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NOTICE OF REQUEST FOR QUALIFICATIONS FOR
CONSTRUCTION MANAGEMENT AT-RISK SERVICES
PROJECT MC-0594, PEDESTRIAN BRIDGE NORTH E.K. GAYLORD BOULEVARD
FROM THE SANTA FE GARAGE EAST TO PARK AVENUE

Notice is hereby given that the City of Oklahoma City (“Awarding Public Agency”) has a public improvement project that may require Construction Management At-Risk (“CMAR”) services pursuant to 61 O.S. §217(D) and the Oklahoma Competitive Bidding Act 61 O.S. §101 *et seq.* Qualification Packets in response to this Request for Qualifications (“RFQ”) **must be submitted through Bidnet Direct, the Awarding Public Agency’s electronic bidding system, prior to 4:00:00pm CT on July 9, 2025**. The electronic bidding system does not allow Qualification Packets to be submitted after the above deadline. **There will be no exceptions to this policy.**

All questions must be submitted through Bidnet Direct by 4:00:00 pm CT on June 26, 2025. Answers to the questions will be posted in Bidnet Direct by 4:00:00 pm CT on July 2, 2025.

Project Description: MC-0594, Pedestrian Bridge North E.K. Gaylord Boulevard from the Santa Fe Garage east to Park Avenue; Estimated Cost of Construction \$4,837,000.

The pedestrian bridge is designed to span approximately ninety feet over E.K. Gaylord Avenue, connecting the Park Avenue underpass with the Santa Fe Parking Garage. This 8-foot-wide x 12-foot-high bridge will enhance pedestrian safety and improve accessibility. The bridge tower structure on the east side of E.K. Gaylord Avenue will be located immediately adjacent to the existing BNSF Railroad right-of-way. The proposed foundation design will be coordinated with the existing private utility conduit locations to leave them in place. The bridge foundations on the west side of E.K. Gaylord Avenue will be located immediately adjacent to the existing Santa Fe Parking Garage.

Paving and streetscape improvements include relocating streetlight power conduits and pull boxes; storm sewer and inlets; removal of the existing median. Permanent closure of the easternmost northbound lane of E.K. Gaylord Avenue from the tower structure south to the north side of the Main Street intersection.

Phasing of construction will be so access to the Santa Fe Parking Garage entrance is continuously open during construction. A minimum one lane of through traffic in each direction will also be required throughout construction with the exception of short-term night or weekend closures as needed

Prequalification in the area of **Building contractor “A”** will be required for completion of this Project. In addition, any work for which a prequalification classification has been established, must be performed by persons or entities prequalified in those classifications. The prequalification classifications and detailed instructions to become prequalified are available at <https://www.okc.gov/departments/public-works/contractor-resources/prequalification>. The prequalification application deadline for the project is the same as the RFQ date of submission as stated herein.

This RFQ consists of this notice and the following attachments:

Attachment "A" – Oklahoma State Statute 61-217

Attachment "B" – Oklahoma City Municipal Code, Chapter 2, Articles X & XI.

Attachment "C" – RFQ Required Documents

Attachment "D" - Site Plan and Building Sections

Attachment "E" - Project Schedule

In order to be considered to provide CMAR services for this project, Respondents must timely submit a Qualification Packet to this RFQ through the electronic bidding system at <https://www.bidnetdirect.com/oklahoma/cityofoklahomacityandtrusts>. The Awarding Public Agency does not provide access to a computer to prepare or make electronic submissions. Respondents must register with the electronic bidding system at <https://www.bidnetdirect.com/oklahoma/cityofoklahomacityandtrusts> in order to submit a Qualification Packet. The Awarding Public Agency recommends respondents register and become familiar with the electronic bidding system and its functions in advance of the submission deadline. There is no charge to register or to submit a Qualification Packet to the Awarding Public Agency through the electronic bidding system. Instructions on how to get registered in the electronic bidding system can be found on the City of Oklahoma City's website at <https://www.okc.gov/departments/bidding>.

