



**City of Kansas City, Missouri
Public Works Department
Sherri McIntyre, Director**

- | | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | Executed Contract |
| <input type="checkbox"/> | File |
| <input type="checkbox"/> | Contractor |
| <input type="checkbox"/> | Finance |
| <input type="checkbox"/> | City Clerk |
| <input type="checkbox"/> | Surety |
| <input type="checkbox"/> | Granting Agency |
| <input type="checkbox"/> | Project Manager |
| <input type="checkbox"/> | CM/Inspector |
| <input type="checkbox"/> | Design Professional |
| <input type="checkbox"/> | |

Project Manual

CONSTRUCTION MANAGEMENT @RISK

PROJECT NO. 89022000

KANSAS CITY DOWNTOWN STREETCAR

BIDDER/ADDRESS

Company	_____
Contact	_____
Address	_____

Phone	_____
Fax	_____
Email	_____

Project Manager: Ralph Davis, P.E.
 Telephone: 816-513-2740
 Facsimile: 816-513-2760
 Email: Ralph.davis@kcmo.org



TABLE OF CONTENTS

Project Title: CM @ RISK Kansas City Downtown Streetcar

Project Number: 89022000

FTA Grant No.

00010	<u>TABLE OF CONTENTS</u>
00130	<u>INVITATION TO BID</u>
00210	<u>INSTRUCTION TO BIDDERS FOR CM @ RISK SERVICES</u>

TECHNICAL APPROACH (TA) SUBMITTAL REQUIREMENTS

TA PART I – PRIOR EXPERIENCE

TA PART II – ORGANIZATION AND KEY PERSONNEL

TA PART III – PROJECT UNDERSTANDING AND APPROACH

TA PART IV – PROJECT CONTROLS PLAN

TA PART V – SAFETY & HEALTH SUBMITTAL

PRICE SUBMITTAL REQUIREMENTS

00410	Bid Form Price Submittal
00430	Bid Bond
00485.02	Project Workforce Monthly Report
00485.02.1	Workforce Monthly Report Instructions
00485.03	Company-Wide Workforce Monthly Report
00486	Disadvantaged Business Enterprise (DBE) Requirements – Forms and Instructions
00490	Pre-Contract Bidder's Certification

CONTRACTING REQUIREMENTS

00500	CM @ Risk Agreement
00515	Construction Contract Required Submissions
00515.01	Employee Eligibility Verification Affidavit
00515.02	Certification the Contractor is Not Excluded from State or Federal Programs
00560	Missouri Project Exemption Certificate
00560.01	Kansas City Missouri Tax Exempt Certificate
00615	Payment Bond Form
00616	Performance Bond Form
00620	Insurance Certificate Forms
00630	Revenue Clearance Release Authorization
00700	General Conditions
00800	Supplementary Conditions
00830.01	Wage Rate Requirements – Jackson County
00830.03	Federal Wage Requirement
00910	Addendum
00930	Request for Interpretation Form

00930.01	Request for Interpretation Log
00931	Supplemental Design Instructions
00932	Request for Proposal
00933	Request for Proposal Log
00940	Change Order Form
00945	Work Change Directive

DIVISION 1 - GENERAL REQUIREMENTS

01290.01	Application for Payment
01290.02	Schedule of Values
01290.03	Certified Payroll Instructions
01290.04	Certified Payroll Example
01290.05	Certified Payroll Report
01290.07	Payroll Certification
01290.08	Wage Rate Verification Interview
01290.09	Subcontractors and Major Material Suppliers List
01290.11	Daily Labor Force Report
01290.12	Certificate of Substantial Completion
01290.13	Punch List
01290.14	Contractor Affidavit for Final Payment
01290.15	Subcontractor Affidavit for Final Payment
01310	Project Management and Coordination
01320	Construction Progress Documentation
01320.01	Daily Field Observation Report
01320.02	Periodic Field Observation Report
01320.03	Working Day Report
01330.01	Letter of Transmittal
01630	Substitution Request



INVITATION TO BID

Project Number 89022000

Project Title: **CM @ RISK** Kansas City Downtown Streetcar
FTA Grant No.

