



Request for Qualification

Town of Apex

Hunter Street Park (Bike Park)

October 31, 2023- readvertised December 11, 2023

The Town of Apex (“Town”) pursuant to N.C. G.S. 143-128.1A, is seeking Statements of Qualifications (SOQ) from qualified design-build firms (hereinafter “design-builder” or “design-build firm”) or team of firms to provide professional planning, engineering, construction, and construction management services related to the design and construction of a bike park on ±1.7 acres of vacant land at the north end of Hunter Street Park located at 1120 Ambergate Station, Apex, NC 27502 (“Project”).

Questions and requests for information shall be directed to:

Angela Reincke, Parks Planning Project Manager
Town of Apex
PO Box 250
919-372-7468

Angela.Reincke@apexnc.org.

Statements of Qualifications shall be submitted to Angela Reincke via email at angela.reincke@apexnc.org with the subject line “ HUNTER STREET BIKE PARK - RFQ”. Statements of Qualifications must be received no later than **12:00pm. on January 24, 2024** to be eligible for consideration.

This RFQ does not obligate the Town to pay any cost incurred by respondents in the preparation and submission of a response, nor does it obligate the Town to contract for any services.

The Town does not discriminate against any protected class in the solicitation of vendors or in the provision of contracting services for Town construction projects. The Town encourages Minority and Women Business Enterprises to participate in the Town contracting opportunities through the North Carolina Historically Underutilized Business Certification Program.

PROJECT DESCRIPTION

The Town of Apex seeks the design to be similar to a mountain bike skills course, in a circular track route with a separate interior pump track included in the design. The design and construction of a bike facility shall include natural surfaces with obstacles, mounds, and other features to create off-road cycling elements. See Exhibit #2 for design intent. An accessible route should link the existing path to the new facility and all existing parking should remain on site. Managing stormwater runoff should be a component of this project as required or necessary. The Design-Builder will be expected to maximize efficiency and quality as well as cost savings.

SCOPE OF SERVICES

The Scope of Services includes, but is not necessarily limited to and may be modified during contract negotiations, the following items: a) Due Diligence b) a Pre-Design Planning Process,

c) Design and Construction of a pump track and mountain bike track d) Construction Administration. The Design-Builder will be expected to produce a concurrent design and construction of a fully usable and finished facility meeting all contract terms. The following is a breakdown of the services requested by the Town of Apex. We welcome additions and modifications to this format if the proposing design-build firm feels new concepts, greater detail or clarification would be helpful. However, at a minimum, please address the noted information.

Due Diligence:

- Survey to include:
 - a. Boundary
 - b. 1' contour intervals
 - c. Storm and sanitary sewer
 - d. Tree inventory

Pre-Design Planning:

Client review and coordination as follows:

- Attend a kick-off meeting with Town of Apex staff:
 - a. At the beginning of the planning process to review draft documents to ensure that the project is consistent with the scope of services.
 - b. Provide a file sharing service.
- Develop a project timeline, identifying public input opportunities, with options for both in person and remote/online opportunities and a plan to maintain the timeline throughout project.
- Meet with Town staff bi-weekly via standing teleconference with the Parks staff to summarize activities, progress and obstacles.
- Meet with Parks staff prior to scheduled public input opportunities (in-person or remote) and public hearings or meetings to go over a facilitation plan and materials.
- Provide materials to Parks Planning staff with a minimum of 5 days for review and input.

Develop and execute a public involvement strategy to include:

- Hold (1) stakeholder meeting to identify Town of Apex Resident's needs:
 - a. Community representatives, off road cyclists, business owners, and residents in close proximity to the park
- At a minimum, public input opportunities should include:
 - a. A printed agenda
 - b. Presentation
 - c. Handouts
 - d. Displays and materials for in-person events
 - i. These opportunities could be utilized for an interactive online presentation with survey utilizing the public input survey platform or other innovative community engagement opportunity.
- Presentation by the design-build firm to the PRCR Advisory Commission of the draft plan prior to submission for Plan approval by TRC.
- Submission of a draft plan for TRC review through the pre-application process.
- Web content regarding the plan that the Town can use to update the Town of Apex website and post on social media sites.
- Presentation by the design-build firm to the Town Council, while not required for approval, is desired for community and elected official support.

