



May 23, 2023

#2587

**NOTICE OF REQUEST FOR QUALIFICATION (RFQ) STATEMENTS FROM
FIRMS INTERESTED IN PROVIDING DESIGN BUILD SERVICES FOR FIRE
STATION #6**

As provided for under General Statute section 143-128.1A., the City of Concord has elected to use design-build as the contracting method for the construction of a new fire station to be located on the property of Concord-Padgett Regional Airport, 9000 Aviation Blvd. This station is necessary to provide proper response times to areas of the City. This project is included in the City's FY 2023-2027 Capital Improvement Program.

PROJECT BACKGROUND

The City of Concord Fire Department operates an existing station at Concord-Padgett Regional Airport specialized in aircraft rescue firefighting. The plan is to build a new station to include the response needed for airport operations, an engine company and a police district office. The proposed location is shown on attachment A. Water and sewer are available to the parcel. Electric service will be provided by City of Concord.

PROJECT SCOPE

To design and construct a multi-story fire station that will house 3 ARFF units, an engine company, 8 fire personnel per shift, and a police district office. General floor plan and site layout will include four apparatus bays on the first floor. Three bays will exit toward the airport runway and one will exit toward Aviation Boulevard. The first floor will also include fire personnel offices and work out area. The second floor will include fire personnel living quarters and the third floor will include the police district office. The district office will include a patrol work area, roll call room seating at least 25 people, break room, office space including one captain office, 6 cubicles for supervisors, and 4 cubicles for investigators, and conference room seating at least 6 personnel. The police district office also includes a prisoner processing area that may reside in a separate building adjacent to the primary building. Site work will include curb and gutter, sidewalks, underground utilities, limited on-site parking, secure off-site parking, stairs, and landscaping. More detail concerning the police district office is attached. The scope of work is to provide design and construction services for the project throughout preconstruction and construction phases, including but not limited to, schematic design, preliminary design, construction documents, coordination with other agencies, geotechnical engineering, surveying, cost opinions during design development, final design meeting State and local requirements, technical specifications, cost opinion at various stages of the project, obtaining all necessary permits, scheduling, cost control, project management, constructing the fire station, quality assurance and quality control of design and construction related activities, construction management, completing project close-out activities. The contractor will be required to coordinate with other vendors hired by the City to complete specific police and fire IT systems.

Engineering Department

City of Concord ● 635 Alfred Brown Jr. Court SW ● P.O. Box 308 ● Concord, North Carolina 28026
(704) 920-5425 ● Fax (704) 786-4521 ● TDD 1-800-735-8262 ● www.concordnc.gov

PROJECT BUDGET

The City of Concord 2023-2027 Capital Improvement Plan includes a total of \$9,300,000 for this project.

PROJECT GOALS

Complete the project in a timely manner to align the opening of the fire station with the 2024 recruit class graduation.

Provide the necessary programming elements in the layout design.

Incorporate high performance, energy efficient HVAC, plumbing, electrical, exhaust, mechanical, security, and fire alarm systems and controls. City of Concord general design standards and preferences are attached.

Design and construct a facility for long-term maintenance goals of minimizing operating and maintenance cost, maximizing energy efficiency, and utilizing efficient grounds maintenance.

ESTIMATED PROJECT SCHEDULE

Qualification package review and selection	June/July 2023
Award contract for design-build	August 2023
Concept drawings	October 2023
Permitting	March 2024
Final GMP	April 2024
Construction Complete	April 2025

SELECTION CRITERIA

The considerations below will be utilized for initial selection of short listed firms.

- Project Team and Availability of Resources 20%
- Project Experience 20%
- Design Performance 20%
- Construction Performance 20%
- Project Approach 20%

Final selection will be made after thorough review conducted by a City panel based on the considerations below.

- Project Team Experience and Qualifications 30%
- Project Understanding and Approach 40%
- Project Management Approach 30%

The City of Concord will negotiate a contract with the top rated firm following selection. If a contract cannot be successfully negotiated with the top rated firm, the City will proceed to the second rated firm.

Engineering Department

Firms not selected will be notified. Questions concerning the scope of this project should be directed to Sue Hyde, Engineering Director at 704-920-5401. Questions regarding the selection process should be directed to Ryan LeClear, Purchasing Manager, at 704-920-5441.

NOTICES

NC Licensing Requirements – All individuals and firms working on this project shall be property licensed under the NC laws governing their trades.

