

**CITY OF DULUTH**

PURCHASING DIVISION

Room 100 City Hall

411 West First Street

Duluth, Minnesota 55802-1199

218/730-5340 218/730-5922 FAX

January 31, 2013

**REQUEST FOR PROPOSAL**

**13-01DS**

**City of Duluth/DEDA Owner’s Agent**

**For the Design and Construction of the**

**Duluth Corporate Office Tower, Parking Ramp and Skywalk Project**

Please provide the City of Duluth and Duluth Economic Development Authority, hereinafter jointly and severally referred to as “Owner”, with a proposal to act as the **Owner’s Agent for the Duluth Corporate Tower Ramp and Skywalk Addition** per the attached description, requirements and goals.

Please mark your proposal with the above number and title on the outside of the envelope and return to: **City of Duluth, Purchasing, Room 100, 411 West 1st Street, Duluth, MN 55802 by** **2 PM Thursday, February 21, 2013.**

All proposals will be acknowledged aloud in room 106A of City Hall. Proposals will be reviewed by committee according to established criteria. Committee will be selected to review the proposals.

The Owner reserves the right to reject all proposals, to select more than one to give presentations if so desired by the City of Duluth, or to select the best one and enter into further negotiations with the vendor. It is the intent of the selection committee to review, score and choose 3 proposers to be invited to give presentations by the 3rd week of February 2013.

Contact: Dennis Sears (218) 730-5003

Purchasing Agent

[dsears@duluthmn.gov](mailto:dsears@duluthmn.gov)

Thank you.

1. **Background:**

The Atwater group, a private developer, has proposed to build an office and parking complex with connections to the Downtown Skywalk System and which may include retail and other uses all to be located at the site of the former KDLH television studios, 425 West Superior St in Duluth, MN. It will, when completed, be the single largest development in Duluth History.

The complex could be up to approximately 300,000 square feet and 15 stories high.

The project is expected to include an estimated 600 space public parking ramp underneath and supporting the Corporate Tower Building. A public skywalk will connect the Tower Building and ramp to the existing Duluth Downtown Skywalk System within the ramp from the Pallado Building on the northwest corner of 4th Avenue West and Superior St to the Superior Street frontage and to the existing underground concourse under 5th Avenue West to the Radisson Hotel.

It is anticipated that a limited liability company (LLC) may be formed to take the lead on the development of the various aspects of the development and their primary users and will select a designer for the entire project. The Owner will have a vested interest in the entire project, and particularly for the Parking Ramp and Skywalk portion which is being public funded.

1. **Funding:**

The Owner has been selected to receive up to 8.5 million in State of Minnesota Bond Funds which will be made available to fund some or all of the public elements of the project including land, the parking ramp and skywalk system addition. In addition, the Owner expects to issue an equal amount of bonds payable from project tax increment or other revenues to fund the public portions of the project; including parking revenues that will be similarly usable to fund elements of the project for which such funds are legally used.

The LLC, with Atwater and other private entities as partners, will take the lead role in the development of the project. As such, they will select the lead designer and the lead construction entity for the project as well as overseeing the financing and the design and construction of the private portions of the project.

It is the intention of all the parties that, insofar as possible, the entire project will be designed and constructed as a single, unitary project.

1. **Accounting:**

Because both private and public funding are being used and because the elements funded by the differing sources will be physically intermixed, it is critical that the two separate components of the design and construction, the privately financed elements of the project and the public financed elements of the project, be accounted for separately to meet mandated State and Owner reporting requirements and that State Statutes and City Codes are followed for the publicly financed design and construction component.

1. **Project Engineer as Owner Agent:**

The Owner has a number of highly critical interests that need the greatest degree of attention and expertise as possible in order to make the public portions of the Project successful and to insure that public financing constraints are met. Among these are concerns related to the efficient and convenient design of the parking facility, traffic flow in and around the Project and in the surrounding area, efficient and convenient design and operation of the Skywalk elements through the Project, the potential benefits of retail development in the Project to the surrounding area, and the general benefits of the Project to the Downtown. In order to insure that these and other considerations receive adequate attention in the design and construction of the Project, the Owner has made the decision that it needs to have an Owner’s Agent involved in the design and construction of the Project from the conceptualization phase of the Project through to issuance of the certification of the total completion of the Project. The Owner believes that the best fit of an acting Owner’s Agent protecting the Owner’s vested interests would be a Project Engineer with expertise in the design and construction of parking ramps and skywalk systems. This can be accomplished by one firm with the requisite expertise or by a joint venture between two or more firms. A sound and strong working relationship is needed between the Development LLC, the Designer, and the Owner. The parking ramp will be supporting the Corporate Tower Building, thus the Project Engineer must insure the ramp is built to support the structure above.

