

REQUEST FOR QUALIFICATIONS RFQ #23-36

ROCKDALE COUNTY, GEORGIA

March 19, 2024

Building Commissioning Services - Rockdale County Judicial and Administrative Complex



**ROCKDALE COUNTY FINANCE DEPARTMENT
PROCUREMENT OFFICE
958 Milstead Avenue
CONYERS, GA 30012
770-278-7552**

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List of Exhibits

Exhibit A – Addenda Acknowledgement Form

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Exhibit D – Contractor Affidavit under O.C.G.A

Exhibit E – Fee Proposal Information Sheet

FACT SHEET

Owner	Rockdale County Board of Commissioners
Date of Issue	Tuesday, March 19, 2024
Last Day to Submit Questions	Thursday, April 4, 2024, at 2:00PM EST
Last Day for Responses	Monday, April 8, 2024, at 2:00PM EST
Qualifications Due Date	Thursday, April 11, 2024, at 2:00PM EST
Copies of Qualifications Required	(1) Hard copy and (1) electronic PDF on a USB drive
Qualifications Submission Location	Rockdale County Finance Department Procurement Division, Attn: Adrienne Brown 958 Milstead Avenue NE Conyers, GA 30012
Owner Notifies Finalist Firms	Thursday, April 25, 2024
Site Location	Olde Town Conyers
Interview Date	Thursday, May 2, 2024
Anticipated Project Delivery Method	Construction Manager At-Risk
Construction Budget	\$82 Million
Desired Project Schedule	Currently in Schematic Design Phase. Guaranteed Maximum Price Documents (75% Construction Documents) to be produced by Q4 2024.

**Rockdale County
Judicial and Administrative Complex
Conyers, GA
Request for Qualifications (RFQ) – Building Commissioning Services**

1. PURPOSE**Purpose of Procurement:**

Rockdale County is seeking firms interested in providing Building Commissioning Services for the Rockdale County Judicial and Administrative Complex project. Instructions for preparation and submission of an RFQ are contained in this packet.

This Request for Qualifications (RFQ) seeks to identify potential providers of the above-mentioned project. All respondents to this RFQ are subject to instructions communicated in this document and are cautioned to completely review the RFQ, as well as follow instructions carefully. Rockdale County reserves the right to reject any or all Statements of Qualifications, and to waive technicalities and informalities at its discretion.

About Rockdale County:

Rockdale County is conveniently located east of Atlanta along the I-20 corridor. Rockdale County ranks 28th in population among Georgia counties and contains both urban, suburban, and rural areas in a small but strategic area of metro Atlanta. Rockdale has doubled in population in the past 30 years and is expected to continue to grow in both residential and commercial aspects in the next 20 years. As part of this expansion, Rockdale is upgrading and modernizing its facilities to achieve parity with current facility standards and requirements.

2. GENERAL PROJECT INFORMATION

New Courthouse: 96,000sf

New Administration Building: 73,000sf

Renovation of Existing Courts: 55,000sf

Precast Parking Deck: 240 spaces (expandable)

Plaza / Site Improvements

Square footage is approximate and will be refined early in the design process.

See hyperlink below for Judicial & Administrative Complex Task Force Master Plan.

<https://www.rockdalecountyga.gov/document/task-force-final-recommendation/>

Sustainable Design:

It is the desire of the Owner to incorporate sustainable design and construction concepts in the project where feasible to do so.

Project Delivery Method:

Construction Manager At-Risk

Equipment to be Commissioned:

Building Envelop, Rooftop Units, Ductwork, LNTs, VRF FCU and heat pumps, VRF piping systems, Exhaust Fans, Smoke exhaust system, Fire and Smoke Dampers (all fire dampers should be tested at the time of installation per NFPA 80) Building Automation System including calibration of space and equipment sensors, Plumbing, Lighting Controls, Power, and Emergency Power.

Construction Cost:

New Courthouse: \$43.2 Million

New Administration Building: \$28.2 Million

Renovation of Existing Courts: \$10.7 Million

Project Schedule:

The project is targeted for completion in January 2027. Firms must have adequate resources to deliver the complete scope of services to meet the project schedule. Currently, the project is in the Schematic Design Phase. Guaranteed Maximum Price Documents (75% Construction Documents) to be produced Q4 2024.

3. BUILDING COMMISSIONING AGENT REQUIREMENTS

The Owner desires commissioning for the project to ensure that all MEP systems as well as the building envelope are complete and will function properly when installed or constructed and that the facility staff has adequate system documentation and training.

Specific requirements of the Commissioning process and responsibilities, duties, and obligations of the Commissioning Agent (CxA) team are described in Section 3.1.1, Commissioning Tasks. To accomplish these tasks, the CxA shall be required to coordinate their activities with other entities. The Commissioning process does not take away from or reduce the responsibility of the Design Professional to provide a finished and fully functioning product. It is noted that the services of the Design Professional or Construction Professional and various subcontractors are NOT provided for under this Scope of Work and the CxA is not responsible for providing their services.

The CxA will not be responsible for design concept, design criteria, compliance with codes, design, or general construction scheduling, cost estimating, construction management, or construction supervision. The CxA may assist the Design Professional with design issues or problem solving, but ultimate responsibility for meeting the project objectives and requirements resides with the Design Professional.