Design

The final design of the bike park (bike skills course and pump track), will consist of compacted mounds of dirt shaped in a way that participants can traverse obstacles at varying speeds safely. The track will be composed of a beginner and an intermediate/advanced skill element to allow cyclists of all ages/abilities to participate with a looped trail to allow riders to develop their skills while traversing the track. The work includes but is not limited to; clearing, grubbing, earthwork, import of soils, drainage, construction of a fence, temporary access to road and staging area, drainage improvements, landscaping, shaping and compaction of dirt berms, and installation of elements to traverse; boulders, ramps, etc. In addition, installation of lighting and landscaping which meets UDO standards and rezoning conditions is required.

- The design-build firm will assess the pump track site and use natural and available resources where appropriate.
 - a. These materials should include but are not limited to those provided by the Town. (See Exhibit #1 for more information).
 - b. Dirt/clay is the desired bike track material. These materials should also be recycled from other Town of Apex projects if possible. The exception is the skill elements which may be made from other natural and constructed materials.
- Design layout for the bike park which should include, but is not limited to the following:
 - a. Design and install a dirt pump track.
 - b. Design and install a loop track that contains elements/features that are comparable to a traditional mountain biking course.
 - c. Compliance with Zoning Case #23CZ06 are required to be met.
- Design a drainage plan that will be permissible at the site.
 - a. After a rain event the bike facility should not have standing water within the cycling zones.
 - b. The drainage should help transfer as much of the water away from the track surface as possible.

Construction

- Construction of the bike park in its entirety per the construction documents. The construction will include at minimum the following:
 - a. Completion of all design development drawings and specifications for the Project that meets all local code requirements.
 - i. Plans must be sealed by a design professional in the State of North Carolina.
 - b. Obtain all required permits
 - c. Materials testing as needed
 - d. Erosion control measures as needed
 - e. Final grading and stabilization
 - f. Construction safety measures
 - g. Compliance with all state, federal, and local laws and regulations.
- Complete close-out of the Project including punch list development and warranty coverage on all materials and workmanship.
 - a. Warranties shall be provided to the Town of Apex at completion of the Project as designated in the contract.
 - b. As-built drawings of Project and concurrence of lighting

The Project is expected to include the following items:

- Materials to update the Project website/other social media/advertise public engagement events
 - Host (1) public engagement event/activities:
 - a. Include online public input survey for selection of preferred design concept which can be in conjunction with identified stakeholders and the public
 - Preparation and submittal of Exempt Site plan and Construction drawings, as required, including revised and updated drawings through the point of approval
 - Including the preapplication meeting submittal to IDT (the Town’s electronic plan submittal program.
 - Plan that includes at a minimum a pump track, skills course, bicycle racks, lighting, landscaping, and drainage.
 - Presentation to Advisory Commission for recommendation of Exempt Site Plan
 - Presentation to Town Council for support of Exempt Site Plan
 - All Town of Apex required permitting necessary for plan approval
 - Any additional required permitting
 - Design shall meet all of the approved zoning conditions in Town of Apex case #23CZ06 Hunter Street Park (Additional Parcel)
1. *All invasive species included in the invasive species list referred to in the Town of Apex Design and Development Manual (published 2022) will be removed from the site.*
 2. *The buffer along the northern property line shall be at least 10 feet wide. Where there is existing vegetation, it shall remain undisturbed except where invasive species will be removed. All areas with no existing vegetation and areas where invasive species are removed shall be planted to a 10-foot Type A buffer standard.*
 3. *The western property line shall have an undisturbed buffer a minimum of 50 feet wide.*
 4. *The buffer along Ambergate Station shall have a Type C planted buffer a minimum of 10 feet wide.*
 5. *Undeveloped portions of the property will be planted with at least 75% native species, including drought tolerant ornamental grasses and shrub species.*
 6. *A minimum of 2 bike racks will be provided on site with the final location to be determined at the time of site plan submittal.*

PROJECT BUDGET

The Town of Apex Department of Parks, Recreation and Cultural Resources estimates an approximate Construction Budget of \$220,000 dollars for completion of this Project including all costs and fees.

