

UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY



**REQUEST FOR PROPOSALS
FOR
OWNER'S PROJECT MANAGER SERVICES**

**UMBA PROJECT NO. 23-A3
NORTH ENERGY EXCHANGE CENTER (EEC)
FOR UNIVERSITY OF MASSACHUSETTS AMHERST**

November 8, 2023

**Pre-Proposal Briefing
November 13, 2023 at 10:00am
University of Massachusetts Amherst
Location: Physical Plant Building, 3rd Floor, Conference Room B
360 Campus Center Way, Amherst, MA**

Proposals Due: November 29, 2023 at 2:00pm



University of Massachusetts Building Authority
North Energy Exchange Center - UMass Amherst
RFP for Owner's Project Manager Services

**REQUEST FOR PROPOSALS
FOR
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NORTH ENERGY EXCHANGE CENTER (EEC)
FOR THE UNIVERSITY OF MASSACHUSETTS AMHERST**

I. NOTICE OF REQUEST FOR PROPOSALS

The University of Massachusetts Building Authority (the "Authority") requests proposals from qualified firms to provide Owner's Project Manager ("OPM") services for the Authority's North Energy Exchange Center project (the "Project") for the University of Massachusetts Amherst (sometimes "UMass Amherst" or the "University" or the "Campus").

Submission of a Proposal in response to this RFP shall be submitted electronically and **must be received and successfully uploaded by the deadline on or before 2:00pm on November 29, 2023** (unless such date and/or time is extended in writing pursuant to an Addenda issued by the Authority). Proposals shall be electronically delivered to:

UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY
Barbara J. Kroncke, Executive Director
(Via a Dropbox Link provided by UMBA for response to this RFP.)

Delivery Instructions:

- A. Each respondent shall submit an electronic copy of its complete Proposal, with all required forms, attachments, supporting documentation and information.
- B. The electronic document title shall include the UMBA Project Number, Name of Firm, and the language "Proposal for Owner's Project Manager Services".
- C. No earlier than five-business days prior to the submission due date and no later than two-business days prior to the submission due date, firms submitting Proposals shall email capitalcorrespondence@umassp.edu and request the Dropbox Link established for response to this RFP. The Dropbox Link will be emailed to you within one-business day.
- D. No later than the submission due date and time, the Proposal shall be submitted and uploaded to the Dropbox Link provided. The link will expire after the established submission due date and time.

Each Proposal shall clearly identify the responding firm's name, business address, the contact person responsible for the Proposal, email, and the telephone number of the contact person.

The Authority assumes no responsibility for electronic delivery or the complete and successful upload of the Proposal documents.



A Pre-Proposal Briefing will be held on November 13, 2023 at 10:00am, at UMass Amherst – Physical Plant Building, 3rd Floor, Conference Room B, 360 Campus Center Way, Amherst, MA. Metered parking is available in front of the building or ticketed parking is available at the nearby Parking Garage.

The Authority reserves the right to reject any or all proposals submitted in response to this Request for Proposals (“RFP”) and to take any other action, as the Authority may deem to be in its best interest.

II. EQUAL EMPLOYMENT OPPORTUNITY, NON-DISCRIMINATION AND AFFIRMATIVE ACTION

The Authority is committed to equal employment opportunity and non-discrimination in contracting for goods and services necessary to perform its business. Respondents are advised that the UMBA will take affirmative action to ensure equal employment opportunity and to eliminate discriminatory barriers. The Authority strongly encourages minority and women business owned (MBE/WBE) firms to respond to the RFP. The Authority will strongly consider the Respondents’ commitment to equal employment opportunity and affirmative action in selecting the individuals or firms for Owner’s Project Manager Services and Respondents are encouraged to propose a team that reflects such diversity.

As set forth in Section XII.N of this RFP, Respondents are required to submit a completed and executed copy of the Equal Employment Opportunity and Affirmative Action Questionnaire, which shall include copies of their employment and affirmative action policies demonstrating their commitment to equal opportunity, non-discrimination and diversity. Respondents are encouraged to propose a team reflecting its commitment to diversity. The Authority encourages interested OPM firms to partner and/or subcontract with minority and women owned businesses to reflect this commitment.