The General Services Department of Kansas City, Missouri is soliciting for Construction Manager at Risk Services related to **Project 89022000 – Kansas City Downtown Streetcar CM@ RISK.**

The following schedule applies to these bids:

Pre-bid Conference is on June 13, 2013 at 10:00am on the 4th Floor, City Hall 414, E. 12th Street, Kansas City, Missouri 64106. A bus tour of the project area will follow the conference. Bidders are encouraged to attend.

Technical Approach Submittal and Price Submittal due in separate sealed envelopes/packages to Manager of Procurement Services at City Hall, Room 102 W. First Floor, 414 E. 12th Street, Kansas City, MO 64106, on **or before 2:00 p.m. on June 21, 2013**

Public Bid Opening of Price Submittal is on July 9, 2013 at 2:00 p.m., in Room 102W, First Floor, City Hall, 414 E. 12th Street, Kansas City, MO 64106.

City desires that Disadvantaged Business Enterprises (DBE) have a maximum opportunity to participate in the performance of City contracts. The goal for this specific Project is twenty four percent (24%) DBE participation.

Contractors must not be suspended or disbarred by the federal government as indicated at the "Excluded Parties Listing System at <http://www/eplis.gov>.

Bidding Documents will be available online to all interested parties at the Kansas City, Missouri Plan Room, <http://www.kcmoplanroom.org>. All addenda will be posted at this location. Any document or plan may be viewed or downloaded from this location.

Project Manager: Ralph Davis
Phone Number: 816-513-2740
E-mail: Ralph.davis@kcmo.org

Contract Administrator: Jo Lipari
Phone Number: 816-513-0014
Fax Number: 816-513-2812
E-mail: jo.lipari@kcmo.org

View all procurement and contracting opportunities at <http://www.kcmo.org>



INSTRUCTIONS TO BIDDERS

Project Number: 89022000

Project Title: KANSAS CITY DOWNTOWN STREETCAR PROJECT
CONSTRUCTION MANAGER AT RISK SERVICES
FTA Grant No. _____

1. Sealed Bids for **Project No. 89022000 – Kansas City Downtown Street Car Project Construction Manager at Risk Services** will be received by the **General Services Department**, at City Hall, 414 East 12th Street, 1st Floor, Room 102W, Kansas City, Missouri, 64106, until 2:00 P.M., **June 21, 2013**, at which time bidding will be closed.

- a. Each Bidder's Technical Approach Submittal and Price Submittal must be submitted in separate sealed envelopes/packages to Contract Administration Manager at City Hall, 1st Floor, Room 102W, 414 E. 12th Street, Kansas City, MO 64106, on or before 2:00 p.m. on June 21, 2013 (the "Bid Due Date"). The outside of the Technical Approach Submittal envelope/package shall include Bidder's name and address and shall be labeled "Invitation For Bid – Technical Approach Submittal for Project No. **89022000**."
- b. The outside of the Price Submittal envelope/package shall include Bidder's name and address and shall be labeled "Invitation For Bid – Price Submittal for the Project No **89022000**."

2. **Public Bid Opening Date.** On July 9, 2013 at 2:00pm, (the "Public Bid Opening Date"), in the 1st Floor, City Hall, 414 E. 12th Street, Kansas City, MO 64106, the City will publicly announce the scores earned by each Bidder's Technical Approach submittal, and then will publicly open and read aloud the corresponding Price Submittal portion of that Bid.

3. **Pre-Bid Conference.** The City will hold a Pre-Bid Conference on June 13, 2013, at 10:00 a.m. on the 4th Floor, City Hall, 414 E. 12th Street, Kansas City, MO 64106. A bus tour of the project area will follow the conference.