Firms should have no contact related to this project with elected or appointed officials other than Purchasing Manager Ryan LeClear during the selection process. City Engineer Sue Hyde is available for questions about the project scope. Other contacts will subject the firm to immediate disqualification for consideration for this project. A committee will screen the RFQ's submitted, conduct interviews of selected firms and make a recommendation to City Council.

Contracting – Any contract developed for this work shall be construed and enforced in accordance with the laws of the State of North Carolina. Any controversy or claim arising as a result of contracting shall be settled by an action initiated in the appropriate division of the General Court of Justice in Cabarrus County, North Carolina.

A verifiable ten percent (10%) goal for participation by minority businesses is required for this project.

Equal Employment Opportunity - The local government of the City of Concord does not discriminate administering any of its programs and activities. The firm awarded the contract for work will be required to assure that no person shall be denied employment or fair treatment, or in any way discriminated against on the basis of race, sex, religion, age, national origin, or disability.

E-Verify – The firm selected will be required to submit an affidavit attesting to compliance with the federal program.

Public Disclosure – All documentation and submittals provided to the City of Concord are subject to public records requirements and may be subject to disclosure.

Expenses of Firms – The City accepts no liability for the costs and expenses incurred by firms in responding to this request.

Owner rights – The City reserves the right to reject any and all statements of qualifications, waive any informality or irregularity, revise the documents or schedule via an addendum, contact references who are not listed in the submittal, and to take any action affecting the RFQ process or the project that is determined to be in the City's best interests.

The City must receive at least three (3) responses to the RFQ request. If at least three submittals are not received, the solicitation will be re-advertised in accordance with the General Statute requirements. After the second solicitation, the City may consider the submittals received even if the number is less than three.

SUBMITTAL REQUIREMENTS

Qualification Statements should clearly and concisely address the following:

Engineering Department

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- Profile of each key firm
- Resume of each key personnel
- Examples of experience with projects of similar scope, design-build project and collaboration between team members. Please include the following when listing projects – name of project, owner/customer, location, delivery method, project description, project team including roles and responsibilities, initial contract price and final contract price, initial date scheduled for substantial completion and actual date of substantial completion, and contact information for the owner.
- Examples of recent experience with estimating project cost
- Examples of recent experience adhering to project schedules
- Current workload and available resources
- Process for successfully delivering the proposed project.
- Provide either a list of the licensed contractors, licensed subcontractors, and licensed design professionals proposed for the project’s design and construction or the strategy to be used for open contractor and subcontractor selection based upon the provisions of Article 8 of Chapter 143 of the General Statutes.
- Certifications
Statement of Firm’s ability to provide performance and payment bonds – statement from bonding company.

Statement of Firm’s ability to meet Owner’s Insurance requirements (attached).

Statement describing the program/plan your company has developed to encourage participation by HUB firms to meet or exceed the goals set by NCGS 143-128.2. Provide documentation of HUB participation that the firm achieved over the past three (3) years on both public and private construction projects. Indicate the minority participation goal that you expect to achieve on this project.

Statement that each licensed design professional included as part of the team was selected based solely on qualifications without regard to fee. Include evidence that a qualifications-based selection process was utilized.

- Additional Information
 - Document any history of litigation involving the company or any of its principals, including the case name, number and year for the past five years. Include litigation involving construction, contract, bond or insurance disputes.
 - Document all safety or OSHA violations associated with construction project performance over the past five years.

Engineering Department

The statement of qualifications shall limited to 40 pages. ONLY ELECTRONIC SUBMISSIONS WILL BE ACCEPTED. Submissions exceeding the 40-page limitation will not be considered. Submissions should be in .pdf format. **Electronic submission of the statement of qualifications are due no later than 2:00 p.m. EST on June 21, 2023 at the email shown below.** No statement of qualifications will be accepted after the time stated.

The statement of qualifications should be sent to the following email address as a .pdf file: chestnut@concordnc.gov. An electronic notice of receipt will be sent when your submission is downloaded to our server. Paper copies are not required. The subject line should contain the firm's name and "SOQ for City of Concord Fire Station 6".