Total costs include construction related expenses which include the following:

- Pre-Design Planning
- Design and Construction
- Testing services
- Permits
- Other building related professional service fees necessary to fully complete the project.

REQUEST FOR QUALIFICATIONS SCHEDULE

The Town of Apex reserves the right to adjust the project schedule as necessary.

Preliminary Project Schedule	Date	Time
Issue/Advertise RFQ in Official Advertising Publications	December 11, 2023	12:00p
Deadline for Written Questions and Clarifications on RFQ	January 5, 2024	12:00p
Addendum Posted for Answered Questions	January 8, 2024	5:00p
Deadline to Submit Statement of Qualifications	January 24, 2024	4:00p
Notify selected Design-Build Firm	February 7, 2024	-
Award of Contract	March 2024	-

EVALUATION AND SELECTION CRITERIA

The design-build firm shall include in its response an explanation of its project team selection. The response shall consist of either of the following project team selection options:

- a. A list of the licensed contractors, licensed subcontractors, and design professionals whom the design-builder proposes to use for the project's design and construction. If this project team selection option is used, the design-builder may self-perform some or all of the work with employees of the design-builder and, without bidding, also enter into negotiated subcontracts to perform some or all of the work with subcontractors, including, but not exclusively with, those identified in the list. In submitting its list, the design-builder may, but is not required to, include one or more unlicensed subcontractors the design-builder proposes to use. If this project team selection option is used, the design-builder may, at its election and with or without the use of negotiated subcontracts, accept bids for the selection of one or more of its first-tier subcontractors.
- b. A list of the licensed contractors and design professionals whom the design-builder proposes to use for the project's design and construction and an outline of the strategy the design-builder plans to use for open subcontractor selection based upon the provisions of Article 8 of Chapter 143 of the General Statutes. If this project team selection option is used, the design-builder may also self-perform some of the work with employees of the design-builder, but shall not enter into negotiated contracts with first-tier subcontractors.

Submissions will be evaluated on qualifications and other criteria listed below:

1. Professional qualifications of the firm necessary for successful completion of the Project.
2. Demonstrated understanding of the Project, its schedule, and the desired finished product as well as knowledge of the locality and geographical area of the Project.
3. Demonstrated ability and capacity to carry out the Project on time, with the proper safety and quality controls, and within budget.
4. Specialized experience in bike parks, pump track, mountain bike skills element Bike design and construction.
5. Experience with government or public sector design and/or construction projects in terms of cost control, quality of work, and adherence to schedules.
6. Experience utilizing design-build contracting and construction methodology.

7. Acceptability under other evaluation criteria as the Town deems appropriate.

Weighing of Qualifications: Statements of Qualifications will be evaluated based on the firm's responses to the requirements of this Request for Qualifications which will be scored by the Town employees appointed to assess the SOQs. Scores (up to 100) will be determined based on the scoring criteria below:

A: Design-build team professional qualifications **(25 points)**

This shall incorporate Criteria Number 1 above, the explanation of the project team outlined at the beginning of the Evaluation and Selection Criteria section, and include an evaluation of each proposed firm and their expertise, credentials, and safety records. Include an organizational chart for personnel who would be assigned to this effort. Summarize the qualifications assigned personnel possess in order to prepare the services outlined in this RFQ. Address the availability of assigned staff to work on this project. Provide brief biographies tailored to this Project for key staff.

B. Project Understanding and Approach **(15 points)**

This shall incorporate Criteria Numbers 2 and 3 as well as an evaluation of the design-build firm's proposed methodology for Project completion, a statement demonstrating the team's clear understanding of the requirements and goals of the Project, and a preliminary design and construction schedule with deliverables/milestones.

C. Experience **(35 points)**

This shall incorporate Criteria Numbers 4, 5, and 6 and identify key personnel's experience with similar projects, including the experience of the design-builder, the general contractor/builder, and the engineering professional (to the extent they are different entities) and their litigation records, if any. Previous design-build projects should be identified and the firm should describe how previous projects display their abilities and work quality.