4. **Introduction.** This is an Invitation For Bid ("IFB") issued by the General Services Department of the City of Kansas City, Missouri ("City") to solicit a sealed Technical Approach Submittal and a sealed Price Submittal (collectively, "Bid") for the selection of a Construction Manager At Risk ("CM@Risk") to participate in and manage the construction of the Kansas City Downtown Streetcar Project.

- a. **Overview** - Federal Transit Administration (FTA) and the Downtown Transportation Development District (TDD) funding will be used to pay for services rendered under the resulting contract. This work is also being performed in conjunction with the Kansas City Streetcar Authority (KCSA). Therefore, all FTA, federal, state and local requirements will be followed and the TDD and the KCSA shall be listed as additionally insured. FTA Terms and Conditions are provided as an attachment to this solicitation and will also be incorporated into the resulting contract with signed FTA Certifications being required at time of contracting. The selected contactor will also be required to coordinate with the Design Professional (HDR Inc.) who will be part of the project team. The project will be managed by the City of Kansas City

with input from the Kansas City Streetcar Authority (operator), and will have oversight by a FTA-appointed Project Management Oversight Consultant (PMOC).

- b. Project Location - The Streetcar Project would be located in Downtown Kansas City, Jackson County, Missouri, on Main Street. The alignment would begin with a loop around the City Market on the north and then run south on Main Street to the Union Station/Crown Center area, and then back to the City Market.
- c. Project Description
 - (1) The Streetcar alignment is approximately 2 miles long (4 track miles round trip), with a northern terminus in the River Market District and a southern terminus near Union Station and Crown Center. The Streetcar will operate in mixed traffic both northbound and southbound on Main Street. In the River Market area it would operate on existing street right-of-way in mixed traffic in a counter clockwise loop on 5th Street, Grand Blvd., 3rd Street, and Delaware Street. The Streetcar facilities will be constructed and would operate within existing street right-of-way, except for the vehicle maintenance facility (VMF).
 - (2) Streetcar stops would be spaced approximately every two blocks, generally at even-numbered streets, with a platform for loading and exiting in each travel direction. Streetcar stops are planned to be similar to the existing MAX BRT stops, with some stops shared with existing bus service to facilitate easy transfers. Stops would include platforms, shelters, transit system information and related features. The majority of the stop platforms would be located on the far-side of the cross-street intersections. There would be nine stops northbound and nine stops southbound (counting the 3rd Street/Grand Boulevard stop as a southbound stop). There would be four single platform stops, within the River Market District and at Union Station; and seven paired platform stops, each with a northbound platform on the east side of Main Street and a southbound platform on the west side of Main Street (see Figure 1).
 - (3) Streetcar service is planned to open in 2015 and would operate at a minimum during the following hours and with the following frequencies:
 - • Monday - Thursday: 6 AM to 9 PM every 10 minutes
 - • Monday - Thursday: 9 PM to 12 AM every 20 minutes
 - • Friday - Saturday: 6AM to 2 AM every 10 minutes
 - • Sundays - 8 AM to 9 PM every 20 minutes
 - (4) The Streetcar travel time is projected to be 13 minutes one-way and 26 minutes round-trip, which would allow for a 4 minute layover at the terminus. Existing bus and MAX service would remain and function in tandem with the Streetcar service. A small number of existing bus and MAX stops would be relocated to facilitate Streetcar improvements and to allow for efficient transfers. At 10th and Main Street, the Streetcar would connect with the existing transit center, and at 3rd and Grand Blvd. it would serve the existing park-and-ride lot in the River Market area. Many existing bus lines in the downtown area would intersect with the Streetcar route.
- d. The City seeks to hire a CM@Risk experienced in preconstruction and constructability review assistance; estimating; planning; scheduling; procurement; relocation of underground utilities; construction of vehicle maintenance facilities, streetcar track, turnouts, station stops, OCS

systems, and control systems; and similar facilities. The CM@Risk contract will be sectioned into two (2) phases of work. Preconstruction Services as Phase 1 and a unilateral option, at the City's sole discretion, for Streetcar General Construction Services as Phase 2. Preconstruction Services Phase 1 will consist of a lump sum price. The Streetcar General Construction Services Phase 2 will consist of a CM Fee as a percentage of the Direct Cost from the CM@Risk, a CM GC General Conditions as a lump sum price from the CM@Risk, and an Initial Direct Cost as established by the City.

