based.
2. A list of unit prices and allowance items and a statement of their basis.
3. Assumptions and clarifications made in preparing the GMP Proposal, noting in particular any exclusions. The assumptions and clarifications shall take precedence over the drawings and specifications. The Construction Contractor shall prepare a separate memorandum that highlights any differences between the then-approved drawings and the modifications made in the assumptions and clarifications. Such memorandum shall specifically address any changes in the Project aesthetics, functionality, or performance.
4. The proposed GMP, including a statement of the detailed cost estimate organized by trade categories, allowances, contingency, and other items and the fees that comprise the GMP.
5. An update to the Project's schedule to which the Construction Contractor will agree to be bound. This update shall be prepared in the same level of detail and in the same manner as the Baseline Schedule.
6. A subcontracting plan setting forth the names and estimated dollar volume of the work that will be performed by the subcontractor.
7. The Construction Contractor shall submit the full preconstruction package and during a preconstruction meeting with the Planning Department and Consultant, will present the construction plan components as identified.

2.1.3.5 Approval of GMP. The Tribe and the Construction Contractor shall meet to negotiate the terms of the GMP Proposal. If the GMP Proposal is acceptable to the Department, the Department shall submit the resulting GMP amendment to the Shoalwater Bay Indian Tribe's Tribal Council. **The GMP shall be subject to review and approval by the Shoalwater Bay Indian Tribe's Tribal Council in the event it exceeds the previously approved not-to-exceed limit established in the Agreement by more than \$100,000.00. In such event, the GMP shall not be effective until so approved.** In the event that the Department and the Construction Contractor are unable to agree upon the GMP or the schedule for the Project, the Department shall have the right to terminate the Agreement and assume any trade subcontracts held by the Construction Contractor.

2.1.3.6 Self-Performed Work. The Consultant and Construction Contractor and its affiliates may not carry out trade work with its own forces without the Department's written permission, which permission may be withheld or conditioned by the Planning Department in its sole and absolute judgment.

3.1 Provisions

- 3.1.1** The selected Consultant and Construction Contractor will be required to submit to and satisfactorily pass a background investigation that, at a minimum, confirms they are not on the federal debarment list.
- 3.1.2** The selected Construction Contractor will be required to provide a performance bond for coverage of 100% of the contract price.
- 3.1.3** If required, all parties must submit with their proposals a statement detailing their employment and training opportunities and their plan for providing preference to Indians. All contractors must observe the Shoalwater Bay Indian Tribe's preference policy.
- 3.1.4** The Shoalwater Bay Indian Tribe shall conduct all procurement transactions in a manner that provides fair, full, and open competition.
- 3.1.5** The Shoalwater Bay Indian Tribe shall provide fair and equitable treatment for all persons or firms who are in the business of supplying goods and services.
- 3.1.6** The Shoalwater Bay Indian Tribe wish to assure that supplies, services, and construction are procured efficiently, effectively, and at the most favorable prices available.
- 3.1.7** Preference shall be given to Indian organizations and Indian-owned economic enterprises in the award of contracts and subcontracts if applicable. 24 CFR 1000.52(c)(4) 24 CFR 1003.510(d)(4)
- 3.1.8** The Shoalwater Bay Indian Tribe shall take reasonable affirmative steps to assure that DBE's, WBE's, and MBE's are used when possible but without infringing on Indian preference where Indian preference is applicable.
- 3.1.9** The Shoalwater Bay Indian Tribe shall not use federal grantor funds to do business with any entity who is disbarred in accordance with the Federal Government Debarment list.
- 3.1.10** Request for Proposals may be terminated by The Shoalwater Bay Indian Tribe at any time for cause.
- 3.1.11** Each party submitting a proposal certifies that he/she has not colluded with any other person, firm, or corporation regarding securing the services being solicited.
- 3.1.12** No employee, Officer, or agent of the Shoalwater Bay Indian Tribe may solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontractors.
- 3.1.13** Negotiation: Provisions not addressed by this solicitation will be negotiated with the professional once a selection has been made.
- 3.1.14** Agreement: The selected professional will enter into an enforceable agreement that fully conforms to the contracting provisions pursuant to OMB 2 CFR 200 and any specific applicable HUD regulations found at 24 CFR Part 1000. Copies of these requirements are online at <https://www.gpo.gov/fdsys/granule/CFR-2014-title2-vol1/CFR-2014-title2-vol1-sec200-320>

3.1.15 The Shoalwater Bay Indian Tribe will comply with HUD's environmental review and clearance requirements as outlined in CFR Part 50 and Part 58.

3.1.16 The procurement transactions will be completed in a manner that prohibits the use of statutorily or administratively imposed geographical preferences.

3.1.17 Awards will be made to responsible and responsive bidders possessing the ability to perform the work successfully. 2 CFR 200.318(h)

3.1.18 Sufficient records will be maintained to detail the significant history of the procurement. 2 CFR 200.318(i)

Exhibit A