3.1.0 DEFINITIONS

- BOD – Basis of Design
- CxA – Commissioning Agent
- Cx – Commissioning or Commissioning Process
- DP – Design Professional
- OPR – Owner's Project Requirements
- SOQ – Statement of Qualifications

3.1.1 COMMISSIONING TASKS OVERVIEW

For the purposes of this RFQ, commissioning tasks are separated into two phases. The first phase shall consist of the development of the Owner's Project Requirements document by the CxA and Review of the design professional's Basis of Design information to ensure consistency with the Owner's Project Requirements. The second phase of services shall consist of all tasks identified beyond the Owner's Project Requirements and Basis of Design documents. Typically, the Owner will contract with the CxA for the first phase and then at the Owner's sole discretion, will negotiate for phase two services and if agreeable, amend the CxA contract to include those additional services.

3.1.2 PHASE ONE TASKS

- Develop Owner's Project Requirements per the ASHRAE Standard 202-2018
- Review Owner's Project Requirements for completeness and clarity
- Review the DP's Basis of Design information and ensure consistency with Owner's Project Requirements

The OPR should contain the following items: general project information (size and schedule), training operations and maintenance requirements, building space and occupancies summary, and building performance criteria (energy, materials and resources, and indoor air quality).

The Basis of Design information will be used to satisfy the Owner's Project Requirements. The Basis of Design should include an overview of building systems, summer, and winter design conditions (interior and exterior), HVAC system selection, utilities, lighting, code and life safety requirements, budget, and special systems (pure water, air, etc.)

3.1.3 PHASE TWO TASKS

The following tasks (for MEP Systems and Building Envelope) will be accomplished by the CxA to provide Commissioning during the following phases of the project:

Design Phase

- Conduct a Design Phase Cx kickoff meeting.
- Develop preliminary Commissioning Plan, provide DP with draft.
- Coordinate with the Design Professional to incorporate commissioning specifications/requirements into the construction documents.
- Conduct Cx design reviews of drawings and specs at phases determined by Owner.
- Create commissioning deficiencies / issues log to be updated throughout Cx
- Complete checklist verifying that CxA has received the latest version of design documents.

Construction Phase

- Conduct a Construction Phase Cx kickoff meeting.
- Update commissioning plan as necessary
- Review contractor submittals applicable to systems being commissioned.
- Develop Construction checklists for equipment and systems to be commissioned.
- Develop functional test procedures and documentation formats for all commissioned equipment and systems.
- Develop and maintain site observation reports.
- Prepare Cx progress reports.
- Hold construction phase Cx meetings in conjunction with construction progress meetings (OAC meetings).
- Maintain Cx deficiencies / issues log.
- Verify Cx deficiency corrections.
- Review Requests for Information (RFI's) and changes for impacts on Cx.
- Review completed copies of factory or contractor provided pre-start up and start up test forms.
- Perform on-site validation of successful completion of Functional Performance Test (FPT)
- Maintain record of functional testing.
- Witness the Test and Balance (TAB) testing for completeness and accuracy.
- Review TAB report.
- Review Operation & Maintenance (O&M) manuals, as-built documentation, and training documentation
- Perform installation and walk-thru and prepare observation report.
- Review equipment warranties
- Review and participate in contractor provided training program for agency maintenance personnel.
- Verify that requirements for staff training are complete.
- Develop a system manual for commissioned systems.
- For Envelope Cx the following activities will apply:
 - o Review of building envelope mock-ups (roof, skin, windows, etc.)
 - o Observe or conduct envelope tests (water, sealant tests, wind load, etc.)
 - o Attending installation meetings as needed (pre-roof, curtain wall, exterior skin, etc.)
 - o Conduct envelope inspections and prepare observation reports during installation.

Occupancy and Warranty Phase

- Complete final Cx issues log that includes resolved and unresolved issues.
- Address concerns with operating facility and staff
- Verify the installation and performance of all commissioned systems no later than 2 months after substantial Completion.
- Complete final Cx Report
 - o Final Commissioning Report to contain all relevant information, correspondence, tests, data, findings, and summary for the entire project. Typical reports include an executive summary, Cx plan, Cx specifications, issues log and other logs, updates, design reviews, submittal reviews, site observations, TAB reports, history of training, and reports for each commissioned system.
- Coordinate or witness deferred and seasonal testing and balancing (typically two seasons).

3.1.4 SYSTEMS TO COMMISSION

At this point, the Project is still in the programming phase so the systems to be commissioned have not yet been fully identified.

3.1.5 OWNER'S DOCUMENTATION

The documentation (reports) submitted to the Owner shall be in electronic form and paper form. Documentation refers to all correspondence (letters, memos, observations, etc.) all test reports and all Test and Balance Reports.

The actual scope of services could vary from the tasks listed above and communicated to eligible firm(s) prior to actual agreement.

4. SELECTION PROCESS

A Selection Committee consisting of the Owner or other designated representatives will determine the firm believed to be most qualified to provide building commissioning services as outlined above. Invitations will be given to firms to submit SOQs as instructed in this RFQ. Interviews may also be conducted by the Owner. The successful DP will be determined from the evaluation of SOQs received and interviews (if needed).