- e. The main intent of this IFB is to engage a CM@Risk that will work closely with the City and its consultants to ultimately serve as the Downtown Streetcar General Contractor for this complex Project if Phase 2 is authorized. The CM@Risk will hold the sub-contracts and will be expected to meet the aggressive schedule and budget goals for the Downtown Streetcar project in each phase of the work.
- f. The CM@Risk will participate in the Final design phase of the Downtown Streetcar through the Preconstruction Services Phase 1 contract with the City. Within sixty (60) days after receipt of the DESIGN PROFESSIONAL's 60% design plans, and following negotiations between the City and the CM@Risk, the CM@Risk, at the City's option, will assume the risk of delivering the Streetcar Project by entering into the Downtown Streetcar General Construction Services Phase 2 contract that includes a final guaranteed maximum price contract ("FGMP") and sets forth the terms and conditions under which the CM@Risk will be responsible for the construction of the Downtown Streetcar Project, shall be responsible for construction means and methods, and will be required to solicit bids from qualified sub-contractors to perform portions of the work. The City reserves the right to terminate negotiations with the CM@Risk and begin negotiations with other bidders if in its sole opinion an agreement cannot be reached with the CM@Risk.
- g. An open book approach to the work will be conducted with the City, and the City's Representatives throughout Phases 1 and 2 of the Project. The successful CM@Risk will be allowed to self-perform a minimum of 25% of the work without competition.
- h. The CM@Risk shall have a thorough knowledge of large multi-purpose Streetcar Projects and experience in constructing facilities comparable to the facility being considered for Kansas City. The CM@Risk shall have experience in the implementation of project controls as they relate to construction schedule and construction cost management.
- i. The Downtown Streetcar will be owned by the City of Kansas City. The KCSA will be responsible for the operation and maintenance of the Downtown Streetcar, tracks and facilities. The City will interview and select the CM@Risk through its selection processes and shall utilize the Technical Review Team in place for the project.
- j. Land acquisition activities for the Streetcar Project are being performed by the City. The City expects to complete the land acquisition for the VMF site by the second or third quarter of 2013 which will allow for the site clearing and construction of the VMF building to begin in the third quarter of 2013.

5. No Commitment by City. Bids and any other information submitted by Bidders in response to this IFB shall become the property of the City. The City shall have no liability for any expense incurred by Bidders in the preparation of Bids or for any damage allegedly resulting

from a Bidder's failure to be awarded the Contract for CM@Risk Services ("Contract") for the Project. Issuance of this IFB does not commit the City to enter into a Contract for the Project. The City makes no guarantee that an award of Contract will be made as a result of this IFB. The City reserves the right to accept or reject any or all Bids, to re-solicit for Bids, to temporarily or permanently abandon the procurement in whole or in part, to waive any informalities or minor technical inconsistencies, and/or to award one or more Contracts for all or any portion of the Project, when deemed by the City, in its sole discretion, to be most advantageous to the City and in its best interests.

6. **Rejection of All Bids.** If the City rejects all Bids, the City may re-solicit Bids only from those Bidders who submitted a Bid pursuant to this IFB and/or use an expedited Bid submission schedule with or without re-advertising or issuing any other public notice when the City determines, in its sole discretion, that the delay due to the normal solicitation procedures would not be in the City's best interests.