Deadline for Questions: June 14, 2023 by 12:00 pm. Please submit all questions regarding this request for qualifications to Sue Hyde, Director of Engineering, at hydes@concordnc.gov. List in the email subject line – "RFQ Question for City of Concord Fire Station 6"

Attachments: Vicinity Map
Police District details
Insurance requirements
MBE policy
Design preferences

Engineering Department

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Attachment A



Police Department – Proposed David District Office

Parking

Required Handicap accessible spaces
3-Public/visitor (For Intoxilyzer)
10-POV (secured parking area)
1-ERV (secured parking area)
1-Transport van (secured parking)
20-Patrol vehicles_(secured parking area)

Patrol Work Area ≈ 28'x28'

3 designated workstations with computers/docks
Space for Copier/Printer/Scanner and other office supplies/work area
Mailboxes for at least 50 employees
Docks for body cameras/tasers

Roll Call Room

Tables and chairs to seat at least 25 people
Video conferencing (blue jeans), including dedicated phone lines
Whiteboard with projector, Bulletin board

Break Room ≈ 16'x21'

2 top round tables with chairs
Refrigerator
Microwave, Range
Sink
Ice/Water machine
Storage for cooking utensils
Drink/snack machines

Office Space

(1) individual captain office with computer docking station and office furniture ≈ 12'x12'
(1) Bullpen style room w/6 cubicle style work stations for sergeants, space for a copier for supervisor personnel ≈ 10'x10' each cubicle
(1) Bullpen style room w/4 cubicle style work stations for investigators, motor officer ≈ 10'x10' each cubicle

Conference Room ≈ 18'x10'

Conference table to seat 6

Gym/Locker Room

Combination of cardio and free weights
Combo locker room (50 lockers) ≈ 18'x31'
4 secured changing rooms w/shower/toilet/sink/mirror ≈ 10'x10' each

Prisoner Processing

- (2) interview rooms with audio and video recording capabilities $\approx 10' \times 10'$ each
- Unisex Restroom for prisoner $\approx 8' \times 6'$
- Intoximeter room with exterior access for witness $\approx 10' \times 10'$
- AFIS machine $\approx 6' \times 6'$
- Imaging machine w/work station $\approx 10' \times 14'$
- 2 holding benches $\approx 6' \times 6'$
- 16 evidence lockers of various sizes w/refrigerator for cold storage evidence $\approx 10' \times 10'$
- Gun lockers
- Sally port
- AV Viewing for interview rooms

Enclosed Area – (Enclosed space with a garage door, attached or detached)

- Parking for transport van/ERV Parking
- Storage for 10 patrol bicycles
- Mobile field force equipment (shields, etc.)
- Race related equipment
- Golf Cart storage

Misc. Area

- Available wash area for cleaning vehicle and a decontamination area
- Shower/eye wash station
- Storage Rooms

Note: Restrooms for employees as recommended by occupancy load

This does not account for square footage needed for hallways, utilities, storage room, access to cubicles, etc.

City of Concord

Contract Instructions:

Certificates of insurance must be submitted on an Acord Form (revised 2010/05), and the City (not a specific individual or department) must be named as additional insured on all lines of coverage (*General Liability, Auto, Umbrella, etc.*), except Professional Liability and *Workers' Compensation*.

Aviation Contracts - The City will accept a certificate of insurance on an Acord 25 Form (revised 2010-05), or from a carrier specific certificate of insurance issued for aviation coverage.

ADDL INSR Column:

On the certificate of insurance, the ADDL INSR column should be marked with an "X" to indicate the City is additional insured for specific lines of coverage.

Description of Operations Section:

The following wording must be entered into this section:

The City of Concord is named as all additional insured as required by written contract. Waiver of Subrogation is granted in favor of the City of Concord on the GL and WC policies.

The following address should be used for certificates:

City of Concord
Attn: Risk Management
Post Office Box 308
Concord, NC 28026-0308

Contract Insurance Requirements

Standard Contract – Up to \$2,000

Coverage	Minimum Limits
Workers' Compensation	\$100,000 each accident \$100,000 bodily injury by disease each employee \$500,000 bodily injury by disease policy limit
General Liability	\$1,000,000 per occurrence regardless of the contract size.
Automobile Liability	\$1,000,000 per occurrence regardless of the contract size.

Professional Services Contract - \$2,000 to \$300,000

Coverage	Minimum Limits
Workers' Compensation	\$500,000 each accident \$500,000 bodily injury by disease each employee \$500,000 bodily injury by disease policy limit
General Liability	\$1,000,000 per occurrence regardless of the contract size.
Automobile Liability	\$1,000,000 per occurrence regardless of the contract size.
Umbrella	\$1,000,000 per occurrence if contract does not exceed 180 days; otherwise, \$2,000,000 per occurrence

Professional Liability insurance policy limit requirements shall be based on the total amount of compensation to be paid to Contractor under this Agreement and as set forth in Exhibit "A," and on a determination by City of whether the services provided under this Agreement are for hazardous or non-hazardous activities. The required limits are:

For Non-Hazardous Activities: \$1,000,000 per claim / \$1,000,000 annual aggregate.