By submitting a Qualification Packet in response to this RFQ, the Respondent certifies that the Respondent complies with 25 O.S. §1313 and participates in the Status Verifications System. The Status Verification System is defined in 25 O.S. §1312, and includes, but is not limited to, the free Employment Verification Program (E-Verify) through the Department of Homeland Security and available at: www.dhs.gov/E-Verify.

The Awarding Public Agency reserves the right to waive formalities, irregularities, and defects in any or all submissions, except as otherwise stated herein or required by law. The Awarding Public Agency reserves the right to reject any or all submissions, to negotiate and execute an agreement or to not negotiate or execute an agreement with any Respondent, and to issue a new or different RFQ and/or to solicit additional, different or other RFQs and/or responses.

Responses to this RFQ must be made in accordance with this RFQ including the General Instructions and Requirements, Oklahoma Open Records Act and Confidential Information, and any other documents which are a part of the RFQ.

Role of the Construction Manager At Risk

The Construction Manager will be required to cooperate, coordinate, and complement the Awarding Public Agency's selected architect of record to provide pre-construction services during all phases of design and construction to include, but not limited to: attending/participating in Project meetings with the Awarding Public Agency and the architect; cost estimating; recommending construction phasing and sequencing; reviewing for constructability and material availability and substitutions, providing value engineering, drafting subcontractor prequalification, subcontractor bid packages, and subcontractor contracts and bonds, providing construction

schedules, providing estimated cost of construction, and recommending construction means and methods. The Construction Manager will also assess and advise the Awarding Public Agency regarding Project Schedule and Project Budget impacts related to long lead submittals, procurement, and approvals. The Construction Manager will continuously update and provide an Estimated Guaranteed Maximum Price for the Project throughout the design process.

Additionally, the Construction Manager will assist the Awarding Public Agency with drafting, bidding, executing, and managing all subcontractor and supplier contracts.

The Construction Manager will be required to procure and maintain insurance for this Project at its own expense against claims which may arise from or in connection with the performance of its services and all Project work and materials, which coverage will include:

- A. Worker's Compensation Insurance and Employer's Liability Insurance,
- B. Commercial General Liability Insurance,
- C. Automobile Liability Insurance,
- D. Professional Liability (Errors and Omissions) Insurance, and
- E. Builder's Risk (Course of Construction) Insurance,

in such amounts and pursuant to the terms and conditions as provided in Article 13 of the sample CMAR contract in Attachment B to this notice.

The Construction Manager will also be required to provide Bid Bonds for any self-performed subcontractor packages (if any), and will be required to provide Performance Bond, Statutory (Payment) Bond, and Maintenance Bond for the Project in such amounts and pursuant to the terms and conditions as provided in Article 14, Exhibit F, Exhibit G, and Exhibit H of the sample CMAR contract in Attachment B to this notice.

If the Awarding Public Agency determines to use a construction management at-risk delivery method for this Project and if the Construction Manager fully and timely performs pre-construction services, the Awarding Public Agency will attempt to negotiate a Guaranteed Maximum Price ("GMP") amendment(s) to the CMAR Contract. If the Awarding Public Agency cannot negotiate a GMP amendment(s) to the CMAR Contract that is satisfactory to the Awarding Public Agency, the Awarding Public Agency may terminate the CMAR contract.

Any Respondent that wishes to be considered for the Project must be registered with the Oklahoma Office of Management and Enterprise Services, Capitol Assets Management Division, Construction and Properties Department www.https://oklahoma.gov/omes.html. **There will be no exceptions to this policy.**

The following information should be included in the Respondent's Qualification Packet:

1. Business –
 - a. Identify the name and business address of the Respondent.
 - b. Name, address, and contact information for Respondent's primary contact.
 - c. Identify form of business entity that would be entering into the CMAR Contract and, if not the parent company, confirm that the parent company will guarantee performance at no additional cost to the Awarding Public Agency.

- d. If Respondent plans on partnering, entering a joint venture, or subcontracting with another firm, please provide the name and business address of the other business entity or entities, a description of the business arrangement, and the contracting entity that are or will be established to enter the CMAR Contract.