7. **Contents of the Bid.** The following information shall be provided by Bidders as part of the bidding process. **NOTE:** The outside of each Bidder's Technical Approach Submittal envelope/package shall include Bidder's name and address and shall be labeled "Invitation For Bid – Technical Approach Submittal for Project No. 89022000."

a. **TECHNICAL APPROACH PART I – PRIOR EXPERIENCE. (Bidder shall provide information for each of the sections below.)**

- (1) Narrative summary describing the three (3) most relevant Streetcar and/or comparable projects the proposed CM@Risk team members have executed through the complete construction process.
 - (a) The narrative shall include the assigned project personnel, project delivery method, scope of services provided, project budget and schedule with performance review or variance evaluation, size and characteristics of the facility, and final schedule of values. (Schedule of values may be provided in an Appendix)
 - (b) For each project identified, provide a narrative of the roles of the Bidder specifying the amount of work sub-contracted vs. self-performed and the relationships of the contracting parties.
- (2) References for each Streetcar or similar project completed including contact information with the ownership entity and facility manager. Provide at least one (1) reference from a public entity, an architectural engineering (AE) firm, and a team owner with whom the CM@Risk has worked directly on a similar or comparable project.
- (3) Provide a narrative describing the CM@Risk team's prior experience with project delivery methods listed below and their particular success with each. Provide further narrative relating to Construction Management of fast track projects or multiple bid packaging of projects to overlap and accelerate design and construction. Provide CM@Risk's experience on the project delivery methods:
 - (a) Public / Private based development projects
 - (b) Stipulated Lump Sum
 - (c) CM@ Risk Guaranteed Maximum Price

- b. **TECHNICAL APPROACH PART II - ORGANIZATION & KEY PERSONNEL.**
(Bidder shall provide information for each of the sections below.)
- (1) Provide a general description of the firm, joint venture, and/or team that is proposing to provide CM@Risk services. Explain the legal organization of the proposed firm or team. Provide an organizational chart that shows key personnel and identifies the location from which they will perform their work. It must be understood that the salaries and costs associated with these personnel is included with your proposed Preconstruction Services Lump Sum Amount, CM/GC Fee for the General Construction, and General Conditions Price and should be priced as required in section 00412, Evaluation Prices, of this IFB.
 - (2) Identify the following Key Personnel proposed for each phase of the Project. **(NOTE: Key Personnel must be committed to the Project for its duration, and may not be removed or substituted without the City's prior written consent.)**
 - (a) Project Executive in Charge
 - (b) Operations Manager
 - (c) CM/GC Senior Project Manager
 - (d) Senior Project Engineer and number of Project Engineers
 - (e) Senior Project Controls Manager
 - (f) On-Site General Superintendent and number of Superintendents and Assistant Superintendents.
 - (g) QA/QC Manager
 - (h) Safety Officer / Manager
 - (i) DBE Compliance Officer
 - (3) For each of the Key Personnel, provide the following background information.
 - (a) Years of employment with current employer.
 - (b) City and State of residence.
 - (c) Identify any other projects this person will be involved with concurrently with the Project, and state the time commitment for the Project and each other project. Identify all personnel who be assigned on a full-time basis at the construction site location.
 - (d) Discuss professional registrations, education, certifications, and credentials held by this person that are applicable to the Project.
 - (4) Include the resume of each Key Personnel, showing relevant project experience, CM@Risk experience, design-build experience, and experience on government contracts.
- c. **TECHNICAL APPROACH PART III – PROJECT UNDERSTANDING AND APPROACH.** **(Bidder shall provide information for each of the sections below.)**

