



CITY OF DULUTH

REQUEST FOR PROPOSALS

**CONSTRUCTION MANAGER AS AGENT FOR
SPIRIT MOUNTAIN RECREATION AREA RENOVATION**

RFP NUMBER 22-5503

ISSUED February 11, 2022

**PROPOSALS DUE March 3, 2022
SUBMIT TO**

**CITY OF DULUTH
ATTN: PURCHASING DIVISION
CITY HALL, ROOM 120
411 WEST 1ST STREET
DULUTH, MN 55802**

PART I - GENERAL INFORMATION

I-1. Introduction. The City is seeking proposals for Construction Manager as Agent (CMA) services for renovations to the Spirit Mountain Recreation Area.

This project is anticipated to be funded in part with State of Minnesota bonding funds. Contractor shall comply with all State requirements. In accordance with the Minnesota Department of Administration's guidance, the CMA will not be permitted to bid on any of the trade/subcontract work.

Due to the estimated dollar value of the proposed construction, bidders should be aware that a Project Labor Agreement and the city's Community Benefits provisions will be required for the construction contracts.

I-2. Background. In 1973, the State of Minnesota created the Spirit Mountain Recreation Area to provide multiple outdoor recreation opportunities to residents of and visitors to Duluth, to enhance the economy of the region and to preserve the natural environment of the 1,600-acre area. Owned by the City of Duluth, the Spirit Mountain Recreation Area is governed by the SMRAA and operates a resort that offers downhill and Nordic skiing, tubing and ice skating in the winter and camping, mountain biking, hiking, disc golf and Adventure Park rides in the summer and fall.

I-3. Project Overview. This project will continue the work from the main chalet pre-design process by providing pre-construction services, and construction management services through the completion of the project. The initial phase of this work will be a limited level of schematic design sufficient to further define and represent the key project elements in support of the fund development efforts underway to more completely establish a scope and budget for this project with greater clarity as to the project design. This RFP seeks proposals for pre-construction services and construction administration, but only the pre-construction services will be funded prior to securing the total funding package to complete the project. Proposals should detail the full extent of the services provided in all phases of project development and construction with additional detail as to the scope, deliverables and action plan to further flesh out the project details and budget, including but not limited to market-based construction cost estimation and constructability review. The City of Duluth reserves the right to choose a different construction management firm once the limited scope of this pre-construction phase is complete, but the intent is to select a firm for the entire project. Additional details are provided in Part IV-Project Detail.

I-4. Calendar of Events. The City will make every effort to adhere to the following schedule:

Activity	Date
Deadline to submit Questions via email to purchasing@duluthmn.gov	February 22, 2022

Answers to questions will be posted to the City website no later than this date.	February 24, 2022
Proposals must be received in the Purchasing Office by 4:30 PM on this date.	March 3, 2022

I-5. Rejection of Proposals. The City reserves the right, in its sole and complete discretion, to reject any and all proposals or cancel the request for proposals, at any time prior to the time a contract is fully executed, when it is in its best interests. The City is not liable for any costs the Bidder incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of the contract.

I-6. Pre-proposal Conference. No pre-proposal conference will be held. Site visits can be arranged by contacting: purchasing@duluthmn.gov

I-7. Questions & Answers. Any questions regarding this RFP must be submitted by e-mail to the Purchasing Office at purchasing@duluthmn.gov **no later than** the date indicated on the Calendar of Events. Answers to the questions will be posted as an Addendum to the RFP.

I-8. Addenda to the RFP. If the City deems it necessary to revise any part of this RFP before the proposal response date, the City will post an addendum to its website <http://www.duluthmn.gov/purchasing/bids-request-for-proposals/>. Although an e-mail notification will be sent, it is the Bidder's responsibility to periodically check the website for any new information

I-9. Proposals. To be considered, hard copies of proposals must arrive at the City on or before the time and date specified in the RFP Calendar of Events. Proposals cannot be submitted via email or facsimile transmission. The City reserves the right to reject or to deduct evaluation points for late proposals.

Proposals must be signed by an authorized official. If the official signs the Proposal Cover Sheet attached as Appendix A, this requirement will be met. Proposals must remain valid for 60 days or until a contract is fully executed.