In addition, the Project will have the following participation goals for minority business enterprises (“MBE”) and women business enterprises (“WBE”) and for workforce utilization:

Design: MBE firm participation goal 6.6% and WBE firm participation goal 15.0%
Construction: MBE firm participation goal 4.2% and WBE firm participation goal 8.8%
Construction workforce: Minorities: 15.3% and Women: 6.9%

The selected OPM shall be responsible for monitoring compliance with these goals.

III. THE AUTHORITY

The University of Massachusetts Building Authority (Authority) is an independent body politic and corporate and an authority of the Commonwealth of Massachusetts created by and existing under Chapter 773 of the Acts of 1960, as amended (the “Authority’s Enabling Act”). The Authority is separate and independent from the University of Massachusetts (the University), but provides dormitories, dining commons and other buildings and structures for the use of the University, its students, staff and their dependents and certain approved organizations. The



mission of the Authority is to aid and contribute to the performance of the educational and other purposes of the University by providing high quality buildings and infrastructure that make a difference to the University community and that meet and exceed the University's needs. New facilities constructed by the Authority as a part of any of its projects are owned by the Authority but operated and maintained by the University.

IV. OVERVIEW

The University is in the process of transitioning from a fossil fuel based heating system which utilizes steam produced in the Central Heating Plant (CHP) to generate hydronic heating water for use in building air handlers and other terminal heating equipment. A major focus of this effort is to migrate to lower temperature heating water designs that can make use of low temperature heating water that is available from heat recovery chillers (for simultaneous heating and cooling or coupled to a ground source heat exchanger). The University's long term goal is to provide ground-sourced / thermally stored heat recovery chiller-based heating and cooling systems to all new facilities, as well as to existing facilities, where feasible.

Two new campus facilities - the Sustainable Engineering Laboratories (SEL) currently in design, and the Computer Science Laboratories (CSL) currently in early construction - had been given direction to provide carbon-neutral based heating and cooling systems dedicated to their respective buildings. However, the University recognized that consolidating the equipment for the SEL and the CSL carbon-neutral based systems in the North Chilled Water Plant provides several benefits, including:

- Freeing up pedagogical space within those academic buildings.
- Allowing more opportunities for simultaneous heating and cooling by aggregating the heating and cooling profiles for these two facilities and, more significantly, allowing for additional cooling demand availability by providing chilled water to all of the buildings connected to the North Chilled Water Plant Distribution District.
- Allowing more opportunities for simultaneous heating and cooling with the option of charging the proposed TES system at the North Chilled Water Plant.
- Centralizing equipment operations and maintenance.

North Chilled Water Plant

The North Chilled Water Plant construction was completed in 2017. The fully built out plant was designed to house a total of five chillers, each with a capacity of 1,200 tons of cooling. In the initial construction only four chillers were installed, two of which were relocated from other plants. Installed units are:

- CH-1: 1,200 tons capacity, R134A, built in 2017.
- CH-2: 1,200 tons capacity, R134A, built in 2017.



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- CH-3: 875 tons capacity, R123, built in 1990.
- CH-4: 1,000 tons capacity, R134A, built in 2007.

Ultimately, the relocated chillers (CH-3 and CH-4) are to be replaced with 1,200 ton units, and a fifth 1,200 ton unit was to be installed - for a total plant capacity of 6,000 tons. Current capacity is 4,275 tons. The high bay space intended for the fifth chiller is currently unoccupied.

V. PROJECT DESCRIPTION

As the University continues to transition from fossil fuel based heating systems to ground source heating or other low temperature options, the two new academic facilities (SEL & CSL) were planned to have stand-alone ground source systems. **This North Energy Exchange Center (EEC) project intends to consolidate those separate ground source systems into a single system located at the North Chilled Water Plant.**

Aggregating this equipment will provide more opportunities for simultaneous heating and cooling, and it will allow for additional annual cooling loads, from other buildings connected to the North Chilled Water Plant District, to be used to re-charge the ground, to make up for the typical annual heating /cooling imbalance for academic buildings located in the New England climate.

Locating the heat recovery chillers at the plant also allows for the use of the installed CHW distribution system to transfer the cooling water to the two sites. Low temperature heating water will be installed, and it will be sized for future “main service” where appropriate.