- (1) Discuss the Bidder's past DBE project performance and compliance with participation goals on comparable size commercial projects (preferably with the Construction Manager At Risk approach) performed on a multiple contract basis. Describe the CM@Risk's DBE involvement approach in detail and demonstrate past project achievements.
 - (2) Discuss generally the major construction activities and tasks involved in constructing the Project.
 - (3) Discuss subcontract bidding and selection procedures and requirements including:
 - (a) Scope of work Bidder intends to self-perform
 - (b) Entity's ability to perform such work
 - (4) Illustrate clearly and concisely, the Bidder's understanding of the technical elements that must be addressed for successful completion of the Project within anticipated budget and meeting the preferred schedule.
 - (5) Submit a labor study that assesses the labor availability to meet the project labor needs.
 - (6) Describe key issues that might affect the Project schedule and how Bidder proposes to address them.
 - (7) Discuss Bidder's understanding of the traffic control required for the Project, if applicable, and how traffic control will impact the Project schedule. Discuss any major traffic control issues that need to be addressed and Bidder's proposed solutions. This should include the City requirement that the roadway remain open to traffic and access be maintained to businesses.
 - (8) Identify any other special issues or problems that are likely to be encountered. Outline the manner in which Bidder suggests resolving them.
 - (9) Outline key community relations issues and how they might be resolved.
 - (10) Describe any difficulties Bidder anticipates encountering in serving the City, in light of the City's status as a municipality and public entity. Explain how Bidder plans to manage any perceived difficulties.
 - (11) Describe any difficulties the Bidder anticipates to construct the Project with an anticipated start of revenue service date of May 28, 2015, and how the Bidder plans to manage those difficulties. Describe alternate schedules (if any) that the Bidder believes the City should consider with the benefit to the City and examples from past projects.
 - (12) Describe the Bidder experience in collaboration with a Designer during a CM@Risk, CM/GC or Design-Build contract to develop and implement a design of a transportation project. Describe the suggested approach and plan for collaboration with the Designer on this project.
- d. **TECHNICAL APPROACH PART IV – PROJECT CONTROLS PLAN. (Bidder shall provide information for each of the sections below.)**

- (1) Describe Bidder's suggested approach to maintaining the Project budget with a description of the cost coding scheme and project management tools (software) to be utilized.
 - (2) Describe Bidder's suggested approach to maintaining a Labor Cost Status Reporting system with a description of the productivity measurement calculations and features. Describe the associated project management tools (software) to be utilized.
 - (3) Identify Bidder's contingency plans for various performance issues that might be encountered on the Project.
 - (4) Summarize the Bidder's Document & Drawing Control Plan and filing system for the Project.
 - (5) Summarize the Bidder's Quality Control Plan for the Project.
 - (6) Provide a narrative describing approach and methodology for implementing contract claims avoidance within the multiple contract package environment.
 - (7) Submit a preliminary resource-loaded CPM schedule showing direct and indirect manpower representing the procurement and construction schedule assuming an anticipated start of revenue service date of May 28, 2015 with anticipated intermediate milestones for the Project, prepared using project management software.
 - (8) Submit a preliminary cash flow curve (drawdown schedule) for Phase 1 and for Phase 2 based on your current knowledge of the project plan.
- e. **TECHNICAL APPROACH PART V – SAFETY & HEALTH SUBMITTAL. (Bidder shall provide information for each of the sections below.)**
- (1) Summarize your corporate safety manual.
 - (2) Describe your safety record and environmental compliance record along with your Firm's OSHA reportable accident rates on recent comparable size projects.
 - (3) Describe how Bidder proposes to address any unique safety issues for the Project.
 - (4) State your firm's current Experience Modification Rating (EMR).
 - (5) Describe past experience with Safety/Security Certification process through construction phase.

8. Required Bid Submittals

a. Technical Approach Submittals.