Please submit one (1) paper copy of the Technical Submittal and one (1) paper copy of the Cost Submittal. **The Cost Submittal should be in a separate sealed envelope.** In addition, Bidders shall submit one copy of the entire proposal (Technical and Cost submittals, along with all requested documents) on flash drive in Microsoft Office-compatible or pdf format.

All materials submitted in response to this RFP will become property of the City and will become public record after the evaluation process is completed and an award decision made.

I-10. Targeted Group Business Information. The City encourages participation by minority, women, veteran-owned and other targeted group businesses as prime contractors, and encourages all prime contractors to make a significant commitment to use minority, women, veteran-owned and other disadvantaged business entities as subcontractors and suppliers. A list of certified Disadvantaged Business Enterprises is maintained by the Minnesota Unified Certification Program at <http://mnucp.metc.state.mn.us/>. The Minnesota Office of Administration maintains a list of Targeted Group Businesses at <http://www.mmd.admin.state.mn.us/process/search/>

I-11. Term of Contract. The term of the contract will begin once the contract is fully executed and the pre-construction phase is anticipated to end by July 1, 2022. The selected Bidder shall not start the performance of any work nor shall the City be liable to pay the selected Bidder for any service or work performed or expenses incurred before the contract is executed. Although the exact term of the full project is dependent upon securing funding, the project is expected to be substantially completed by December 31, 2023.

I-12. Mandatory Disclosures. By submitting a proposal, each Bidder understands, represents, and acknowledges that:

- A. Their proposal has been developed by the Bidder independently and has been submitted without collusion with and without agreement, understanding, or planned common course of action with any other vendor or suppliers of materials, supplies, equipment, or services described in the Request for Proposals, designed to limit independent bidding or competition, and that the contents of the proposal have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder.
- B. There is no conflict of interest. A conflict of interest exists if a Bidder has any interest that would actually conflict, or has the appearance of conflicting, in any manner or degree with the performance of work on the project. If there are potential conflicts, identify the municipalities, developers, and other public or private entities with whom your company is currently, or have been, employed and which may be affected.
- C. It is not currently under suspension or debarment by the State of Minnesota, any other state or the federal government.
- D. The company is either organized under Minnesota law or has a Certificate of Authority from the Minnesota Secretary of State to do business in Minnesota, in accordance with the requirements in M.S. 303.03.

I-13. Notification of Selection. Bidders whose proposals are not selected will be notified via email.

PART II - PROPOSAL REQUIREMENTS

Proposals shall be limited to no more than 20 pages and shall include a cover letter, background and experience of the firm, resumes for all individuals who will be working on the project, a proposed work plan with a timeline, and at least three references from similar projects.

The cost submittal shall be in a separate sealed envelope from the technical proposal, and shall be broken down into the following components:

- Itemized Rate Sheet showing standard hourly rates for staff and equipment
- Proposed fee for providing CMA services
- Proposed fee for pre-construction services

PART III - CRITERIA FOR SELECTION

The proposals will be reviewed by City and SMRAA Staff. The intent of the selection process is to review proposals and make an award based upon qualifications as described therein. A 100-point scale will be used to create the final evaluation recommendations. The factors and weighting on which proposals will be judged are:

Qualifications of the Company & Personnel	30%
Understanding/Approach to the CMA Process	20%
Work Plan/Schedule	20%
References	10%
Cost	20%

PART IV - WORK STATEMENT

IV-1. Background: The Spirit Mountain Recreation Area is located in Duluth, Minnesota, a modest-sized city on the tip of Lake Superior with an outsized tourism industry that attracts a significant number of visitors from the not-too-distant Twin Cities (Minneapolis and St. Paul) area and beyond, especially those looking for outdoor adventures.

In July of 2020, a Spirit Mountain Task Force was created to develop a set of recommendations to put the Spirit Mountain Recreation Area on a financially sustainable, long-term trajectory. Their recommendations are in Appendix D.