Criteria for the Evaluation of Statements of Qualification:

- 20% Factor: Stability: Firm's stability, including the firm's corporate history, growth, resources, form of ownership, litigation history, financial information, and other evidence of stability.
- 25% Factor: Experience and Qualifications: Firm's relevant project experience and qualifications, including the demonstrated ability of firm in effective commissioning of facilities comparable in complexity, size, and function to the one contemplated hereby. This includes relevant experience and qualifications of the principal Commissioning Professionals and lead staff and level of experience in a leadership role in commissioning of envelope/MEP/FP systems. Experience with development of the Owner's Project Requirements.
- 25% Factor: Suitability: Firm's apparent suitability to provide the required services for the Project, including but not necessarily limited to the firm's apparent fit to the project type and/or needs of the Owner. Firms should provide evidence of any special or unique company or personnel qualifications, current and projected workloads, the proximity of office or lead staff to Project location, and services offered by the firm that they are best suited to provide the services expected. The firm's non-discrimination policies and past efforts for W/MBE inclusion will be a part of this evaluation, as well as the firm's record and methodology of addressing public safety and environmental concerns.
- 30% Factor: Team: Proposed organization of the CxA Team for this project including individuals and their roles and responsibilities. Proposed CxA Plan for the project including firm's proposed overall role in this project, your anticipated level of management responsibility and accountability for project concerns. Your project reporting process and process for efficiently addressing and reporting discrepancies as well as your follow up procedures. Approach to the design review given design is currently in the construction document phase. Proposed timeline covering the commissioning milestones throughout the commissioning process. O&M Documentation and training process.

5. SUBMITTAL OF QUESTIONS AND REQUESTS FOR CLARIFICATION

It is the responsibility of each respondent to examine the entire RFQ, seek clarification in writing, and review its submittal for accuracy before submitting the document.

Questions and Clarifications:

All questions and requests for clarifications concerning this RFQ must be submitted to the Purchasing Division via email to

Adrienne Brown
Procurement Buyer
Rockdale County
adrienne.m.brown@rockdalecountyga.gov

To maintain a "level playing field", and to assure that all Consultants receive the same information, proposers are requested **NOT** to contact anyone other than the contact above until after the award of the contract. Doing so could result in disqualification of the proposer.

Questions must be submitted no later than **2:00 p.m., local time, on Thursday, April 4, 2024**. It shall be the consultant's responsibility to seek clarification as early as possible prior to the due date and time. Written responses from the County to the questions it receives will be in an addendum and posted to the County's website at www.rockdalecountyga.gov, under Bid Opportunities. Questions or requests for clarifications received after this deadline will not receive a response.

Addenda:

Answers to questions submitted that materially change the conditions and specifications of this RFQ will be issued in an addendum and posted to the County's website at www.rockdalecountyga.gov, Bid Opportunities. Any discussions or documents will be considered non-binding unless incorporated and issued in an addendum.

It is the proposer's responsibility to check the Rockdale County website at www.rockdalecountyga.gov, Bid Opportunities for any addenda that may be issued, prior to submitting a Statement of Qualifications (SOQ) for this RFQ.

6. STATEMENTS OF QUALIFICATIONS FORMAT/DELIVERABLES

To expedite the review of submittals, it is essential that respondents follow the format and instructions outlined below. Failure to submit any form with the Statement of Qualifications will result in the firm being eliminated from consideration for this project.

A. Description and Resources of Firm - no more than 2 pages

- A1 Provide basic company information: Company name, address, name of primary contact, the year the company was established, telephone number, fax number, e-mail address, and company website (if available). If the firm has multiple offices, the qualification statement shall include information about the parent company and branch office separately. Identify the office from which the project will be managed, its proximity to the project site. Provide form of ownership, including state of residency or incorporation, and number of years in business. Is the offeror a sole proprietorship, partnership, corporation, Limited Liability Corporation (LLC), joint venture, or other structure?
- A2 Briefly describe the history and growth of your firm(s). Provide general information about the firm's personnel resources, including disciplines and numbers and classifications of employees, and locations and staffing of offices.
- A3 Has the firm been involved in any litigation in the past five (5) years? Describe your experience with litigation with Owners, Architects and/or Contractors. List any active or pending litigation and explain.
- A4 Provide name of insurance carrier, types and levels of coverage, and deductible amounts per claim.
- A5 List the firm's annual revenue for the past 5 years.
- A6 Provide the firm's federal employer identification number (FEIN).
- A7 Has the firm ever been removed from a Commissioning contract, had a contract terminated for default, or failed to complete a contract as assigned?
- A8 Complete the Certification Form (Exhibit "A" enclosed with RFQ) and provide a scanned notarized copy with response as section "A8" of the firm's Statement of Qualifications.
- A9 Complete and submit a "CONTRACTOR AFFIDAVIT UNDER O.C.G.A. § 13-10-91(b)(1)" (Exhibit "B") with response as Section "A9" of the firm's Statement of Qualifications. Failure to submit this form with Statement of Qualifications will result in the firm being eliminated from consideration for this project.
- A10 Complete and submit the "Disclosure Statement" (Exhibit "C") with response as Section "A10" of the firm's Statement of Qualifications.