- (1) All Technical Approach Submittals shall be organized and their Parts labeled with tabs as shown below, and provided in three-ring binders:
 - TA PART I – PRIOR EXPERIENCE
 - TA PART II – ORGANIZATION & KEY PERSONNEL
 - TA PART III – PROJECT UNDERSTANDING AND APPROACH
 - TA PART IV – PROJECT CONTROLS PLAN

- TA PART V – PROJECT SAFETY & HEALTH

- (2) Each Bidder's Technical Approach Submittal shall be limited to eighty (80) pages, in no smaller than 12-point font on 8-1/2" x 11" and 11" x 17" paper, using one side of each page, and page numbered accordingly. A maximum of twenty (20) 11" x 17" sheets are allowed and are to be folded into submittal. Each section of the Technical Approach Submittal shall correspond to the Part of the Technical Approach Submittal noted in this IFB. Any information, in addition to the Parts of the Technical Approach Submittal, that is required by this IFB shall be labeled as such and submitted as appendices to the Technical Approach Submittal. Appendices will count toward the page number limit, with the exception of schedule of values placed in an appendix. Covers, Tables of Contents, and divider tabs will not count toward the page number limit, provided that no additional information is included on those pages. Bidder shall submit one (1) original, ten (10) copies and five (5) electronic copies (PDF on CD) of the Technical Approach Submittal.
- (3) The outside of the Technical Approach Submittal envelope/package shall include Bidder's name and address and shall be labeled "Invitation For Bid – Technical Approach Submittal for Project No. 89022000."

b. **Price Submittals.**

- (1) Price Submittals shall be submitted on the Bid Form. Bidder shall submit one (1) original and one (1) copy of the Price Submittal in a separate sealed envelope.
- (2) The Price Submittal must be accompanied by Bid security in the amount of five percent (5%) of the base Bid for Phase 1 and Phase 2, which shall be in the form of a bid bond (in the form provided in these Bidding Documents). The Price Submittal must also be accompanied by a letter from the Bidder's Surety indicating the Bidder has the ability to provide a \$75,000,000 bond for this project.
- (3) Bidder is required to submit the following grant documentation **at the time of bid:**
 - (a) **Attachment B** - Schedule of Participation By Contractor & Subcontractors
 - (b) **Attachment D** - Proposal Response Form
 - (c) **Attachment F-2** -Workforce Analysis Report
 - (d) **Attachment G-1** Affidavit of Primary Participants Regarding Employee Eligibility Verification
 - (e) **Attachment H-1**- Certification of Debarment (Primary) Form
 - (f) **Attachment I-1**- Certification of Lobbying (Primary)
 - (g) **Attachment J** - Buy America – Steel and Manufactured Products Certification
 - (h) **Attachment J** - Buy America – For Buses, Other Rolling Stock and Associated
 - (i) **Attachment K** - Non-Collusion affidavit
 - (j) Photocopy of E-Verify Memorandum of Understanding that Prime Contractor has received from the US Department of Homeland Security verifying enrollment in the program. For assistance, contact E-Verify at 888-464-4218.

- (k) Attachment F-1 Workforce Analysis Report for Prime Contractor that indicates employee data by race, sex and national origin. This information shall be provided for the Contractor's company as well as for all subcontractors utilized on this project.
- (4) The outside of the Price Submittal envelope/package shall include Bidder's name and address and shall be labeled "Invitation For Bid – Price Submittal for Project No. **89022000**."

9. Consideration of Bids.

- a. All Technical Approach Submittals and documents, and meetings related thereto, shall be considered to be "closed records" and "closed meetings," respectively, as defined in Chapter 610, RSMo (the "Missouri Sunshine Law") and therefore protected from disclosure until the Public Bid Opening Date.
- b. The City will determine the lowest and best Bid. The two-stage selection process described herein will be used to determine the successful Bidder. If the City, in its sole discretion, does not exercise its option for Phase 2 services with the CM@Risk who is performing the preceding Phase 1 services, the City may, at its sole discretion, contract with any of the other bidders, who submitted a bid in response to this solicitation. FTA requires that award can only be made to responsible contractors possessing the ability, willingness, and integrity to perform successfully under the terms and conditions of the contract. Responsibility criteria include administrative and technical capacity, production capacity, timeliness and a satisfactory current and past performance record.
- (1) After submission of the Technical Approach Submittals and the Price Submittals on the Bid Due Date, the City will privately open the Technical Approach Submittals. Each Technical Approach Submittal will be reviewed. The City will interview Bidders the week of June 24, 2013, at a location in Kansas City, Missouri. The Bidders will be individually notified as to their timeslot and the location after receipt of bids. The interview format will be around an hour in length with 35-45 minutes of formal presentation with the remaining time as questions and answers. Final format will be indicated to the Bidder when informed of the timeslot and location. The City will evaluate and score the combination of the interview and all items in each section of the technical submittal based on the points system described below, with no reference to cost or price:

TA PART I – PRIOR EXPERIENCE – 25 points

TA PART II – ORGANIZATION & KEY PERSONNEL – 20 points

TA PART III – PROJECT UNDERSTANDING & APPROACH – 25 points

TA PART IV – PUBLIC INVOLVEMENT AND COMMUNICATIONS – 15 points

TA PART V – PROJECT CONTROLS PLAN – 10 points

TA PART VI – PROJECT SAFETY & HEALTH – 5 points

- (2) Note: All sub-items under each PART described in Sec. 7 above will be evaluated as a group in conjunction with the Bidder's response to that section in the interview to determine the Bidder's score for a particular PART described above.

(3) On the Public Bid Opening Date, the City will publicly announce the scores earned by each Technical Approach Submittal, and then will publicly open and read aloud the corresponding Price Submittal portion of that Bid. Each Price Submittal will be scored based on the points system described below:

- (a) The lowest Price Base Bid Submittal will be awarded 50 points.
- (b) One (1) point will be deducted from each of the other Price Submittals for each percentage that that Price Submittal exceeds the lowest Price Submittal, with each percentage rounded up to the next whole number prior to its deduction from the points earned by that Price Submittal. Maximum deduction of 15 points.

Example:

Price Submittal	Amount	Percent High	Score
Lowest	\$1,510,000	0%	50 pts. (lose 0 pts.)
2d Lowest	\$1,546,000	2.3% (3%)	47 pts. (lose 3 pts.)
3d Lowest	\$1,629,000	7.8% (8%)	42 pts. (lose 8 pts.)

The lowest Change Order CM Fee Submittal will be awarded 20 points.

- (c) One (1) point will be deducted from each of the other Price Change Order Submittals for each tenth of a percentage that that Price Change Order Submittal exceeds the lowest Price Change Order Submittal, with each percentage rounded up to the next highest tenth of a percentage prior to its deduction from the points earned by that Price Change Order Submittal. Maximum deduction is 10 points.

Example:

Price Submittal	Percent	Percent High	Score
Lowest	10.30%	0%	20 pts. (lose 0 pts.)
2d Lowest	10.70%	0.40% (0.4%)	16 pts. (lose 4 pts.)
3d Lowest	11.18%	0.88% (0.9%)	11 pts. (lose 9 pts.)

- (d) The lowest and best Bid is that Bid with the highest combined points for the Technical Approach Submittal and the Price Submittal, and that has been determined by the City to be responsive.
- (e) Bidder offers and agrees to comply with all terms, conditions, and requirements set forth in this IFB.
- (f) Bidder agrees that all representations made in its Bid, its Technical Approach Submittal, and its Price Submittal shall continue to be binding on Bidder if it is the successful Bidder on the Project, and that this IFB, Bidder's Technical Approach Submittal, Bidder's Price Submittal, and Bidder's Bid shall be deemed incorporated into any Contract issued to Bidder for the Project.

10. **Buy America Policies.** To the extent applicable to the project, the Contractor agrees to comply with 49 U.S.C. §5323 (j), and FTA's Buy America Regulations, "Buy America Requirements," at 49 C.F.R. part 661 and any amendments thereto, which provide that Federal funds may not be obligated unless steel,