



Chicago Park District

Legislation Text

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AUTHORITY TO ENTER INTO CONTRACTS WITH 14 FIRMS FOR INCLUSION IN THE RAPID RESPONSE CONSTRUCTION SERVICES PRE-QUALIFIED POOL SPECIFICATION NO. P-15000

To the Honorable Board of Commissioners of the Chicago Park District:

I. Recommendation

It is recommended that an order be entered authorizing the General Superintendent and CEO or his designee to enter into individual contracts with 14 firms for inclusion in the Rapid Response Construction Services pre-qualified pool. The firms were selected pursuant to a publicly advertised Request for Qualifications. Inclusion in the pre-qualified pool does not guarantee any project award or compensation, and it only establishes the responsible bidders able to bid on pre-qualified pool projects. Lastly, no firm will become part of the pre-qualified pool and able to bid on a pre-qualified pool project until execution of a written agreement.

II. Award Information

Contractors: 14 firms as listed on Exhibit A (attached and incorporated by this reference.)

Contract Type: Term Agreement

Contract Period: Initial contract term will expire on December 31, 2016. Four (4) additional one (1) year extension options available.

Contract Amount: Overall funding for the Rapid Response Construction Services program is based upon the annual Capital Program appropriation which is approved by the Board and is subject to any possible increase from funding that the Chicago Park District may receive from grant, TIF, or other sources. Annually, the Rapid Response Construction Services program accounts for about \$16.6 million, or 24%, of the approximate \$70 million capital budget (see Exhibit B for a project history summary of the previous Rapid Response pool). Lastly, during the term of the Rapid Response Construction Services pool, any project whose prices exceeds \$2,500,000.00 will be presented to the Board for its approval before a Notice-to-Proceed can be issued.

Scope of Services: The scope of service will vary by project, though generally, projects will involve building or park construction and/or renovation of all types and sizes. This could include but not be limited to: interior building

improvements such as mechanical, electrical and plumbing systems; ADA compliance; architectural finishes and general carpentry; exterior building improvements such as building shell/façade work, roofing, windows, doors, and signage; and park construction and/or renovation such as landscaping, environmental work, utility services, park structures, water parks and spray pools, athletic fields, sport courts, playgrounds and other various park features and elements.

Affirmative Action

Goals: The Request for Qualifications (“RFQ”) is not project specific and is instead utilized to establish a pool of pre-qualified firms that can bid on specific projects in the future. Additionally, the RFQ spoke in general terms about the type of projects that may be undertaken by firms in the pool, and the types of possible projects that will be bid to the pool is vast. Further, the RFQ did not seek pricing for a specific project, and the value of any possible project that will be bid to the pool is unknown at the time the RFQ was advertised. Accordingly, firms would not be able to submit with their qualification packages meaningful schedules that would identify specific minority and woman owned business enterprises and the corresponding dollar amount and percentage of participation. For these reasons, the RFQ did not include the schedules. Instead, the RFQ included a Compliance Affidavit which for inclusion in this pre-qualified pool, required the firms to commit to: (i) meeting the 25% MBE and 5% WBE goals during the duration of this pre-qualified pool; and (ii) submitting the schedules with their pool project bids.

At the time a project is bid to the pre-qualified pool, only then will that bid include the schedules where the firms will identify the MBEs and WBEs to be utilized and the corresponding dollar amount and percentage of participation for that project.

Authorization: Authorize the General Counsel to include other relevant terms and conditions in the written agreements. Authorize the General Superintendent to execute the agreements and the Secretary to attest as to the signing of the agreements and keep an original copy of the agreements on file.

III. Budget and Financial Information

Budget Classification: Capital
Fiscal Year: 2016 - 2020
Source of Funds: Various Capital Sources

IV. Procurement Information

Specification Number: P-15000
Date Advertised: September 2, 2015
Qualifications Due Date: December 31, 2018 (Qualification packages can be submitted at any time until this deadline. Previously, the RFQ would be re-advertised every year to year and a half and firms would have to wait to submit their qualification packages.)
Number of Qualifications Received: 20
Qualifications Award Detail: Acceptable and most advantageous to the Park District.

This is an open Request for Qualifications whereby firms may submit their qualifications packages at any time, and the target is to review and evaluate qualification packages on a quarterly basis. 20 qualification packages were received from the advertisement date through the end of January 2016. The Department of Purchasing (“Purchasing”) initially reviewed the 20 qualification packages and found four (4) to be non-responsive and were removed from consideration. The remaining 16 responsive and compliant qualification packages were forwarded to the Evaluation Committee (“EC”).