The North Chilled Water Plant mezzanine will be extended, to accommodate added pumps for ground source, chilled and heating water pumping. Electrical service will be upgraded, with the addition of a transformer, a load switch and distribution gear. The switch will allow for future development of the North Chilled Water Plant area – as a Regional EEC or another use.

The proposed schedule for this North EEC project includes an estimated design period from January 2024 until October 2024 and a construction period from October 2024 through June 2026. The schedule allows for an early purchase package, to accommodate possible long lead times up to a year for some of the system components, such as transformers. Upon award, the OPM and Designer shall work with the Campus and the Authority to accelerate the schedule, where possible, with multiple design & bid packages.

Note: A portion of the proposed low temperature heating water distribution piping lies within the construction limit line for the Computer Science Laboratories and the related site work for that project is scheduled to be completed prior to July 31, 2025. Therefore, the distribution pipe installation within this construction zone will be performed as a part of the Computer Science Laboratories project and brought to the construction limit line for future connection by the EEC Project – to minimize surface restoration costs and to coordinate with the utilities being installed as part of that project.



VI. OVERVIEW OF OPM SERVICES

The OPM services will include all activities necessary or appropriate to efficiently manage the design, construction, commissioning, and closeout of the Project. The firm engaged by the Authority pursuant to this RFP will be responsible for and will provide services to the Authority. As the Authority's OPM, the OPM will work with the Authority, and with any University representatives designated by the Authority, in performing services in connection with the Project.

The OPM will manage all aspects of the Project from the selection of the design team through the Commissioning, close-out, and warranty/guarantee period of the Project.

The Total Project Cost (TPC) is anticipated to be \$24 million. The TPC includes the project estimated construction costs (ECC) and soft costs such as OPM fees, designer fees, commissioning consultant, furniture & fixtures, testing, any enabling projects, contingencies and other miscellaneous soft costs.

The Authority is anticipating an Estimated Construction Cost (ECC) of approximately \$18 million for the project.

In performing the Scope of Services for the Project, the OPM will also need to enforce the Designer's consideration of any Massachusetts Executive Orders on energy efficiency and sustainable design practices and shall advise the Authority of any financial impact which may result. It is intended that Project will be an energy efficient and environmentally sustainable facility. The OPM shall also ensure that the design team pursue any and all utility rebates available to the project.

The OPM shall also familiarize itself with the Carbon Neutrality goals from UMass Amherst and shall manage the Design Team's strategies and opportunities to meet their goals.

It is anticipated that construction services for the Project will be procured using a Construction Manager at Risk selected pursuant to Mass. Gen. Laws c. 149A, secs. 1-11 and the Authority's Procedures for the Procurement of Construction Management at Risk Services pursuant to M.G.L. c. 149A, §§ 1-11 (the "Authority's CM at Risk Procedures"). A copy of the Authority's CM at Risk Procedures is attached hereto as **Attachment 1**.

The Authority (with the OPM assistance) will procure a Commissioning Agent Firm to review design documentation and assist the Campus with the development of the Owner's Project Requirements, identify all systems to be commissioned, as well as all necessary testing of those systems and/or equipment. The start of warranties shall commence after systems acceptance.

All contractors, consultants, vendors, and visitors are required to comply with the most current UMass Amherst COVID-19 public health and safety measures. Requirements are subject to change and are posted on the university's website. <https://ehs.umass.edu/covid-19-response>



VII. SCOPE OF OPM SERVICES

The Owner's Project Manager shall provide advice and counsel relating to the Authority's management, administration, and fiscal oversight of all phases of the Project including, but not limited to, the planning, design, construction and commissioning of the facilities, which are the subject of the Project.

The services of the Owner's Project Manager consist of all Owner's Project Management services necessary or appropriate to complete the Project (the "Scope of Services"). Such services are outlined below, and specifically include: (a) all services outlined in this Request for Proposals (RFP) dated November 8, 2023, (b) all services described in the Agreement for Professional Services between the Owner and Owner's Project Manager, which is attached hereto (the "Agreement") and marked Attachment 2, including, but not limited to, design review of architectural, structural, MEP, and fire protection disciplines as provided for in Section 4.3 of the Agreement, (c) all services required by Mass. Gen. Laws c. 149, sec. 44A 1/2, and (d) all services customarily performed as part of owner's project management for projects of similar type, scope and complexity in order to appropriately manage and complete the Project in a timely and cost effective manner, while constructing a facility of the highest possible standard.