2. Project Experience & Current Commitments

- a. Provide construction management at-risk experience of your firm on similar projects in terms of size, scope, complexity) within the last five (5) years, and for each such project include the following items in the narrative:
 - 1) Project name and location.
 - 2) Project owner and owner's representative's name, title, address, e-mail address, and telephone number and contact information of each architect and engineer on each project.
 - 3) Project description, and project budget, project schedule, cost of construction and construction schedule at the time of project commencement and project completion.
 - 4) The name, title, address, e-mail address, telephone number, and contact information of each architect and engineer on each project.
 - 5) The Respondent's experience with project delivery methods: Design, Bid, Build; Design Build; CM; and CMAR (Lump Sum or Cost Plus), and a breakdown of fees for each project and what percentage of Respondent's similar projects were by each project delivery method.
 - 6) The Respondent's project manager and members of the key project team member names, titles, role and commitment of all time to this Project and the role and commitment to other existing project assignments by project and location.
 - 7) Scope of services provided by Respondent on each similar project, the major challenges faced in each project, and how Respondent met or resolved such challenges.
- b. Respondent shall provide a listing of current and future major projects with service contract start dates, project award dates, project construction commencement dates, and project completion dates. Respondents must identify Key Project Team Members and their roles and time commitments to each project.

3. Safety Plan and Procedures – Respondent shall provide a copy of its Safety Policy manual.

4. Quality Assurance and Control Plans and Procedures

- a. Describe the Respondent's proposed approach to quality assurance and quality control.
- b. Provide a copy of Respondent's typical Quality Assurance and Control Plans, Respondent's design review process, submission review process, trade contractor management process, construction cost control process, cost accounting process, and invoicing process from a recent construction management project delivery process.
- c. Provide a copy of Respondent's Inspection process and Testing Plan(s) from a similar recent construction management at risk project.

5. Pre-Construction Services Execution Plan –

- a. Respondents shall prepare and submit an execution plan for the performance of pre-construction services. **This plan shall address how the Respondent intends to perform the Scope of Services described in this RFQ and in compliance with 61 O.S. §217(C) and (D), the Oklahoma Competitive Bidding Act, Oklahoma Fair Pay for Construction Act, the Oklahoma City Charter and ordinances,** and the Standard Specifications for Construction of Public Improvement.
- b. The Execution Plan should also include the following:
 - 1) Staffing plan and organization chart (pre-construction services)
 - i. Supply resumes, and pre-construction experience and expertise for each of Respondent's Key Project Team Members.
 - ii. For each Key Project Team Member indicate their current commitments and planned commitment each has to other project and the role and commitment each will make to this Project.

6. Construction Services

- a. Provide resumes for each member of the Respondent's Key Project Team Members, their similar construction services, and their project expertise and experience within the last 10 years, including:
 - 1) Project Director and/or Principal in Charge
 - 2) Overall Project Manager
 - 3) Construction Project Manager
 - 4) Project General Superintendent
 - 5) Any other Key Project Team Members
- b. Organization Charts – Clearly describe the prime responsibility of each entity comprising the Respondent's Qualification Packet as well as the roles and responsibilities of individuals and each entity proposed as Respondent's consultants and subcontractors (if applicable). Include Key Project Team Members submitted above.
- c. Provide detailed information and clearly describe the Construction Project Management program/software that will be implemented on the project.

7. Assurances and Certifications

- a. Statement from Respondents and each individual or entity with which comprises the Respondent and each's ability to commence services immediately upon completion of the selection process and receipt of a Notice to Proceed.
- b. Statement from Respondents confirming that the Project Schedule in Attachment E to this notice is a reasonable period of time to perform, construct, and complete the Project;
- c. A completed CAP M254 form and verification of registration with The State of Oklahoma Office of Management and Enterprise Services (OMES) Official List of Registered Construction Managers.
- d. Statement that each of the Construction Manager and each of its Key Project Team

Members has read, understands, and will operate in compliance with 61 O.S. §217(C) and (D), the Oklahoma Competitive Bidding Act, and the Oklahoma City Charter and ordinances, and the Standard Specifications for Construction of Public Improvement.