1. **General Instructions:**

Six (5) hard copies and one (1) cd of the proposal must be submitted to:

City of Duluth Purchasing

411 West First St, RM 100

Duluth, MN 55802

Clearly mark the outside of the package with the above number and project name.

1. **Proposal Content:**

**Your submission must include the following:**

1. Provide the following information about your company:
2. Name of firm
3. Address of firm
4. Telephone and fax number, e-mail address optional
5. Primary contact and telephone number
6. Brief history of the firm
7. Size of firm/staff
8. Years in business
9. Organizational chart of firm if any
10. Distance from Duluth
11. Relative similar projects and descriptions if possible. Please provide three (3) of similar size and scope. Include pictures, total cost of each, budget, cost over runs/change orders, total square feet and any other pertinent project information. State if the project was bid and if it was completed on schedule. If no comparable are available, come as close as you can; proposals that come close to meeting this requirement will receive more favorable consideration.
12. Provide a schedule of fees for owner oversight of each phase of the Design-Bid-Build of the parking ramp and skywalk connection of the Corporate Tower Project and overall total cost estimate.
13. Owner Agent background:
14. Owner Agent/Project Engineer in charge in charge and brief biography/history of previous work.
15. Brief summary of problems that can be encountered and how to control.
16. Experience working with a Designer-Contractor format, with a Design-Bid-Build Designer and Development LLC.
17. History of working with owners, both public and private on similar projects and helping keep accounting of public and private funding separate.

1. Owner Agent approach and experience:
2. Describe your approach on behalf of owner on this large project. Please include the benefit each step has for the owner(s).
3. Please describe any unique aspects you may employ as owner agent of this

project.

1. Current workload:
2. The workload on this project will require all one’s attention as owner agent. Please disclose possible distractions that can occur from past experience if any and how to overcome.
3. Special Training:
4. Are there any special training requirements held to qualify as an Owner Agent. Please provide any obtained and any license that may be required.
5. Have you ever been barred from acting as an Owner Agent on any projects of this size.
6. Legal proceedings:

Identify any on-going legal proceeding or pending legal proceeding (arbitration,

complaints, or court action) filed by an owner or contractor for any project you have been part of as an Owner agent in the past five years.

1. References:

Please provide a minimum of three references to contact for work as an Owner Agent.

1. Unique Qualifications:

Please state why you should be selected by the owner(s) as an Owner Agent

1. Insurance requirements or Errors and Omissions: (as included per attached)
2. **Intent:**

It is the intent of the Owner to hire an Owner Agent to act on its behalf in the process of providing oversight to the work on the Project. The Owner Agent must be familiar with State Statutes, Laws, Codes, and Ordinances that may govern all aspects of bidding, payments, grant reporting construction codes as well as those for the City of Duluth. Owner Agent is expected to provide any necessary reports required by same and insure that throughout the process from design to completion, all requirements are followed with strict adherence on the public funded portion of this project. It is expected by the Owner that the owner agent will advise the Owner through meetings as deemed necessary and practical. This relationship shall be formed at the beginning of the process with an initial meeting to discuss any intent and have a Q and A between all parties involved in this project to include a possible Owner Agent for the private Atwater group Owner(s)/Investors.

**Selection Criteria and Scoring:**

All submittals meeting the established criteria will be evaluated by a selected committee consisting of both the private owner and the public owner reviewers. Submittals will be evaluated using the criteria below. The top 3 ranking firms will be invited to Duluth for interviews and to present preliminary project design plans. Proposers not familiar with Duluth’s unique landscape are encouraged to review the proposed site location or seek information on the site location prior to submitting a proposal.

1. Composition and qualifications (40 points)
2. Relevant past experience (35 points)
3. Resumes of key individuals (20 points)
4. Owner Agent project approach (30 points)
5. Report approach (25 points)
6. References (20 points)
7. Proposal completeness (10 points)

Total (180 points)

Contacts: Contact the following with any questions pertaining to this proposal by February 12, 2013. All questions and provided answer will be provided by an addendum in writing and posted on the City of Duluth web site by February 14, 2013 by City of Duluth Purchasing Department.

Christopher Eng, Director, Business and Economic Development, 218-730-5322