In general, the Owner's Project Manager ("OPM") will oversee, monitor, analyze and report on all aspects of the work in all phases, including, but not limited to, preparation and issuance of all Requests for Qualifications, Requests for Proposals, and other similar documents, the schedule for work, cost control, budget tracking, preparation of ECPA's and final Guaranteed Maximum Prices, as required, quality assurance, environmental compliance, safety compliance, site logistics planning, coordination with campus planning and design and construction departments, and coordination of communications with and among all team members.

The OPM will provide regular and timely written reports as required by the Authority, including but not limited to, monthly updates on project schedule and budget in feasibility study, programming, design and construction. In the buyout for the construction of the Project pursuant to a CM at Risk procurement, the OPM will participate and track the open book procurement process and results, which will include but not be limited to reports on the participation of women-owned and minority-owned firms, workforce utilization, and the level of union and open shop participation on the Project.

In managing projects, it is critically important to avoid interruption of or interference with campus operations. In addition, given that multiple projects are often simultaneously undertaken on any given campus by the Authority, the University and/or the Massachusetts Division of Capital Asset Management, it is critically important to avoid all conflicts in site logistics. The OPM will coordinate construction schedules and construction site logistics planning to ensure that campus needs are met and will engage the Authority and the Campus representatives in the coordination of work that may cause disruption to Campus operations.

The OPM will be responsible for managing an interactive and integrated process for the coordination of all programming, design, construction and commissioning information, which



includes the use and enforcement of the latest Campus's Design Standards and Guidelines, in the design process and construction. (<https://www.umass.edu/facilities/design-resources>) The OPM shall confirm the designers are complying with the most current version of the Campus's Design Standards and Guidelines and that the designers shall document for campus approval any and all deviations from those standards.

In addition, the OPM shall manage the process to ensure that the design, construction, and commissioning team efforts provide for OSHA-compliant equipment access for safe & efficient equipment operation & maintenance.

VIII. SCHEDULE

It is the intent of the Authority and the University to start the project as soon as Notice of Award is issued. It is the goal of the Authority to reach substantial completion of the Project no later than **June 1, 2026**. Project completion shall occur as soon as reasonably possible following substantial completion. All reasonable considerations shall be made to improve on substantial completion and project completion dates.

The OPM will support the Authority and the Campus in the creation and optimization of the Design and Construction schedule, including early construction packages, to improve on substantial completion and project completion dates.

IX. FEE

Firms responding to this RFP shall include in their proposals a brief description of the methodology they propose be used in determining the fees for services. However, no specific fee proposal should be included or will be accepted with the RFP submissions.

X. FORM OF CONTRACT

The selected project manager firm shall execute a contract with the Authority, which shall be in the form of the Agreement for Professional Services between Owner and Owner's Project Manager (the "Agreement"), which is attached hereto as **Attachment 2**. At the Authority's sole discretion, the Authority may make minor non-material changes to the form of the Agreement.

Please note that the submission of a proposal in response to this RFP shall be deemed an acceptance of all terms and conditions of the Agreement and an agreement to execute the same without revision or modification.

XI. MINIMUM QUALIFICATIONS

Each proposal will be reviewed by the Authority to determine if it meets the minimum qualifications set forth in this Section prior to actual evaluation. If determined by the Authority, in its sole and absolute discretion, that a proposal does not meet the minimum qualifications, the



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Authority will eliminate the proposal from further consideration and deemed it as non-responsive to the RFP.