The EC was comprised of five (5) voting members and one (1) non-voting member, all CPD staff, and was convened to review and evaluate the qualification packages. The EC began their evaluation of the 16 qualification packages at their first meeting on March 16

th and a second meeting was held on April 7. The EC conducted interviews with five (5) submitters the week of April 25th. At their final meeting on April 29th, the EC found the qualification packages of 14 firms to be acceptable and most advantageous to the Park District and recommended them for inclusion in the Rapid Response Construction Services pre-qualified pool.

V. Explanation

Approximately 10 years ago the Chicago Park District (“CPD”) decided to terminate its Job Order Contract (“JOC”) construction services program and replace it with the Rapid Response Construction Services pre-qualified pool. The CPD decided it would be in its best interest to run the Rapid Response Construction Services program itself rather than pay a consultant to run it as it did under the former JOC program. In other words, the CPD has been successfully running it Rapid Response Construction Services program for almost 10 years.

Annually, the Chicago Park District (“CPD”) regularly requires construction services for projects of various types and sizes, typically medium to small size. The amount of work is so vast, there were 804 projects during the last five years for the previous Rapid Response Construction Services program, that the services of construction firms are necessary to supplement in-house CPD trades when they are unable to undertake the work. Additionally, there are many occasions when the need to complete work is pressing, for example funding availability might be for a brief period, emergencies, or other considerations, and going through a formal bid and award process can either delay the project or result in the CPD not being able to utilize available funds. Therefore, the pre-qualified pool is an expedited way to respond to the need immediately through an expedited competitive bid process and ensure projects are completed according to a timely schedule.

The work involved in this pool can include: interior building improvements such as mechanical, electrical and plumbing systems; ADA compliance; architectural finishes and general carpentry; exterior building improvements such as building shell/façade work, roofing, windows, doors, and signage; and park construction and/or renovation such as landscaping, environmental work, utility services, park structures, water parks and spray pools, athletic fields, sport courts, playgrounds and other various park features and elements. During the previous Rapid Response Construction pre-qualified pool, the majority of projects, 77%, were under \$100,000.00 in value, and 23% of the projects ranged from \$100,000.00 to \$2.4 million.

By establishing the Rapid Response Construction Services pre-qualified pool, the CPD will have firms in this pool of responsible bidders that all have the experience, ability, and capacity to provide the services required for the various projects bid to the pool. When work is required, the CPD will issue a bid to the pool, and the lowest responsible and responsive bidder for that project will receive the project award. Additionally, a Notice-to-Proceed will be issued to the awardee when their bid price does not exceed \$2,500,000.00, and if their bid price exceeds \$2,500,000.00 then the project award will be presented to the Board for their approval before a Notice-to-Proceed can be issued. Further, compensation to firms in this pre-qualified pool is on a per project basis, and the firms not awarded a project will not be compensated. Lastly, the CPD will report to the Board twice per year regarding a summary of the pool project awards and new firms that may have been added to the pool.

Establishing a pre-qualified pool of firms to provide Rapid Response Construction Services will ensure that only firms with the required skill levels will bid on the specified projects, and also allow for expedited bid and award processes, thus enabling the CPD to complete projects on schedule while maintaining a competitive bid process.

Therefore, it is in the best interest of the CPD to recommend these 14 firms for inclusion in the Rapid Response Construction Services pre-qualified pool.

VI. General Conditions

1. *Conflicts:* No agreement authorized herein shall be legally binding on the Chicago Park District if entered into in violation of the provisions of the Public Officer Prohibited Activities Act, 50 ILCS 105/0.01 *et seq.*

2. *Ethics:* The Chicago Park District’s Ethics Code, Chapter III of the Code of the Chicago Park District, shall be incorporated into and made part of all agreements authorized herein.

3. *Contingent Liability:* Any agreement lawfully entered into for a period of more than one year shall be executory only for the amounts for which the Park District may become liable in succeeding fiscal years pursuant to Section 17(i) of the Chicago Park District Act, 70 ILCS 1505/17(i). All agreements authorized herein shall contain a clause that any expenditure beyond the current

fiscal year is subject to appropriation in the subsequent fiscal year budget.

4. *Economic Disclosure Statement ("EDS")*: Contractors have submitted a full and complete EDS prior to execution of the contract.