In the fall of 2021, a pre-design report (see Appendix B) for the main chalet was developed by TKDA, a local architect and engineering firm, to study the potential adaptive reuse and renovation potential in the 42,000-sf main chalet as part of an application for state bond funds (see Appendix C). This RFP will allow the City to select a firm that can support the efforts of the design team as it seeks to develop a more detailed analysis of the elements below by continuing the project scoping and

budgetary/estimation process into the Schematic Design phase of design development. If this initial phase is effectively completed by the awarded bidder, it may result in the final selection of that bidder to manage this project to completion. The ultimate goal of the remodel is to create an iconic, functional, efficient, affordable and sustainable chalet that will serve the needs of the Spirit Mountain Recreation Area and its customers for the next 40+ years.

- During the schematic design phase, further explore how to take advantage of the opportunity to do “something special” with the main chalet, especially given the view/real estate upon which the chalet currently sits.
- Determine how best to consolidate, deliver and maximize the food and beverage services within a remodeled chalet that is within the construction budget and does not detract from the other priorities of a total chalet renovation.
- Determine how best to right-size the Chalet; which does not necessarily need to stay within the size of current footprint, but must deliver the most impactful level of service possible while managing operational impacts and keeping the project within budget.
- Consider how best to determine a transformational re-design that is also focused on cost, resetting the asset’s life cycle and achieving energy efficiency goals in line with State of MN B-3 requirements and the City of Duluth’s facility energy standards. Please review the Building Owner Performance Requirements in Appendix E.
- Focus on customer perspective (soft things); recognize the need to be family friendly.
- Focus on form, function, and affordability.
- Re-examine and more clearly define food service options to eliminate duplications, increase efficiency and effectiveness of operations and to renew aged infrastructure.
- Provide for sufficient banquet facilities facing the view, with a kitchen nearby.

IV-2. Nature and Scope of the Project. This project includes all services necessary to manage and oversee construction of a City-owned facility that will accommodate the requirements of the SMRAA. The City expects an energy-efficient facility that will incur minimal maintenance costs. Please see the Building Owner Performance Requirements in Appendix E.

IV-3. Requirements. Construction must conform to the 2019 City of Duluth Minnesota Construction Standards, available at <http://www.duluthmn.gov/engineering/standard-construction-specifications>. Hard copies are available upon request.

IV-4. Tasks. The selected firm shall be qualified to provide the following range of services:

A. Pre-Construction Phase

1. Assist the Project Team in review of design proposals and make recommendations as necessary.
2. Work with the project architects to develop and coordinate a master schedule and update as necessary.
3. Attend Project Team meetings.
4. Prepare cost estimates to confirm owner and architect's budget.
 - i. Pre-design/Schematic Phase renderings and space program
 - ii. End of design development drawings
 - iii. Construction documents
5. Provide technical review of the design documents prior to issuance for bidding.
6. Review all subcontractor and vendor bids with the City and make recommendations for award in compliance with State of Minnesota and City of Duluth purchasing rules and policies.
7. Provide other services as proposed or required.

B. Construction Phase

1. Provide a full-time project superintendent for the duration of the project.
2. Coordinate with the Project Team to facilitate weekly construction meetings at the site and to furnish meeting minutes.
3. Provide regular contract and budget updates throughout construction.
4. Coordinate, maintain and update the schedule during the project.
5. Assist in all aspects of construction project management
6. Provide other services as proposed or required.

C. Post-Construction Phase

1. Work with Project Team to completely close out the project.

Provide other services as proposed or required.

APPENDICES

Appendix A – Cover Sheet

Appendix B – Spirit Mtn Pre-Design Report from TKDA

Appendix C – City of Duluth Bond application and request form

Appendix D – Spirit Mountain Task Force Recommendations

Appendix E – Building Owner Performance Requirements

Appendices B, C, D and E are available at the same location as this RFP under separate documents. Please visit <https://www.duluthmn.gov/purchasing/bids-request-for-proposals/>.

APPENDIX A - PROPOSAL COVER SHEET
CITY OF DULUTH
RFP# 22-5503
RFP for CM as Agent Services for Spirit Mountain Project

Bidder Information:	
Bidder Name	
Mailing Address	
Contact Person	
Contact Person's Phone Number	
Contact Person's E-Mail Address	
Federal ID Number	
Authorized Signature	
Authorized Signer's Name	
Authorized Signer's Title	