- e. Sample copy of Respondent's standard Certificate of Insurance ("COI").
- f. Statement of financial viability to include an income statement, balance sheet and Contractor's Certificate.
- g. Bond Assurance Letter demonstrating the ability to obtain the required bonds.
- h. Affidavit of Prequalification of each entity comprising the Respondent.
- i. Business Relationship Affidavit and Anti/Non-Collusion Affidavit
- j. Certificate of Nondiscrimination

GENERAL INSTRUCTIONS AND REQUIREMENTS

1. **EXAMINATION BY RESPONDENTS:** All Respondents must examine the RFQ for CMAR services prior to electronically submitting their response. Failure to fully examine this RFQ is at the Respondent's own risk as the Respondent will be held to the terms, conditions, and requirements herein.

2. OKLAHOMA OPEN RECORDS ACT AND CONFIDENTIAL INFORMATION

All submissions are subject to the mandates of the Oklahoma Open Records Act, 51 Okla. Stat. §§ 24A.1. et seq. The purpose of the Act is to ensure and facilitate the public's right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power. Almost all "records," as that term is defined in the Act, may be disclosed to the public upon request. Except where specific state or federal statutes create a specific and express exemption or confidential privilege, persons who submit information to public bodies have no right to keep this information from public access nor have a reasonable expectation that this information will be kept from public access.

If Respondents believe that any submission to the Awarding Public Agency is exempt or confidential under a specific state or federal statute, and therefore not subject to public access under the Oklahoma Open Records Act, Respondents must comply with the following:

1. Place said portion of the submission in a separate electronic file attachment marked "Confidential". DO NOT label your submission "Confidential" – label only those portions of the submission that are exempt or are made confidential by state or federal law as "Confidential".
2. For each portion of the submission which Respondents are claiming an exemption or a confidential privilege, identify the specific federal and/or state law that creates said privilege, e.g., for trade secrets, see 21 O.S. § 1732 (Larceny of Trade Secrets) and the Uniform Trade Secrets Act, 78 O.S. §§ 85, et seq.

Should an Open Records request be presented requesting information identified as "Confidential," Respondents will be responsible for defending their position in the District Court, if needed.

If Respondents fail to identify any part of their submission as “Confidential”, Respondents agree that said submission is not exempt or confidential and is subject to public access.

Upon receipt of a request to review or copy records properly identified as “Confidential,” Respondents will be notified of the request and allowed to immediately enforce and protect their rights by initiating an action in a court of competent jurisdiction. Should Respondents fail to bring an action to enforce their rights within seven (7) calendar days of notice, then the requested records will be released.

3. CLARIFICATIONS

Respondents are on notice that they must thoroughly examine this notice. If there is any doubt or uncertainty as to the meaning of anything within the same, Respondents may ask for an explanation or clarification before submitting their qualifications. All requests for explanation or clarification must be presented in written form via the electronic bidding system. No person is authorized to give oral interpretations of or make oral changes to the notice documents. Therefore, oral statements will not be binding and will not be relied upon. Written inquiries via the electronic bidding system must be received by the submission deadline as stated in the notice. to allow sufficient time for responses to be prepared.

4. COST INCURRED BY RESPONDENTS

All expenses involved with the preparation and submission of RFQ Packet to the Awarding Public Agency and any work performed in connection therewith will be solely borne by the Respondents and will not be reimbursed by the Awarding Public Agency.

5. UNDUE INFLUENCE

Upon advertising this notice, no officer, employee, agent, or representative of Respondents shall have any contact or discussion, verbal or written, with any representative of the Awarding Public Agency either directly or indirectly through others in which Respondents seek to influence any representative of the Awarding Public agency regarding any matters pertaining to this notice, except for contact that does not pertain to this notice. Examples of such exempt contacts are:

1. Business contacts outside of this notice that the Awarding Public Agency may have with the Respondent.
2. Presentations and/or responses to inquiries initiated by the Contracting Entity.
3. Conferences and site visits initiated by the Awarding Public Agency related to this or other projects.
4. Discussions with the City Procurement Officer, contact, or others as outlined in this notice.

Debbie Miller, P.E., Director
Public Works/City Engineer