B. Experience and Qualifications - no more than 10 pages

- B1 Provide professional qualifications, certifications and description of experience for principal Commissioning personnel. Firms that respond as joint teams will be expected to clearly demonstrate their team members' shared experience, as a joint team, on prior projects of similar magnitude and complexity.
- B2 Provide information on the firm's commissioning experience on projects of similar type, size, function, and complexity. Describe no more than ten (10) and no less than five (5) projects, in order of most relevant to least relevant, which demonstrate the firm's capabilities to perform the project at hand. For each project, the following information should be provided:
 - a. Project name, location and dates during which services were performed.
 - b. Brief description of project and physical description (buildings, square footage, number of stories, site areas, systems commissioned).
 - c. Services performed by your firm.
 - d. Owner's stated satisfaction level in the Commissioning and/or overall service of your firm.
 - e. Owner contact information.
 - f. Contractor and/or Architect contact information.
- B3 Describe the firm's experience and qualifications in Building Commissioning. Include any projects of relevant complexity, including experience in providing services in projects similar to that of incumbent project. Include any certifications, industry ratings, and achievement recognitions, etc., to attest to the level of experience and success. Include any projects where scope of services has included building envelope commissioning. Describe innovations that the firm might have introduced or employed to increase the project's adherence to technical standards.

C. Statement of Suitability - no more than 2 pages

- C1 Provide any information that may serve to differentiate the firm from other firms in suitability for the project. Suitability may include, but is not limited to, the firm's fit to the project and/or needs of the Owner, any special or unique qualifications for the project, current and projected workloads, the proximity of office to project location, and any services offered by the firm that may be particularly suitable for this project.
- C2 Provide any non-discrimination policies of the firm, and the firm's history of W/MBE inclusion in sourcing for projects
- C3 Describe the firm's history and methodologies of addressing public safety, environmental, or other related concerns.

D. Proposed Team - no more than 2 pages

- D1 Provide the proposed organization of the CxA Team for this project including individuals and their roles and responsibilities.
- D2 Provide proposed CxA Plan for the project including firm's proposed overall role in this project, your anticipated level of management responsibility and accountability for project concerns; your project reporting process and process for efficiently addressing and reporting discrepancies as well as your follow up procedures. Describe your approach to the design review.
- D3 Detail your proposed timeline covering the commissioning milestones throughout the commissioning process and describe your O&M Documentation and training process.

E. Affidavits and Forms:

- E1 Provide sample Certificate of Insurance.
- E2 Provide copies of relevant necessary, valid, and current licenses (i.e., Registered Architect, Professional Engineer, etc.) to do business in the State of Georgia as issued by the respective State Boards and Government Agencies responsible for regulating and licensing the services to be provided and performed.
- E3 Complete and submit the "Addenda Acknowledgement Form".
- E4 Complete and submit the "Affidavit Verifying Status for County Public Benefit Application Form".
- E5 Complete and submit the "Certification of Absence of Conflict of Interest for Development of Specifications or Scope of Work Form".
- E6 Complete and submit the "Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)".

F. Fee Proposal Information Sheet

- F1 Fee Proposal Information Sheet

7. INSTRUCTIONS FOR PREPARING STATEMENTS OF QUALIFICATIONS

Responses are limited to using a minimum of an 11-point font. Total page count of the submittal must not exceed 16 pages not counting the Affidavits and Forms. All pages count, regardless of content. Submittals that include qualifications of more than one firm shall not exceed the page limit. Emphasis should be on completeness, relevance, and clarity of content; promotional materials are not desired or encouraged.

Submit One (1) hard copy, and One (1) electronic copy of the complete package in PDF on a USB drive. The electronic PDF copy of the submittals on the USB drive should be submitted as one file. SOQs must be received in a sealed envelope or container marked "Qualification – RFQ #23-36: Building Commissioning Services – Rockdale County Judicial and Administrative Complex", must contain the vendor's name, and must be delivered prior to the stated deadline above.

All documents are to be submitted to:

Rockdale County Finance Department
Procurement Division, Attn: Adrienne Brown
958 Milstead Avenue NE
Conyers, GA 30012

Due Date:

Sealed qualifications will be received at the Rockdale County Finance Department, Procurement Division, 958 Milstead Avenue, Conyers, GA 30012 no later than **2:00 P.M., local time, Thursday, April 11, 2024**. Request for Qualifications received after this time will be deemed invalid and returned unopened to the proposer. Faxed or e-mailed SOQs are not acceptable. The Owner reserves the right to reject any incomplete SOQs, contact client references, and/or require further information.

Fee Proposal:

A Fee Proposal Form will be provided during the end of the evaluation process to the top ranked firm. The Fee proposal shall be submitted in a sealed opaque envelope and shall not include any project SOQ information. Only the top-rated firm will receive a Fee Proposal form. Please understand that this proposal constitutes a starting point for negotiation toward an eventual agreement on fees.

Final Evaluation and Selection:

Upon completion of the evaluation process by the Selection Committee, the firms will be ranked in descending order of recommendation. Negotiations will then be initiated with the highest-ranked firm to finalize the terms and conditions of the contract. The contract will be submitted for approval by the Rockdale County Board of Commissioners. In the event a satisfactory fee agreement cannot be reached with the highest-ranked firm, the Owner will formally terminate the negotiations in writing and enter into negotiations in turn with the second highest ranking firm and so on until a mutual agreement is established and the Owner awards a Building Commissioning services contract.

8. ADDITIONAL TERMS AND CONDITIONS**Restriction of Communication:**

To ensure all prospective respondents have the same level of knowledge relative to the project, as well as ensuring any additional data is made available to all proposers, no vendors shall contact or discuss any aspect of this Request for Proposal with any Rockdale County employee or elected official, selection committee member, or project team member during the RFQ process up until award has been made. If contact is made, that vendor may be disqualified from the process. All questions in regard to this Request for Qualification are to be submitted to the Rockdale County Procurement Department as detailed in this document.