For Hazardous Activities: For contracts less than \$100,000:
\$2,000,000 per claim / \$2,000,000 annual aggregate

For contracts over \$100,000:
\$5,000,000 per claim / \$5,000,000 annual aggregate

Note: Occasionally, contractors will state that their professional liability coverage is included under their umbrella coverage. Typically, umbrella coverage doesn't sit over professional liability coverage. If this is truly the case, the contractor is required to submit their schedule of underlying policies listed on their umbrella policy. In addition, the professional liability coverage limits should be listed separately on the Certificate of Insurance.

Construction and Service Contracts - \$2,000 or greater

Coverage	Minimum Limits
Workers' Compensation	\$500,000 each accident \$500,000 bodily injury by disease each employee \$500,000 bodily injury by disease policy limit
General Liability	\$1,000,000 per occurrence regardless of the contract size.
Automobile Liability	\$1,000,000 per occurrence regardless of the contract size.

Umbrella

\$1,000,000 per occurrence if contract does not exceed 180 days;
otherwise,

\$2,000,000 per occurrence

NC Workers' Compensation insurance mandatory statutory limits must be met for employers with three or more employees.

GUIDELINES FOR RECRUITMENT AND SELECTION OF MINORITY BUSINESSES FOR PARTICIPATION IN STATE CONSTRUCTION CONTRACTS

In accordance with G.S. 143-128.2 (effective January 1, 2002) these guidelines establish goals for minority participation in single-prime bidding, separate-prime bidding, construction manager at risk, and alternative contracting methods, on State construction projects in the amount of \$300,000 or more. The legislation provides that the State shall have a verifiable ten percent (10%) goal for participation by minority businesses in the total value of work for each project for which a contract or contracts are awarded. These requirements are published to accomplish that end.

SECTION A: INTENT

It is the intent of these guidelines that the State of North Carolina, as awarding authority for construction projects, and the contractors and subcontractors performing the construction contracts awarded shall cooperate and in good faith do all things legal, proper and reasonable to achieve the statutory goal of ten percent (10%) for participation by minority businesses in each construction project as mandated by GS 143-128.2. Nothing in these guidelines shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible, responsive bid or bids.

SECTION B: DEFINITIONS

1. Minority - a person who is a citizen or lawful permanent resident of the United States and who is:
 - a. Black, that is, a person having origins in any of the black racial groups in Africa;
 - b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
 - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;
 - d. American Indian, that is, a person having origins in any of the original peoples of North America; or
 - e. Female
2. Minority Business - means a business:
 - a. In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
 - b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.
3. Socially and economically disadvantaged individual - means the same as defined in 15 U.S.C. 637. "Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities". "Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged".
4. Public Entity - means State and all public subdivisions and local governmental units.
5. Owner - The State of North Carolina, through the Agency/Institution named in the contract.
6. Designer – Any person, firm, partnership, or corporation, which has contracted with the State of North Carolina to perform architectural or engineering, work.
7. Bidder - Any person, firm, partnership, corporation, association, or joint venture seeking to be awarded a public contract or subcontract.

8. Contract - A mutually binding legal relationship or any modification thereof obligating the seller to furnish equipment, materials or services, including construction, and obligating the buyer to pay for them.
9. Contractor - Any person, firm, partnership, corporation, association, or joint venture which has contracted with the State of North Carolina to perform construction work or repair.
10. Subcontractor - A firm under contract with the prime contractor or construction manager at risk for supplying materials or labor and materials and/or installation. The subcontractor may or may not provide materials in his subcontract.

SECTION C: RESPONSIBILITIES

1. Office for Historically Underutilized Businesses, Department of Administration (hereinafter referred to as HUB Office).

The HUB Office has established a program, which allows interested persons or businesses qualifying as a minority business under G.S. 143-128.2, to obtain certification in the State of North Carolina procurement system. The information provided by the minority businesses will be used by the HUB Office to:

- a. Identify those areas of work for which there are minority businesses, as requested.
- b. Make available to interested parties a list of prospective minority business contractors and subcontractors.
- c. Assist in the determination of technical assistance needed by minority business contractors.

