



**MAINE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR PROPOSALS  
FOR  
CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC)  
PRECONSTRUCTION SERVICES  
FOR THE  
CAMDEN HIGHWAY AND BRIDGES PROJECT  
WIN 018283.00; 022608.00; 022610.00**

**DATE OF REQUEST FOR PROPOSALS (RFP) POSTING: June 3, 2020**

**I. INTRODUCTION AND PROJECT DESCRIPTION**

**A. Project Description**

The Maine Department of Transportation is seeking Technical and Price Proposals for Construction Manager/General Contractor (CM/GC) Services for the Camden Route 1 Highway Reconstruction and Bridge Replacements Project. The Project consists of Highway Reconstruction on US Route 1 beginning 0.56 mile northerly of Sagamore Farm road and extending northerly 1.54 miles to the Lincolnville town line. The project also includes the replacement of Spring Brook Bridge (#2794) over Spring Brook and Great Brook Bridge (#2326) over Great Brook.

The Project was previously advertised under WIN 18283.00 in February 2020 but not awarded.

**B. CM/GC Introduction**

Construction Manager/General Contractor (CM/GC) is an alternative delivery method that involves engaging a contractor or contractor team in the design phase to provide constructability, cost estimating, scheduling and other services. During the design phase of the project, the Contractor performs a Construction Manager (CM) role. Once the design phase has reached an appropriate stage, the Contractor is given the opportunity to provide a proposed cost to the owner to construct the project. The Owner and Contractor then attempt to negotiate an agreed price. If an agreement is reached, the Contractor is awarded the construction contract and then becomes the General Contractor (GC). If agreement cannot be reached, the CM phase ends and the Owner may deliver the project by a different method. The CM/GC Process for the Camden project is described in more detail in Section X.

**II. PROJECT GOALS**

The goals for this CM/GC Process are to:

- minimize and mitigate risk;
- optimize construction schedule;
- improve overall quality; and
- reduce costs.

**III. PROJECT AND PROCUREMENT SCHEDULE**

CMGC RFP Issued:	June 3, 2020
Proposal Submission Deadline:	July 2, 2020
CM Contractor Selected:	July 15, 2020

CM/GC Design Workshops:	Through August 2020
Adjusted specifications released for pricing:	September 2020
Project contract offer/negotiations:	October 2020
Notice to proceed for Construction:	Fall 2020
Construction Complete:	Early 2022

#### **IV. PROPOSAL SUBMITTAL REQUIREMENTS**

The proposal shall consist of two parts, a Price Proposal and a Technical Proposal.

The Price Proposal shall consist of one completed copy of the Price Proposal Form supplied by the Department in a sealed envelope clearly marked as follows:

Proposer' Name  
 CM/GC Price Proposal  
 Camden Highway and Bridges Project

The Technical Proposal shall consist of one hard copy and one electronic copy in PDF format organized as follows:

Cover Letter  
 Proposers Organization  
 Key Personnel Resumes  
 Firm Qualifications and Experience

##### **A. Time and Location of Submission**

Technical and Price Proposals shall be delivered to MaineDOT by mail or courier delivery by close of business on Thursday July 2, 2020. Proposals received after July 2, 2020 will not be accepted. The address for US Mail and courier delivery is:

Maine Department of Transportation  
 ATTN: George M. A. Macdougall, P.E.  
 16 State House Station  
 24 Child Street  
 Augusta, ME 04333-0016

#### **V. MATERIALS AND INFORMATION SUPPLIED BY MAINEDOT**

The following documents are available on the MaineDOT contracts webpage:

As bid plans and specifications for WIN 18283.00 (basis of price proposal)  
 As bid plans and specifications for WIN 22608.00 Spring Brook Bridge  
 As bid plans and specifications for WIN 22610.00 Great Brook Bridge  
 Preliminary Design Report for Spring Brook Bridge  
 Preliminary Design Report for Great Brook Bridge  
 As built plans for Spring Brook Bridge and Great Brook Bridge  
 Geotechnical Reports and Hydraulic Reports

## **VI. REQUESTS FOR INFORMATION AND RFP AMENDMENTS**

RFIs may be emailed directly to [RFI-Contracts.MDOT@maine.gov](mailto:RFI-Contracts.MDOT@maine.gov) with the subject of “RFI – Camden Highway/Bridge Project---18283.00”. Answers will be posted as ‘Amendments’ on the website with this Notice. Bidders shall not contact any other departmental staff. The Department will not be responsible for any answers given or information not posted on the website. RFIs will be received up to 12:00 noon of the Monday prior to the submission deadline.