Submittal Costs and Confidentiality:

All expenses for preparing and submitting responses are the sole cost of the party submitting the response. The Owner is not obligated to any party to reimburse such expenses. All submittals upon receipt become the property of the Owner. Labeling information provided in submittals "proprietary" or "confidential", or any other designation of restricted use will not protect the information from public view. Subject to the provisions of the Open Records Act, the details of the proposal documents will remain confidential until the final award.

Award Conditions:

This request is not an offer to a contract or a solicitation of bids. This request and any statement of qualifications or proposal submitted in response, regardless of whether the proposal is determined to be the best proposal, is not binding upon the Owner and does not obligate the Owner to procure or contract for any services. Neither the Owner nor any party submitting a response will be bound unless and until a written contract mutually accepted by both parties is negotiated as to its terms and conditions and is signed by the Owner and a party containing such terms and conditions as are negotiated between those parties. The Owner reserves the right to waive non-compliance with any requirements of this Request for Qualifications and to reject any or all Statements of Qualifications submitted in response. Upon receipt and review of responses, the Owner will determine the party(s) and Statement of Qualifications that in the sole judgment of the Owner is in the best interest of the Owner (if any is so determined), with respect to the evaluation criteria stated herein. The Owner then intends to conduct negotiations with such party(s) to determine if a mutually acceptable contract may be reached.

Minority and Small Business Enterprise:

It is the policy of Rockdale County that minority-owned business enterprises (MBE), woman-owned business enterprises (WBE) and small business enterprises (SBE), have a fair and equal opportunity to participate in the County purchasing process. Therefore, the Owner encourages all MBE, WBE and SBE to compete for contracts to provide goods, services, and construction, and encourages contractors to solicit MBE, WBE and SBE in procuring subcontractors and suppliers. This desire on the part of the Owner is not intended to restrict or limit competitive bidding or to increase the cost of the work. The Owner supports a healthy free market system that seeks to include responsible businesses and provides ample opportunity for business growth and development.

Statement of Agreement:

With submission of a proposal, the Proposer agrees that it has carefully examined the Request for Qualifications (RFQ), and the Proposer agrees that it is the Proposer's responsibility to request clarification on any issues in any section of the RFQ with which the Proposer disagrees or needs clarified. The Proposer also understands that failure to mention these items in the proposal will be interpreted to mean that the Proposer is in full agreement with the terms, conditions, specifications, and requirements in the therein.

Responsibility of Proposer:

Sealed fee proposals submitted by shortlisted firms must be signed by an authorized official to bind the offeror and it shall contain a statement to the effect that the Proposal is firm for a period of at least one hundred and twenty (120) days from the closing date for submission.

Prohibition of Gratuities:

Firms shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the Rockdale County Board of Commissioners for the purpose of influencing consideration of this qualification.

Indemnification:

The Firm shall indemnify, protect, defend, and hold harmless Rockdale County, their agents, and employees, from and against any and all claims, demands, judgments, or causes of action, including costs and attorney's fees by any party or parties whatever for loss, damage, injury, fines, or penalties of any kind of character either to persons or property directly or indirectly arising out of the operations performed under the Contract except such loss, damage, or injury as is caused by the sole negligence of the County.

Termination:

Termination for Cause – Rockdale County may terminate the Contract at any time the Contractor defaults in the performance of any term of the Contract or fails to make substantial progress under the terms specified in the Contract. Such termination shall be without prejudice to any of the County's rights or remedies provided by law.

- a) Rockdale County shall provide the Contractor with sixty (60) days' notice of conditions endangering performance. If, after such notice, the Contractor fails to remedy the condition contained in the notice, Rockdale County shall issue an order to stop work immediately.
- b) Rockdale County shall be obligated to reimburse the Contractor only for those services rendered prior to the date of notice of termination, less any liquidated damages that may be assessed for non-performance.

Termination for Convenience – Rockdale County may terminate the Contract at any time by written ninety (90) day notice to the Contractor. The Contractor will be paid for those services actually performed.

Mutual Agreement – Rockdale County and the Contractor may, upon receipt and acceptance of not less than ninety (90) days' written notice, terminate the Contract on an agreed date prior to the end of the contract period without penalty to either part.

Lack of Funds – Notwithstanding any other provisions of the contract, if funds anticipated for the continued fulfillment of this contract are at any time not forthcoming, Rockdale County shall have the right to terminate the contract without penalty by giving not less than ninety (90) days' written notice documenting lack of funding.

Miscellaneous:

The proposer agrees that they presently have no interest and shall not acquire any interest, directly or indirectly, which would conflict in any manner or degree with the performance of the services hereunder. The proposer further agrees that no person having any such known interest shall be employed or conveyed an interest, directly or indirectly, in the Contract. All respondents must provide a statement of disclosure, which will allow the Owner to evaluate possible conflicts of interest.

Qualifications submitted are not publicly available until after award by the Rockdale County Board of Commissioners. All Qualifications and supporting material, as well as correspondence relating to this RFQ becomes the property of Rockdale County when received. Any proprietary information contained in the Qualifications should be so indicated. However, a general indication that the entire contents or a major portion of the Qualifications is proprietary will not be honored.