In addition to being responsible for the certification/verification of minority businesses that want to participate in the State construction program, the HUB Office will:

- (1) Maintain a current list of minority businesses. The list shall include the areas of work in which each minority business is interested.
- (2) Inform minority businesses on how to identify and obtain contracting and subcontracting opportunities through the State Construction Office and other public entities.
- (3) Inform minority businesses of the contracting and subcontracting process for public construction building projects.
- (4) Work with the North Carolina trade and professional organizations to improve the ability of minority businesses to compete in the State construction projects.
- (5) The HUB Office also oversees the minority business program by:
 - a. Monitoring compliance with the program requirements.
 - b. Assisting in the implementation of training and technical assistance programs.
 - c. Identifying and implementing outreach efforts to increase the utilization of minority businesses.
 - d. Reporting the results of minority business utilization to the Secretary of the Department of Administration, the Governor, and the General Assembly.

2. State Construction Office

The State Construction Office will be responsible for the following:

- a. Furnish to the HUB Office a minimum of twenty-one days prior to the bid opening the following:
 - (1) Project description and location;
 - (2) Locations where bidding documents may be reviewed;
 - (3) Name of a representative of the owner who can be contacted during the advertising period to advise who the prospective bidders are;
 - (4) Date, time and location of the bid opening.
 - (5) Date, time and location of prebid conference, if scheduled.
- b. Attending scheduled prebid conference, if necessary, to clarify requirements of the general statutes regarding minority-business participation, including the bidders' responsibilities.

- c. Reviewing the apparent low bidders' statutory compliance with the requirements listed in the proposal, that must be complied with, if the bid is to be considered as responsive, prior to award of contracts. The State reserves the right to reject any or all bids and to waive informalities.
- d. Reviewing of minority business requirements at Preconstruction conference.
- e. Monitoring of contractors' compliance with minority business requirements in the contract documents during construction.
- f. Provide statistical data and required reports to the HUB Office.
- g. Resolve any protest and disputes arising after implementation of the plan, in conjunction with the HUB Office.

3. Owner

Before awarding a contract, owner shall do the following:

- a. Develop and implement a minority business participation outreach plan to identify minority businesses that can perform public building projects and to implement outreach efforts to encourage minority business participation in these projects to include education, recruitment, and interaction between minority businesses and non-minority businesses.
- b. Attend the scheduled prebid conference.
- c. At least 10 days prior to the scheduled day of bid opening, notify minority businesses that have requested notices from the public entity for public construction or repair work and minority businesses that otherwise indicated to the Office for Historically Underutilized Businesses an interest in the type of work being bid or the potential contracting opportunities listed in the proposal. The notification shall include the following:
 - 1. A description of the work for which the bid is being solicited.
 - 2. The date, time, and location where bids are to be submitted.
 - 3. The name of the individual within the owner's organization who will be available to answer questions about the project.
 - 4. Where bid documents may be reviewed.
 - 5. Any special requirements that may exist.
- d. Utilize other media, as appropriate, likely to inform potential minority businesses of the bid being sought.
- e. Maintain documentation of any contacts, correspondence, or conversation with minority business firms made in an attempt to meet the goals.
- f. Review, jointly with the designer, all requirements of G.S. 143-128.2(c) and G.S. 143-128.2(f) – (i.e. bidders' proposals for identification of the minority businesses that will be utilized with corresponding total dollar value of the bid and affidavit listing good faith efforts, or affidavit of self-performance of work, if the contractor will perform work under contract by its own workforce) - prior to recommendation of award to the State Construction Office.
- g. Evaluate documentation to determine good faith effort has been achieved for minority business utilization prior to recommendation of award to State Construction Office.
- h. Review prime contractors' pay applications for compliance with minority business utilization commitments prior to payment.
- i. Make documentation showing evidence of implementation of Owner's responsibilities available for review by State Construction Office and HUB Office, upon request

4. Designer

Under the single-prime bidding, separate prime bidding, construction manager at risk, or alternative contracting method, the designer will:

- a. Attend the scheduled prebid conference to explain minority business requirements to the prospective bidders.
- b. Assist the owner to identify and notify prospective minority business prime and subcontractors of potential contracting opportunities.
- c. Maintain documentation of any contacts, correspondence, or conversation with minority business firms made in an attempt to meet the goals.
- d. Review jointly with the owner, all requirements of G.S. 143-128.2(c) and G.S.143-128.2(f) – (i.e. bidders' proposals for identification of the minority businesses that will be utilized with

corresponding total dollar value of the bid and affidavit listing Good Faith Efforts, or affidavit of self-performance of work, if the contractor will perform work under contract by its own workforce) - prior to recommendation of award.