- A. In accordance with M.G.L. c. 149, a. 44A½, the Owner's Project Management firm must be independent of the designer, commissioning agent, construction manager and subcontractors on the Project having no prime or sub-contractual relationships with such parties or their subcontractors or consultants on the Project.
- B. In accordance with M.G.L. c. 149, §44A½, the lead member of the firm who will serve as the designated Owner's Project Manager shall: (i) be registered in the Commonwealth of Massachusetts as an architect or professional engineer, and have a minimum of five (5) years of experience in the construction and supervision of the construction of buildings; or (ii) if not a registered architect or professional engineer, have a minimum of seven (7) years of relevant experience in the construction and supervision of construction of buildings.
- C. The lead member of the firm who will serve as the designated Owner's Project Manager shall be certified in the Massachusetts Certified Public Purchasing Officer ("MCPPO") Program as administered by the Inspector General of the Commonwealth of Massachusetts.
- D. Demonstrated knowledge by the firm, PIC and PM (through experience of completed projects) of Massachusetts public design and construction laws, including, but not limited to M.G.L. c.7, c.149, c.149A and c.30.
- E. Demonstrated knowledge by the firm, PIC and PM (through experience of completed projects) of the requirements of the Massachusetts State Building Code, the Americans with Disabilities Act, and the regulations of the Massachusetts Architectural Access Board.
- F. Demonstrated experience by the firm, PIC and PM (through experience of completed projects) with the unique aspects of the c.149A Construction Manager at Risk process including, but not limited to, Guaranteed Maximum Price (GMP) negotiations and "open book" cost review, risks forecasts, coordination of work of designers and construction managers during the design process, and identification of and preparation for early construction packages.
- G. Prior experience of both the firm and key project members (PIC, PM) indicating significant prior experience providing design and construction project management to public agencies in the Commonwealth of Massachusetts for the construction of similar projects, including specific Massachusetts Public Project experience on at least two (2) c.149 and/or c.149A projects, each successfully completed within the last seven (7) years of similar type and complexity to that proposed for this Project, generating public bid documents, including Filed Sub-Bid / Trade Bid packages.
- H. Prior experience of both the firm and key project members (PIC, PM) indicating significant prior experience providing design and construction project management on at least two (2)



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higher education projects, each successfully completed within the last seven (7) years of similar size, type, scope and complexity, to that proposed for this Project, with a Total Project Cost (TPC) greater than \$18 million.

- I. Documentation of financial stability, including but not limited to submission of annual financial statements for the prior three (3) fiscal years.
- J. Documentation of insurance: Provide evidence of the Applicant's current insurance coverage or ability to obtain such, including (i) professional liability; (ii) comprehensive general liability ("CGL") insurance; (iii) automobile liability insurance; (iv) statutory workers' compensation insurance coverage; (v) employer's liability insurance; and (vi) umbrella or excess liability insurance, automobile liability and employer's liability coverage and all of such coverage as detailed the terms and amounts set forth in the Contract.

XII. SUBMISSION REQUIREMENTS

Each proposal shall contain all of the information and documentation described below. The entire electronic proposal shall be formatted so that it can be printed by the Authority on 8 ½" x 11" paper, in color, double sided, with a minimum of 12pt font size.

In order to facilitate the Authority's review of submissions, applicants are encouraged to organize their submission into tabbed sections corresponding to the following list of topics:

- A. Description of the firm's background.
- B. Description of the firm's experience, with particular attention to identifying and describing projects in which similar services, BIM, utilization of clash detection, lean construction concepts and integrated project delivery techniques were utilized.
- C. A synopsis of the firm's approach to project management services, including how teams are organized to meet the needs of projects in general.
- D. Identification of the Project Management team, which must include the name of the Principal-In-Charge and the Project Manager who will have overall responsibility for the delivery of services and completion of the Project, and the specific responsibilities of each member of the Project team. It shall also include a description of individual and Project team experience, including experience with projects designed for energy efficiency and sustainability.
- E. A Project team organization chart listing all team members, whether employed by the project management firm or by a sub-consultant, proposed to provide services on the Project. **Please note that the Authority requires that the key team members identified in the proposal be the individuals who render services under the Agreement, and such individuals must be fully available to devote the time and attention necessary to ensure timely and complete delivery of required services.** The Authority strongly encourages interested OPM firms to propose a team that reflects diversity, including MBE/WBE sub-consultants.