Assignment of Contractual Rights:

It is agreed that the successful responder will not assign, transfer, convey, or otherwise dispose of a contract that results from this Request for Qualifications or his right, title, or interest in or to the same, or any part thereof, without written consent by the County.

Contract Term:

The Contract Term will be (1) year and will auto renew (2) additional one-year terms, unless cancelled in writing 30 days before the end of current term.

Insurance:

Before starting any work, the successful consultant must furnish to Rockdale County certificate(s) of insurance from companies doing business in Georgia. The Consultant shall maintain in full force and effect the following insurance during the term of the Agreement:

<u>Coverages:</u>	<u>Limits of Liability:</u>
Workers' Compensation	Statutory
Commercial General Liability (CGL)	
Each Occurrence Limit	\$1,000,000.00
Personal & Advertising Injury Limit	\$1,000,000.00
General Aggregate Limit	\$2,000,000.00
Products/Completed Ops. Aggregate Limit	\$2,000,000.00
Automobile Liability	
Combined Single Limit	\$1,000,000.00
Professional Liability/General Liability (covering negligent acts, errors and omissions in the performance of professional services)	
Per Claim	\$3,000,000.00
Aggregate	\$4,000,000.00
Umbrella Liability	\$2,000,000

Professional Liability/General Liability (covering negligent acts, errors and omissions in the performance of professional services)

All insurance shall be provided by an insurer(s) acceptable to the County and shall provide for thirty (30) days prior notice of cancellation to the County. Upon contract award, Consultant shall deliver to the County a certificate or policy of insurance evidencing Consultant's compliance with this paragraph. Consultant shall abide by all terms and conditions of the insurance and shall do nothing to impair or invalidate the coverage.

Rockdale, GA shall be named as Additional Insured under any General Liability, Business Auto and Umbrella Policies using ISO Additional Insured Endorsement forms CG 2010 or its equivalent. Coverage shall apply as Primary and non-contributory with Waiver of Subrogation in favor of Rockdale County, Georgia.

The insurance carrier must have a minimum rating of A or higher as determined by the rating firm A.M. Best.

Certificates must contain policy number, policy limits, and policy expiration date of all policies. The Request for Qualifications (RFQ) number (RFQ #23-36) and project name (Rockdale County Judicial and Administrative Complex) must be inserted in the Description of Operations section of the certificate.

Certificates are to be issued to:

Rockdale County, Georgia
958 Milstead Avenue
Conyers, GA 30012

AWARD OF CONTRACT

The Rockdale County Procurement Office and Evaluation Committee makes a recommendation for award. The Board of Commissioners will make the actual award of the contract and has the authority to award the contract to a consultant different than the consultant recommended by the Procurement Office and/or Evaluation Committee.

Open Records:

The contents of Statements of Qualifications will not be made public until after an award and contract has been executed.

DEBRIEFINGS:

In lieu of Post-Award debriefings, Rockdale County's will provide the "Selection Package" at the time of the Selection Announcement (also referred to as the Announcement of Entering into Negotiations). The "Selection Package" will include the scores of phases for all firms who responded and will typically be provided as a PDF file and e-mailed.

GENERAL INFORMATION

No SOQs received after said time or at any place other than the time and place as stated in the notice shall be considered. No responsibility shall attach to Rockdale County for the premature opening of a SOQ not properly addressed and identified.

WITHDRAWAL OF SOQ:

A proposer may withdraw his SOQ before the proposal due date, without prejudice to the proposer, by submitting a written request of withdrawal to the Rockdale County Procurement Office.

REJECTION OF SOQ:

Rockdale County may reject any and all SOQs and must reject a SOQ of any party who has been delinquent or unfaithful in any formal contract with Rockdale County. Also, the right is reserved to waive any irregularities or informalities in any SOQ in the proposing procedure. Rockdale County shall be the sole judge as to which SOQ is best, and in ascertaining this, will take into consideration the business integrity, financial resources, facilities for performing the work, and experience in similar operations of the various proposers.

STATEMENT OF EXPERIENCE AND QUALIFICATIONS:

The proposer may be required, upon request, to prove to the satisfaction of Rockdale County that he/she has the skill, experience, necessary facilities and ample financial resources to perform the contract(s) in a satisfactory manner and within the required time. If the available evidence of competency of any proposer is not satisfactory, the SOQ of such proposer may be rejected. The successful proposer is required to comply with and abide by all applicable federal and state laws in effect at the time the contract is awarded.

NON-COLLUSION AFFIDAVIT:

By submitting a SOQ, the proposer represents and warrants that such SOQ is genuine and not sham or collusive or made in the interest or in behalf of any person not therein named, that the proposer has not directly or indirectly induced or solicited any other proposer to put in a sham SOQ, or any other person, firm or corporation to refrain from proposing and that the proposer has not in any manner sought by collusion to secure to that proposer any advantage over any other proposer.

INTEREST OF:

By submitting a SOQ, the proposer represents and warrants that a Commissioner, Administrator, employee, nor any other person employed by Rockdale County has, in any manner, an interest, directly or indirectly, in the SOQ or in the contract which may be made under it, or in any expected profits to arise there from.

DOCUMENTS DEEMED PART OF THE CONTRACT:

The notice, invitation to proposers, general conditions, and instructions for proposers, special conditions, specifications, SOQ, and addenda, if any, will be deemed part of the contract.