- e. During construction phase of the project, review “MBE Documentation for Contract Payment” – (Appendix E) for compliance with minority business utilization commitments. Submit Appendix E form with monthly pay applications to the owner and forward copies to the State Construction Office.
- f. Make documentation showing evidence of implementation of Designer’s responsibilities available for review by State Construction Office and HUB Office, upon request.

5. Prime Contractor(s), CM at Risk, and Its First-Tier Subcontractors

Under the single-prime bidding, the separate-prime bidding, construction manager at risk and alternative contracting methods, contractor(s) will:

- a. Attend the scheduled prebid conference.
- b. Identify or determine those work areas of a subcontract where minority businesses may have an interest in performing subcontract work.
- c. At least ten (10) days prior to the scheduled day of bid opening, notify minority businesses of potential subcontracting opportunities listed in the proposal. The notification will include the following:
 - (1) A description of the work for which the subbid is being solicited.
 - (2) The date, time and location where subbids are to be submitted.
 - (3) The name of the individual within the company who will be available to answer questions about the project.
 - (4) Where bid documents may be reviewed.
 - (5) Any special requirements that may exist, such as insurance, licenses, bonds and financial arrangements.

If there are more than three (3) minority businesses in the general locality of the project who offer similar contracting or subcontracting services in the specific trade, the contractor(s) shall notify three (3), but may contact more, if the contractor(s) so desires.

- d. During the bidding process, comply with the contractor(s) requirements listed in the proposal for minority participation.
- e. Identify on the bid, the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit listing good faith efforts as required by G.S. 143-128.2(c) and G.S. 143-128.2(f).
- f. Make documentation showing evidence of implementation of PM, CM-at-Risk and First-Tier Subcontractor responsibilities available for review by State Construction Office and HUB Office, upon request.
- g. Upon being named the apparent low bidder, the Bidder shall provide one of the following: (1) an affidavit (Affidavit C) that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal; (2) if the percentage is not equal to the applicable goal, then documentation of all good faith efforts taken to meet the goal. Failure to comply with these requirements is grounds for rejection of the bid and award to the next lowest responsible and responsive bidder.
- h. The contractor(s) shall identify the name(s) of minority business subcontractor(s) and corresponding dollar amount of work on the schedule of values. The schedule of values shall be provided as required in Article 31 of the General Conditions of the Contract to facilitate payments to the subcontractors.
- i. The contractor(s) shall submit with each monthly pay request(s) and final payment(s), “MBE Documentation for Contract Payment” – (Appendix E), for designer’s review.
- j. During the construction of a project, at any time, if it becomes necessary to replace a minority business subcontractor, immediately advise the owner, State Construction Office, and the Director of the HUB Office in writing, of the circumstances involved. The prime contractor shall make a good faith effort to replace a minority business subcontractor with another minority business subcontractor.

- k. If during the construction of a project additional subcontracting opportunities become available, make a good faith effort to solicit subbids from minority businesses.
- l. It is the intent of these requirements apply to all contractors performing as prime contractor and first tier subcontractor under construction manager at risk on state projects.

6. Minority Business Responsibilities

While minority businesses are not required to become certified in order to participate in the State construction projects, it is recommended that they become certified and should take advantage of the appropriate technical assistance that is made available. In addition, minority businesses who are contacted by owners or bidders must respond promptly whether or not they wish to submit a bid.

SECTION 4: DISPUTE PROCEDURES

It is the policy of this state that disputes that involves a person's rights, duties or privileges, should be settled through informal procedures. To that end, minority business disputes arising under these guidelines should be resolved as governed under G.S. 143-128(g).

SECTION 5: These guidelines shall apply upon promulgation on state construction projects. Copies of these guidelines may be obtained from the Department of Administration, State Construction Office, (physical address) 301 North Wilmington Street, Suite 450, NC Education Building, Raleigh, North Carolina, 27601-2827, (mail address) 1307 Mail Service Center, Raleigh, North Carolina, 27699-1307, phone (919) 807-4100, Website: www.nc-sco.com

SECTION 6: In addition to these guidelines, there will be issued with each construction bid package provisions for contractual compliance providing minority business participation in the state construction program.