## **VII. PROPOSAL CONTENT AND EVALUATION CRITERIA**

### **A. Basis of Award**

The basis of award for the CM phase of the project will be the lowest adjusted price which will be the Price Proposal divided by the Technical Score.

### **B. Evaluation Criteria of Technical Proposal**

The Technical Proposal will be reviewed for responsiveness and if responsive, consensus scored by a selection panel of three to five members appointed by the MaineDOT Director of Project Development. The maximum technical proposal score is 100 points, the minimum responsive score will be 90 points.

#### **1. Responsiveness Criteria for Technical Proposal:**

- a) Submit up to a two page cover letter indicating the following:
  - 1) A statement that the firm desires to be considered for the subject project.
  - 2) A statement that the firm commits to actively participate in the CM phase in order to develop appropriate and constructible design plans.
  - 3) Evidence that the firm has a bonding capacity of at least \$15 Million for a single contract.
  - 4) Acknowledgement that the firm is required to have a Bridge or Highway Prequalification with MaineDOT to be considered. For information and applications to obtain a MaineDOT prequal, go to <http://www.maine.gov/mdot/contractors/prequal/>
- b) As required below in section 2.b.2., include descriptions of at least 3 active or completed similar and comparable major bridge/highway projects within the past 5 years. Project references with contact information must be included.

#### **2. Scoring Criteria for Technical Proposal:**

- a) Proposers Organization and Key Personnel Experience (50 points)
  - 1) Provide an organizational chart showing the structure of the Proposer’s organization. The chart must show the functional structure of the organization and must identify Key Personnel by name and position.
  - 2) Identify and provide job descriptions, responsibilities, and authority for the following Key Personnel that will be assigned to this project:
    - i. Project Manager – This individual is responsible for the overall management and coordination of the project.

- ii. Highway Construction Manager – This individual is responsible for planning and execution of the Highway related construction work in the field.
    - iii. Bridge Construction Manager – This individual is responsible for planning and execution of Bridge related construction work in the field.
    - iv. Up to two additional individuals the Proposer considers as key to success of the project.
  - 3) Provide resumes for each of the Key Personnel
- b) Proposer's Past Performance and Experience (50 Points)
  - 1) Provide a narrative response to the following:
    - i. Describe the Proposers resources and commitment to ensuring the success of the project
    - ii. Describe the firms experience in construction and management of similar size Highway and Bridge projects.
  - 2) Provide descriptions of at least 3 active or completed similar and comparable major bridge/highway projects within the past 5 years. Project references with contact information must be included.

#### C. Price Proposal & Determination of Successful Proposer

The Price Proposal shall consist of the total sum of all unit price items listed on the included price proposal form. All unit price items listed on the form pertain to the highway work shown on the included plans for WIN 18283.00. Bridge work referenced between stations 109+00 to 111+25 (Spring Brook) and from Station 155+75 to 157+50 (Great Brook) is NOT included in the price proposal. The Price Proposal will remain sealed until the normally scheduled bid opening on July 15, 2020 at which time it will be opened and read publicly. The Department will compute an adjusted price by dividing the price proposal by the technical score at the opening. The Apparent Successful Proposer will be determined by the lowest adjusted price. Formal notification of the successful and unsuccessful proposers will be done by email following the meeting.

#### VIII. CONTRACT TERM, TYPE, AND PAYMENT

To offset the cost of participation in the CM Process, the CM will be paid a lump sum stipend of \$15,000 at the conclusion of the CM process if the Department and the CM are unable to reach an agreement on a construction contract.