Rockdale County provides equal opportunity for all businesses and does not discriminate against any person or business because of race, color, religion, sex, national origin, handicap, or veterans' status. This policy ensures all segments of the business community have access to supplying the goods and services needed by Rockdale County.

STANDARD INSTRUCTIONS

1. The instructions contained herein shall be construed as a part of any RFQ invitation and/or specifications issued by Rockdale County and must be followed by each proposer.
2. The written specifications contained in this proposal shall not be changed or superseded except by written addendum from Rockdale County. Failure to comply with the written specifications for this proposal may result in disqualification by Rockdale County.
3. All goods and materials shall be F.O.B. Destination Conyers, Georgia and no freight or postage charges will be paid by Rockdale County unless such charges are included in the proposal price.
4. The following number, RFQ #23-36, must be written clearly on the outside of each SOQ envelope in order to avoid prior opening in error.
5. All SOQs must be received and in-hand at proposal due date and time. Each proposer assumes the responsibility for having his/her SOQ received at the designated time and place of SOQ due date. SOQs received after the deadline may be subject to rejection without consideration, regardless of postmark. Rockdale County accepts no responsibility for mail delivery.
6. Unless otherwise stated, all SOQs submitted shall be valid and may not be withdrawn for a period of 120 days from the due date.
7. Each SOQ form submitted must include the name of the business, mailing address, the name, title and signature of the person submitting the SOQ. When submitting a fee proposal to Rockdale County the Proposal Form must be submitted in a separate sealed envelope labeled "Proposal Form".
8. Rockdale County reserves the right to accept a proposal that is not the lowest price if, in the County's judgment, such proposal is in the best interest of the County and the public. The County reserves the right to reject any and all proposals.
9. No sales tax will be charged on any orders except for contracts that include construction materials being purchased through a third party.
 - i. Federal I.D. #58-6000882
 - ii. Sales Tax Exempt #308750008
10. If applicable, completed questionnaires must be signed manually. Rockdale County reserves the right to accept or reject any proposal on the basis of incomplete or inaccurate answers to the questionnaire.
11. If applicable, warranty information shall be provided.
12. Proposers shall state delivery time after receiving order.
13. Proposers shall identify any subcontractors and include an explanation of the service or product that they may provide.

Exhibit A

ADDENDA ACKNOWLEDGEMENT FORM

Instructions: Complete BOTH parts of this form.

PART I: Addenda Acknowledgements (if applicable)

Each vendor is responsible for determining that all addenda issued by the Rockdale County Finance Department – Purchasing Division have been received before submitting a Statement of Qualifications.

Addenda	Date Vendor Received	Initials
"1"		
"2"		
"3"		
"4"		
"5"		
"6"		

PART II: Vendor Information:

Company Name	
Address	
Telephone	
E-Mail	
Representative (print name)	
Signature of Representative	
Date Submitted	

Exhibit B

Affidavit Verifying Status for County Public Benefit Application

By executing this affidavit under oath, as an applicant for the award of a contract with Rockdale, County Georgia, I _____. [Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity] am stating the following as required by O.C.G.A. Section 50-36-1:

1) _____ I am a United States citizen

OR

2) _____ I am a legal permanent resident 18 years of age or older or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant:

Date

Printed Name:

*

Alien Registration number for non-citizens

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
_____ DAY OF _____, 202__.

Notary Public
My commission Expires:

***Note:** O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, provide their registration number. Because legal permanent residents are included in the federal definition of "alien", legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number below.

Exhibit C

Certification of Absence of Conflict of Interest For Development of Specifications or Scope of Work

*Required for each contract or arrangement to prepare or develop specifications or requirements
(O.C.G.A. § 36-80-28)*

The undersigned Consultant, who is entering into a contract or arrangement with Rockdale County to prepare or develop specifications or requirements for an invitation for bids, request for proposals, purchase order, or any other type of solicitation for said Rockdale County certifies that:

1. Consultant shall avoid any appearance of impropriety and shall follow all policies and procedures of Rockdale County, as may be related to the project.
2. Consultant discloses below any material transaction or relationship currently known to Consultant that reasonably could be expected to give rise to a conflict of interest, including, but not limited to, that of the Consultant, or the Consultant's employees, agents or subsidiaries (Include past, present, or known prospective engagements, involvement in litigation or other dispute, client relationships, or other business or financial interest):

3. Consultant shall immediately disclose any material transaction or relationship subsequently discovered during the pendency of the contract or arrangement.
4. Consultant acknowledges that any violation or threatened violation of the agreement may cause irreparable injury to the Rockdale County, entitling Rockdale County to seek injunctive relief in addition to all other legal remedies.

Signature of Contractor's Authorized Official

Printed Name & Title of Authorized Official

Date

Exhibit D

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of **Rockdale County Board of Commissioners** (public employer) has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

Judicial and Administrative Complex

Name of Project

Rockdale County Board of Commissioners

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 20__ in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20__.

NOTARY PUBLIC

My Commission Expires:

Exhibit E

Fee Proposal Information Sheet

1. Submit a Lump Sum Fee Proposal in the following format:

_____ Proposes to provide Building Commissioning services to the Rockdale County Judicial and Administrative Complex construction project based on the Scope of Work described in Part B of this Request for Proposal and the Form of Agreement and its terms and conditions attached to the Proposal, for a fixed fee of

\$_____ for develop owner's project requirements, review owner's project requirements for completeness and clarity, and review DP's basis of design information and ensure consistency with owner's project requirements.