D. Completeness of SOQ, statement of why the design-build firm should be selected, including any specialized qualifications that differentiates the firm from others **(15 points)**

This shall include an evaluation of compliance with the RFQ directions and whether the SOQ is responsive, accurate, complete and clear.

E. Historically Underutilized Business (HUB) Participation **(10 points)**

Design build firms shall describe their plan to encourage participation by HUB firms as defined by N.C.G.S. 143-128.4. Firms shall provide documentation of HUB participation on previous public construction projects (including dates) and identify the HUB participation goal the firm intends to achieve on this Project.

Clarification During Evaluation: During the evaluation process, the Town has the right to require any clarification it needs to understand the design-builder's vision and approach to the Project scope of work. Any clarification to the SOQ made before executing the contract will be become part of the final contract.

GENERAL CONDITIONS AND MINIMUM REQUIREMENTS

1. The successful design-builder shall comply with the Town's unified development ordinance as applicable.
2. The successful design-builder shall provide a performance and payment bond to the Town in accordance with Article 3 or Chapter 44A of the North Carolina General Statutes.
3. The successful design-builder shall obtain written approval from the Town prior to changing any key personnel listed in the SOQ after the contract has been awarded.
4. The lead firm must have the financial resources and ability to undertake the work in its entirety and must have adequate accounting systems to identify costs chargeable to the Project. The lead firm shall maintain valid general liability insurance in the minimum amount of \$1,000,000, commercial automobile liability insurance in the minimum amount of \$2,000,000, workers' compensation coverage as statutorily required, employer's liability insurance in the minimum amount of \$1,000,000, and an umbrella policy totaling \$4,000,000 in coverage. Professional liability (errors and omissions) coverage of not less than \$1,000,000 per claim shall be provided for the architect and engineer of record. The successful design-build firm must be able to obtain a Builder's Risk Insurance Policy for this Project equal to the total cost of the Project.

The Town reserves the right to negotiate different limits and coverage in the final contract. The successful design-build firm shall provide a certificate of such insurance naming the Town of Apex as additional insured by endorsement to the policy. For blanket additional insured endorsements, the firm's insurance shall be Primary and non-contributory to other insurance. The design-build firm shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All insurance companies must be authorized to do business in North Carolina with a Best rating of A-VIII or higher.

5. Design-build firms responding to this request must be properly registered with the North Carolina Office of the Secretary of State and the North Carolina Board of Registration for Engineers and Land Surveyors (NCBELS). The engineers performing and in responsible charge of the work must be registered Professional Engineers in the State of North Carolina, in good ethical and professional standing. Additionally, any corporate subsidiaries, sub-consultants, or subcontractors that may participate in the Project must also be properly registered. It is the responsibility of the selected firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting an SOQ. The design-build firm's builder must have a current North Carolina Contractor's license with an unlimited building classification. Copies of licenses shall be included with the SOQ submission.
6. The design-build contract will require that the successful design-build team and its subcontractors comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
7. Upon receipt by the Town, each SOQ becomes the property of the Town and is considered a public record as defined by Chapter 132 of the North Carolina General Statutes unless the material qualifies as a "trade secret" as defined by statute.

8. The successful design-builder will comply with all applicable anti-discrimination and equal opportunity statutes, laws, and regulations, including Section 3-2 of the Town of Apex Code of Ordinances.

SUBMITTAL REQUIREMENTS

Project Schedule

Interested firms should propose a schedule of services and deliverables to be provided that addresses milestones and review periods. At a minimum, milestones should include:

- Project kick-off
- Stakeholder engagement
- Preapplication and submittal of Site Plan Application
- Presentation to Advisory Commission
- Presentation to Planning Board and Town Council
- Pre-application and submittal of Construction Drawings
- Construction of Pump Track

Statements of Qualifications Content and Format

Proposals are limited to 15 pages formatted on 8 ½" x 11" paper. Covers, if provided, will be included in the total page count. Statements of Qualifications must be submitted in electronic (PDF) format. In addition, up to three (3) links to online projects, public engagement/surveys or other public input examples may be provided or copies of same if no longer active online. Interested firms are encouraged to use succinct writing with supporting tables, graphics and other visualizations in the proposal submittal. The Statements of Qualifications shall include the signed Design-Build Team Declaration Statement, included as **Attachment A** to this RFQ.