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- F. A resume and references for each Project team member. The resume shall outline the individual's academic and professional achievements, tenure with the firm, number of years of total experience, and a list of projects similar in scope, size and value to the Project which is the subject of this RFP. Provide a cross-reference for each team member to any project listed in Item K below.
- G. A thoughtful, coherent proposed management plan for the Project, which describes in detail the firm's proposed approach to meeting Project goals – including schedule management, budget management, design and constructability reviews, quality management, and coordination goals.
- H. A thoughtful analysis of how integrated project delivery principles and the use of tools like building information modeling can be used effectively on the Project.
- I. Identification of any firms or individuals not part of the responding firm that will be collaborating on the Project. For each such firm, provide a detailed description of its role in the Project, and a complete resume and description of the length and substance of its experience as it relates to the Project.
- J. Background data on all consulting firm(s), or resume with specific applicable experience if proposed to be done with in-house staff, representing the disciplines below and other consultants considered appropriate, who will play a role on the project, including an identification of any such firm that is an MBE or WBE:
 - 1. Cost Estimating / Scheduling
 - 2. Design Phase Reviews for Utilities, Site, Structural, MEP/FP
 - 3. Interdisciplinary Constructability Reviews
- K. List of projects to demonstrate OPM services in general of comparable size, scope and complexity that the responding firm has substantially completed within the past five (5) years. For each project, provide a complete description, including estimated and actual total project costs, estimated and actual construction costs, total amount and percentage of change orders, estimated and actual project schedule, and the names, current telephone numbers and other contact information for reference person(s). If the Respondent is a joint venture, describe all projects on which the joint venture partners have previously worked together identifying the duties and responsibilities of each firm on each of such projects.
- L. Evidence of the firm's stability by providing detailed financial information that can be used to evaluate and ascertain the firm's ability to provide the required services for the duration of the Agreement.
- M. Three (3) references of persons who are familiar with the work of the responding firm. In addition, provide three (3) references of persons who are familiar with the work and professional skills of the proposed Principal-in-Charge and Project Manager. By submitting a proposal, the responding firm expressly authorizes the Authority and its representatives to contact all named references regarding the past performance of the firm and any of the proposed team members identified in the proposal.



N. Forms – Completed and executed copies of each of the following documents in the form attached as Attachments 3 through 8:

- Equal Employment Opportunity and Affirmative Action Questionnaire (**Attachment 3**)
- Conflict of Interest Statement (**Attachment 4**)
- Certificate of Non-Collusion (**Attachment 5**)
- Certificate of State Tax Compliance (**Attachment 6**)
- Certification regarding Undocumented Workers (**Attachment 7**)
- Certification regarding Equal Employment Opportunity, Non-Discrimination and Affirmative Action (**Attachment 8**)

XIII. SELECTION PROCEDURES

Each proposal will be reviewed by the Authority to determine if it is complete prior to actual evaluation. The Authority reserves the right, but shall have no obligation, to eliminate from further consideration any proposal deemed to be substantially or materially non-responsive to the RFP. The Authority will review all proposals and may select one or more responding firms who best meet the qualifications set forth in this RFP. Additional information may be issued to short-listed firms if the Authority determines to conduct personal interviews as part of the procurement process. The selection of the finalists will be based on who best meets or exceeds the following criteria, as applied by the Authority in its sole and absolute discretion:

- Prior experience and performance on projects of similar type, scope of services, and complexity, including the quality, depth and relevance of the respondent's prior experience and expertise in providing similar services to public agencies.
- Quality, clarity, and completeness of Respondent's approach to project management and the Authority's judgment as to the compatibility of such approach with the Authority.
- Organization, project staffing (Key Personnel) and capacity, including: the effectiveness of the Respondent's proposed team organizational structure, the qualification of Respondent's key personnel and staff who would be responsible for providing services to the Authority, and the qualifications of the key persons and consultants who will work on the Project.
- Prior experience of specific staff members proposed, including their availability, their capacity to manage the design, commissioning, and construction management teams, and performing quality of work on projects with specific budget and schedule limits.
- Financial stability of the firm.
- Identity and qualifications of consultants that will work with the Respondent.
- Understanding of the Authority's priorities and operations, and the Project.



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- Current total workload with private clients and public agencies and the ability of the firm to meet the Authority's project schedule and demands.
- Experience managing projects utilizing Building Information Modeling (BIM), "Lean" construction processes, and Integrated Project Delivery (IPD) tools.
- Experience with managing projects designed for sustainability and energy efficiency.
- Overall commitment to equal employment opportunity and affirmative action.
- Results of the interviews, if conducted for this procurement.