MINORITY BUSINESS CONTRACT PROVISIONS (CONSTRUCTION)

APPLICATION:

The **Guidelines for Recruitment and Selection of Minority Businesses for Participation in State Construction Contracts** are hereby made a part of these contract documents. These guidelines shall apply to all contractors regardless of ownership. Copies of these guidelines may be obtained from the Department of Administration, State Construction Office, (physical address) 301 North Wilmington Street, Suite 450, NC Education Building, Raleigh, North Carolina, 27601-2827, (mail address) 1307 Mail Service Center, Raleigh, North Carolina, 27699-1307, phone (919) 807-4100, Website: <http://www.nc-sco.com>

MINORITY BUSINESS SUBCONTRACT GOALS:

The goals for participation by minority firms as subcontractors on this project have been set at 10%.

The bidder must identify on its bid, the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit (Affidavit A) listing good faith efforts **or** affidavit (Affidavit B) of self-performance of work, if the bidder will perform work under contract by its own workforce, as required by G.S. 143-128.2(c) and G.S. 143-128.2(f).

The lowest responsible, responsive bidder must provide Affidavit C, that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal.

OR

Provide Affidavit D, that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, **with documentation of Good Faith Effort, if the percentage is not equal to the applicable goal.**

OR

Provide Affidavit B, which includes sufficient information for the State to determine that the bidder does not customarily subcontract work on this type project.

The above information must be provided as required. Failure to submit these documents is grounds for rejection of the bid.

MINIMUM COMPLIANCE REQUIREMENTS:

All written statements, affidavits or intentions made by the Bidder shall become a part of the agreement between the Contractor and the State for performance of this contract. Failure to comply with any of these statements, affidavits or intentions, or with the minority business Guidelines shall constitute a breach of the contract. A finding by the State that any information submitted either prior to award of the contract or during the performance of the contract is inaccurate, false or incomplete, shall also constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of the State whether to terminate the contract for breach.

In determining whether a contractor has made Good Faith Efforts, the State will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, intensity, and results of these efforts. Good Faith Efforts include:

- (1) Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed.
- (2) Making the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due.
- (3) Breaking down or combining elements of work into economically feasible units to facilitate minority participation.
- (4) Working with minority trade, community, or contractor organizations identified by the Office for Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- (5) Attending any prebid meetings scheduled by the public owner.
- (6) Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors.
- (7) Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- (8) Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- (9) Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- (10) Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

APPENDIX E

MBE DOCUMENTATION FOR CONTRACT PAYMENTS

Prime Contractor/Architect: _____

Address & Phone: _____

Project Name: _____

Pay Application #: _____ Period: _____

The following is a list of payments made to Minority Business Enterprises on this project for the above-mentioned period.

MBE FIRM NAME	* INDICATE TYPE OF MBE	AMOUNT PAID THIS MONTH	TOTAL PAYMENTS TO DATE	TOTAL AMOUNT COMMITTED

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A), American Indian (I), Female (F), Social and Economically Disadvantage (D)

Date: _____ Approved/Certified By: _____

Name

Title

Signature

SUBMIT WITH EACH PAY REQUEST & FINAL PAYMENT

CITY OF CONCORD PROJECTS

Preferences

1. Whenever a project scope involves planning and design work; consider and include the following items for each project:
 - a- Conduit design for City fiber, communication, and cable.
 - b- Include at least one data and phone outlet on each office wall.
 - c- Planned location with power and data needed for time clock.
 - d- Adequate cooling for equipment in IT Rooms.
 - e- All IT Rooms shall have a 4' X 8' X ¾" sheet of plywood installed landscape on the wall for the purpose of mounting IT, phone, and cable equipment.
 - f- No flat roofs are allowed as part of the design for a project.
 - g- Design for security needs as required. The City uses Lefler Electronics, Inc. to monitor fire, security, and elevator. Connie Hicks (980-521-9275) with the City of Concord and Tara Thompson (704-784-1022 X-207) with Lefler Electronics, Inc. are contacts for account # and receiver #.
 - h- All fire alarm panels shall use a cellular dialer instead of a POTS line.
 - i- One exterior water spigot shall be located in close proximity to all HVAC condensing units for condenser cleaning and maintenance.
 - j- Electrical cut off switch for entire structure electrical power required on the exterior of the structure.
2. Whenever a project scope involves new plumbing fixtures; only install high efficiency toilets (1.28 gallons per flush) and water efficient urinals as required per Interbasin Transfer Agreement for all new City-owned facilities and retro-fits, where practicable. Sloan Flush Valves are to valves of choice for the City. No waterless urinals allowed.
3. All HVAC units require controls unless project plans call for thermostats only. Only install Reliable Controls to interface with the Cities control monitoring software system unless the City authorizes a different vendor for controls in writing. The City uses Control Service Group to maintain our units. Our Control Service Group contact is John Lloyd @ 704-254-2771.
4. Whenever a project scope involves a new HVAC System; only install Carrier Units or comparable Trane Units unless the City authorizes a different vendor in writing. This also includes mini splits. All mini-split installations should use conventional condensate pumps in lieu of mini-pumps and need to have a backnet card that allows them to connect to our Reliable Control System. Mini-split heads in IT Rooms should be mounted over the entrance door if possible. All exterior compressor units are to be top discharge. The City prefers to not use variable speed compressors. 4" filter boxes are the preferred duct filtration method. All units shall contain a UV Air Treatment System. Honeywell UV2400U1000 is the City recommended system. No duct work can have interior insulation. All ductwork must be insulated/wrapped on the exterior. All units shall be located in one central mechanical room for centralized maintenance and no mechanical units installed above the ceiling grids.
5. Whenever a project scope involves the City running fiber or cable to the structure; the contractor will be responsible to install a minimum 24" X 24" X 12" metal box at location designated to bring the fiber and/or cable into the building. Box installation will also include running two 3" conduits from exterior box to designated IT Room location for the project. All conduit turns shall be sweeps with not less than a 12" radius bend. Contractor will also need to include as part of their bid the cost to run up to 50' of two buried 2" conduits from either the pole or transformer pad where the City cable provider drops the fiber/cable run on site. See example pictures below:



6. Whenever new sheetrock (GWB) requires painting on a project; all GWB shall receive one coat of primer and two coats of paint.
7. The City of Concord will only accept the following restroom accessories for all projects. Fire Department Projects are the only exceptions and they will furnish their own accessories.
 - a- Bobrick B-3947 Recessed Convertible Paper Towel Dispenser and Waste Receptacle
 - b- Bobrick B-35903 Recessed Paper Towel Dispenser

c- Bobrick B-27460 Double-Roll Toilet Tissue Dispenser

d- GoJo LTX-12 Touch Free Foam Soap Dispenser

8. All work shall meet the following standards, rules, and procedures applicable to each project:

NC State Building Code – 2018

NC Administrative Code and Policies – 2018

NC Fire Prevention Code – 2018

NC Mechanical Code – 2018

NC Plumbing Code – 2018

NEC – National Electrical Code

NC Electrical Code – 2014

NC Energy Conversation Code – 2018

NC Fuel Gas Code – 2018

NC Existing Building Code – 2018

NC Réhabilitation Code – 2012

NC DOT Standard Spécifications for Roads and Structures - 2018

AA	– Aluminium Association
AAMA	– American Architectural Manufacturers Association
ACI	– American Concrete Institute
AF&PA	– American Forest & Paper Association
AISC	– American Institute of Steel Construction
AISI	– American Iron and Steel Institute
AITC	– American Institute of Timber Construction
ANSI	– American National Standards Institute
APA	– Engineered Wood Association
ASCE/SEI	– American Society of Civil Engineers Structural Engineering Institute
ASME	– American Society of Mechanical Engineers
ASTM	– ASTM International
AWCI	– Association of the Wall and Ceiling Industry
AWPA	– American Wood Protection Association
AWS	– American Welding Society
BHMA	– Builders Hardware Manufacturer’s Association
CPA	– Composite Panel Association
CPSC	– Consumer Product Safety Commission
CSA	– Canadian Standards Associations
CSSB	– Cedar Shake and Shingle Bureau
DASMA	– Door and Access Systems Manufactures Association International
DOC	– US Dept. of Commerce – National Institute of Standards and Technology
DOJ	– US Department of Justice
DOL	– US Department of Labor
GA	– Gypsum Association
HPVA	– Hardwood Plywood Veneer Association
HUD	– US Department of Housing and Urban Development
ICC	– International Code Council
NAAMM	– National Association of Architectural Metal Manufacturers
NCDOT	– North Carolina Department of Transportation
NCMA	– National Concrete Masonry Association
NFPA	– National Fire Protection Association
PCI	– Precast Pre-Stressed Concrete Institute
PTI	– Post-Tensioning Institute
RMI	– Rack Manufacturers Institute
SDI	– Steel Deck Institute
SJI	– Steel Joist Institute
SPRI	– Single-Ply Roofing Institute

TIA	– Telecommunications Industry Association
TMS	– The Masonry Society
TPI	– Truss Plate Institute
UL	– Underwriters Laboratories, Inc.
WDMA	– Window and Door Manufacturers Association
WRI	– Wire Reinforcement Institute