\$_____ for Fundamental Building Commissioning of Building Energy Systems

\$_____ for Building Envelope Commissioning.

\$_____ for all services.

2. Provide a breakdown of the Lump Sum Fee Proposal by task, hours, and costs in the following format:

- a. Design Phase:

TASK	HOURS	COST
SUBTOTAL		

b. Construction Phase:

TASK	HOURS	COST
SUBTOTAL		

c. Warranty/Acceptance Phase:

TASK	HOURS	COST
SUBTOTAL		

3. Provide a Fee Schedule of Hourly Rates used to calculate the above fees and that will be used for any Additional Services that may be required on the project.

4. Reimbursable Expenses:

The proposed Lump Sum Fee should include all reimbursable expenses. The Commissioning Provider Organization will not be reimbursed for the following:

- Accounting
- Telecommunications and Postage
- Mileage, Transportation, and Parking
- Travel Expenses
- Photocopying and Office Supplies

ROCKDALE COUNTY BOARD OF COMMISSIONERS
NON-COLLUSION AFFIDAVIT OF VENDOR

State of _____)

County of _____)

_____, being first duly sworn, deposes and says that:

(1) He is _____ (owner, partner officer, representative, or agent) of _____, the Vendor that has submitted the attached RFQ;

(2) He is fully informed respecting the preparation and contents of the attached RFQ and of all pertinent circumstances respecting such RFQ;

(3) Such RFQ is genuine and is not a collusive or sham RFQ;

(4) Neither the said Vendor nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affidavit, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Vendor, firm or person to submit a collusive or sham RFQ in connection with the Contract for which the attached RFQ has been submitted or refrain from proposing in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Vendor, firm or person to fix the price or prices in the attached RFQ or of any other Vendor, or to fix any overhead, profit or cost element of the proposing price or the proposing price of any other Vendor, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against Rockdale County or any person interested in the proposed Contract; and

(5) The price or prices quoted in the attached RFQ are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Vendor or any of its agents, representatives, owners, employees, or parties in interest, including this affidavit.

 (Signed)

 (Title)

Subscribed and Sworn to before me this _____ day of _____, 202__

Name _____

Title _____

My commission expires (Date)

Affidavit Verifying Status for County Public Benefit Application

By executing this affidavit under oath, as an applicant for the award of a contract with Rockdale, County Georgia, I _____. [Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity] am stating the following as required by O.C.G.A. Section 50-36-1:

3) _____ I am a United States citizen

OR

4) _____ I am a legal permanent resident 18 years of age or older or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant:

Date

Printed Name:

*_____
Alien Registration number for non-citizens

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
_____ DAY OF _____, 202__.

Notary Public
My commission Expires:

***Note:** O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, provide their registration number. Because legal permanent residents are included in the federal definition of “alien”, legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number below.

REFERENCES

Instructions: Type or clearly print all information.

Reference #1

Name of Project Owner: _____

Project Description and Location: _____

Contracted Dollar Amount: _____

Completed Dollar Amount: _____

Scheduled Completion Date: _____

Actual Completion Date: _____

Contact Person's Name: _____

Contact Phone: _____

Contact Fax: _____

Contact E-mail: _____

Reference #2

Name of Project Owner: _____

Project Description and Location: _____

Contracted Dollar Amount: _____

Completed Dollar Amount: _____

Scheduled Completion Date: _____

Actual Completion Date: _____

Contact Person's Name: _____

Contact Phone: _____

Contact Fax: _____

Contact E-mail: _____

Reference #3

Name of Project Owner: _____

Project Description and Location: _____

Contracted Dollar Amount: _____

Completed Dollar Amount: _____

Scheduled Completion Date: _____

Actual Completion Date: _____

Contact Person's Name: _____

Contact Phone: _____

Contact Fax: _____

Contact E-mail: _____

Representative's Signature: _____ Date: _____

SUBCONTRACTORS

Instructions: Type or clearly print all information.

NAME, ADDRESS, & PHONE NUMBER OF SUBCONTRACTOR	SUBCONTRACT WORK ITEM	DOLLAR VALUE OF SUBCONTRACT WORK
1.		
2.		
3.		
4.		
5.		
6.		

Representative's Signature: _____ Date: _____

PROPOSER'S CHECKLIST

_____ **TWO (2) HARDCOPIES** (one (1) original, one (1) photocopy) and **ONE (1) FLASH DRIVE** (containing a copy in Adobe PDF format) of the following documents: all documents shall be fully completed, signed, and dated:

- _____ **Addenda Acknowledgement Form (See Page 14)**
- _____ **Proposal information Sheet (See Page 18-19)**
- _____ **All Applicable Affidavit Forms (See Pages 15, 17, 20-21)**
- _____ **References (See Pages 29-30)**
- _____ **Subcontractors (See Page 31)**
- _____ **Any Proposed Deviations from the Required Specifications, Including Necessary Explanations and Conditions**
- _____ **Proof of Business License**

The purpose of this checklist is to remind proposers of the documents generally required for the SOQ submittal. It is the proposer's responsibility to include additional documents requested in the RFQ that may not be shown on the checklist.