XIV. ADDITIONAL INFORMATION

Prospective respondents shall not communicate with the Authority, the University, or any of their representatives, at any time during the RFP process except through written questions submitted prior to the deadline set forth herein. All questions must be submitted in writing and sent by email to:

Charles A. Paradie Jr, AIA
Director of Project Planning and Capital Procurement
University of Massachusetts Building Authority
cparadie@umassp.edu

The deadline for receipt of written questions is **12:00pm on November 16, 2023**. The Authority will respond to all written questions which in the Authority's sole judgment may have a material effect on the RFP by posting written responses on the Authority's website, www.umassba.net, no later than **5:00pm on November 20, 2023**.

XV. OTHER PROVISIONS

- A. The Authority reserves the right to modify this RFP, in whole or in part, prior to the date fixed for submission of the Proposals, by issuance of an addendum or addenda, which shall be posted on the above-referenced website. The Authority may extend the deadline for submission of Proposals if, in the Authority's judgment, such extension is necessary for any reason. It is the responsibility of each responding firm desiring to submit a proposal to obtain the Request for Proposals and any and all addenda that may be issued in connection with this RFP.
- B. All expenses and costs, including but not limited to legal costs, associated with developing or submitting a proposal in response to this RFP, or associated with oral or written clarification thereof, including all presentation materials and related costs and travel expenses, shall be borne solely by the responding firm, and under no circumstances shall the Authority be responsible for any such cost or expense incurred by any responding firm. The Authority assumes no responsibility for these costs and expenses.



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- C. Responding firms may withdraw their proposals, by written request only, received by the Authority prior to, but not after, the time set for submission of proposals. Thereafter, proposals shall be irrevocable for a period of not less than forty five (45) days and may not be withdrawn or modified.
- D. Any proposal which is not electronically received by the Authority by the date and time for submission of proposals set forth herein will be determined to be late and shall not be considered.
- E. The Authority may cancel or modify this RFP, in whole or in part, or reject all Proposals submitted in response to this RFP if such action is determined to be in the best interest of the Authority. The Authority also reserves the right to waive any irregularities or requirements; and to negotiate with all respondents, in any manner necessary, in its sole judgment and discretion, to serve the best interest of the Authority. Proposals that are incomplete, conditioned, or are otherwise not in conformance with this RFP may be rejected at the sole discretion of the Authority.
- F. A proposal may be considered non-responsive if it includes extraneous information not specifically requested in this RFP. Clarity and conciseness of proposals will be valued over sheer volume.
- G. The Authority reserves the right to request clarification of any aspect of any submitted proposal or to request additional information that might be required to evaluate a proposal.
- H. By submission of a proposal, each Respondent acknowledges and agrees that all documentation and/or materials submitted with its proposal shall become and remain the property of the Authority. The Authority shall have the right to use all or any portions of any proposal, as it considers necessary or desirable, in connection with the Project. By the submission of a proposal, the Respondent thereby grants to the Authority an unrestricted royalty-free license to use the proposal and all materials submitted therewith in connection with the Project.
- I. Respondents are advised that, once an award has been made, proposals submitted to the Authority in response to this RFP are considered public records as defined by Massachusetts General Laws, Chapter 4, §7, clause 26.

XVI. ATTACHMENTS

- Attachment 1: Procedures of the University of Massachusetts Building Authority for the Procurement of Construction Management at Risk Services pursuant to M.G.L. c. 149A, §§ 1-13 (dated February 17, 2010)
- Attachment 2: Form of Agreement for Professional Services Between Owner and Owner's Project Manager
- Attachment 3: Equal Employment Opportunity and Affirmative Action Questionnaire
- Attachment 4: Conflict of Interest Statement



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- Attachment 5: Certificate of Non-Collusion
- Attachment 6: Certificate of State Tax Compliance
- Attachment 7: Certification Regarding Undocumented Workers
- Attachment 8: Certification Regarding Equal Employment Opportunity, Non-Discrimination and Affirmative Action
- Attachment 9: Phase 2 SD Report FINAL 2023-10-13 by RMF Engineering