Statements of Qualifications Transmittal and Selection Procedures

An electronic document of the Statements of Qualifications in PDF format is the only allowable format. Please email SOQs to Angela.Reincke@apexnc.org with the subject line "Hunter Street Bike Park."

Upon receipt of your SOQ, an email response will be provided.

Statements of Qualifications must be received no later than **12:00pm. on January 24, 2024** to be eligible for consideration.

Any questions on the request for Statements of Qualifications should be directed to Angela Reincke, Parks Planning Project Manager at 919-372-7468 or Angela.Reincke@apexnc.org. A summary of inquiries and responses will not be provided.

Number of Responses

The Town must receive at least three responses to the RFQ. If fewer than three responses are received the Town will re-advertise the RFQ as required by North Carolina General Statutes. In the event of re-advertisement, the Town may consider SOQs even if three are not received.

Short List Ranking

After evaluating the responses to the RFQ, the Town will select the three most highly qualified candidate firms. These design-build firms may be asked to interview to help determine final ranking.

Final Selection

After making a final selection of the design-builder in accordance with Article 3D, Chapter 143, of the North Carolina General Statutes, the Town will begin contract negotiations with the selected design-builder. If successful, the Town will enter into a professional services contract for the work. All respondents to the RFQ are considered fully informed as to the intentions of the Town regarding the timeframe to prepare and complete contract negotiations. Respondents should be prepared to provide a detailed, written proposal including a scope of work, staffing plans, action plan, schedule, and fee proposal during contract negotiations.

The Town may withdraw this RFQ, reject qualifications or any portion thereof at any time prior to an award, and is not required to provide a statement of the reason why a particular qualification was not deemed to be the most advantageous to the Town.

DESIGN-BUILD TEAM DECLARATION STATEMENT- ATTACHMENT A
(Include a signed copy of this form with the submitted SOQ)

1. We (the submitting Design-Build entity) certify that each licensed Design-Build Team member, including design professionals and sub-consultants included in this submittal, was selected based upon demonstrated competence and qualifications in the manner provided in the State of North Carolina's General Statute on procurement of construction services (G.S. 143-64.31).
2. We certify that our Design-Build entity's "Designer(s) of Record" have current North Carolina Architectural and/or Engineering license(s) as appropriate for their portion of the design work.
3. We certify that our Design-Build entity's "Builder" has a current North Carolina Contractor's unlimited license for projects over \$750,000 or a limited license for projects under \$750,000.
4. We certify that our Firm/Company will have and maintain insurance coverage for a total of \$1 million for commercial general liability, and not less than \$2 million per claim for commercial business automobile liability.
5. We certify that we will have coverage for professional liability and errors and omissions by all Designer(s) of Record/Design Professionals of not less than \$1 million per claim.
6. We certify that our firm has sufficient bonding capacity to provide Labor and Material Payment and Performance bonds with coverage of each equal to the total cost of the Project.
7. We certify that our Firm can and will obtain a Builder's Risk Insurance Policy for this Project with coverage equal to the total cost of the Project.
8. We certify that our Firm/Company/Personnel have/has no potential or actual conflict of interest to report and that no relationships, transactions, circumstances, or positions held are believed to contribute to any such conflict of interest.
9. I hereby certify the information set forth in this declaration is true and complete to the best of my knowledge.

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(Authorized Signature, Title, Design-Build Entity Name, and Date)

By signature on this Declaration, responders certify they comply with:

1. The laws of the State of North Carolina and the applicable portion of the Federal Civil Rights Act of 1964, the Equal Employment Opportunity Act, the Americans with Disabilities Act of 1990, and the regulations issued thereunder by the federal government.
2. All terms and conditions set forth in this RFQ.
3. A condition that the SOQ Proposal submitted was independently arrived at, without collusion, under penalty of perjury.
4. The bid will remain open and valid for at least 90 days.