#### IX. CONTRACTOR PROTEST PROCEDURE

This section sets forth the exclusive protest remedies available with respect to this RFP. By submitting a Proposal, each Proposer expressly recognizes the limitation on its rights to protest contained herein, expressly waives all other rights and remedies, and agrees that the decision on any protest, as provided herein, shall be final and conclusive. Every Proposer who submits a Proposal will be notified of their selection status via email. To protest a determination that a Proposer is unsuccessful, Proposers must file a written Notice of Protest with the Commissioner within five (5) days after receiving notification. At a minimum, the Notice of Protest must contain:

- A. The specific legal and/or factual errors that the Proposer alleges were made by MaineDOT in determining that the Proposer was unsuccessful;
- B. The specific relief sought;
- C. A request to submit additional written evidence and arguments, (if desired); and
- D. A designation of counsel or any other party that will be representing the parties in the protest (if any).

If the protesting proposer's price proposal is such that if awarded the maximum technical score would not change the determination of successful proposer, then the protest is considered invalid and the protesting proposer will be notified that their protest is unsuccessful. If a valid protest, MaineDOT will transmit a copy of said Notice of Protest to the Apparent Successful Proposer within twenty-four (24) hours of receipt.

Within five (5) Days of the filing of a Notice of Protest, the protesting Proposer, the Contract Representative, and the Apparent Successful Proposer must file with the Commissioner (or such other person as the Commissioner may designate in writing):

- A. all additional written evidence and arguments that the parties desire the Commissioner to consider in evaluating the protest, and
- B. a request for a hearing, if desired. No hearing will be held unless such written evidence and arguments are submitted by the party requesting a hearing. Within said time period, copies of all such material submitted must be delivered to said other parties.

If held, the hearing will take place within ten (10) Days of the filing of written evidence and arguments by the protesting Proposer, the Contract Representative, or the Apparent Successful Proposer, whichever occurs later, at a time and place determined by the Commissioner. The parties agree to accept twenty-four (24) hour telephone notice of such hearing. The protesting Proposer, the Apparent Successful Proposer, and the Contract Representative or their designees shall each be afforded an opportunity to be heard by the Commissioner or his designee.

Within ten (10) Days of (a) the close of the hearing (if held), or (b) the last filing of written evidence and arguments (if no hearing is held), the Commissioner or his designee(s) will:

- A. In writing, affirm the determination that the protesting Proposer is unsuccessful;
- B. In writing, revise, amend, or reverse said determination; or
- C. Take no action, which shall be considered an affirmation of said determination.

This shall constitute the final agency action of the Maine Department of Transportation regarding the protest.

#### **X. CMGC PROCESS**

The selected contractor will be required to participate in an expedited design review process with the Department and the Department's Engineer. This process is expected to last one to two months and will require the Contractor to attend and participate in up to two design review meetings per week. Attendance may be in person or remote but it is expected that the Contractor will make every effort to provide access to the Key Personnel listed in the Proposal.

The focus of the design review process will be to examine the design and contracting requirements from the previously advertised but not awarded Camden Highway and Bridges bid package for opportunity to reduce cost and risk and improve overall quality. The Department may consider any ideas to meet those goals, but expects to focus on the following:

1. Spring Brook Bridge Design (Sta. 109+00 to 111+25)
2. Great Brook Bridge Design (Sta. 155+75 to 157+50)
3. Overall Traffic Control Parameters
4. Time requirements

The Department and its Engineer will be responsible to evaluate, design, and detail any proposed changes to the contract package.

It is not anticipated at this time to make any changes to the Highway design outside of the Bridge Project limits.

After the Department has adjusted the bid package, the Contractor will then price the work and submit an offer amount for the entire project. Unit Prices for the Highway work already submitted as part of the CM price proposal are the maximum prices and will not be increased unless the Department and the Contractor mutually agree that the nature of the Highway work has been changed and those prices are no longer valid. The Department will also develop their own independent cost estimate based on the adjusted bid package to use as a basis of negotiation for the project.

Upon submission of the offer by the Contractor, the Department and the Contractor will attempt to negotiate a final price and terms of a construction contract. If successful, the Department and Contractor will execute a standard construction contract. If unsuccessful, the CM process is ended, and the Department may accomplish the project through a different delivery method.