

JOHN COOPER, MAYOR

DEPARTMENT OF FINANCE

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

2/4/2021 | 4:03 PM CST

Shane Lippert
Clark Construction Group, LLC
7500 Old Georgetown Road
Bethesda, MD 20814-6133

Re: **RFQ # 52055, Mill Creek Trunk Improvements and Equalization Facility - CMAR**

Dear Mr. Lippert:

The Metropolitan Government of Nashville and Davidson County (Metro) has completed the evaluation of submitted solicitation offer(s) to the above RFQ # 52055 for Mill Creek Trunk Improvements and Equalization Facility - CMAR. This letter hereby notifies you of Metro's intent to award to Clark Construction Group, LLC, contingent upon successful contract negotiations. Please provide a certificate of Insurance indicating all applicable coverages within 15 business days of the receipt of this letter.

If the Equal Business Opportunity (EBO) Program requirements were a part of this solicitation, the awardee must forward a signed copy of the "Letter of Intent to Perform as Subcontractor/Subconsultant/Supplier/Joint Venture" for any minority/women-owned business enterprises included in the response to the Business Assistance Office within two business days from this notification.

Additionally, the awardee will be required to submit evidence of participation of and contractor's payment to all Small, Minority, and Women Owned Businesses participation in any resultant contract. This evidence shall be submitted monthly and include copies of subcontracts or purchase orders, the Prime Contractor's Application for Payment, or invoices, and cancelled checks or other supporting payment documents. Should you have any questions concerning this requirement, please contact Jeremy Frye, BAO Representative, at 615-862-6638 or at jeremy.frye@nashville.gov.

Depending on the file sizes, the responses to the procurement solicitation and supporting award documentation can be made available either by email, CD for pickup, or in person for inspection. If you desire to receive or review the documentation or have any questions, please contact Scott Ferguson by email at scott.ferguson@nashville.gov Monday through Friday between 8:30am and 3:30pm.

Thank you for participating in Metro's competitive procurement process.

Sincerely,

Michelle A. Hernandez Lane

Michelle A. Hernandez Lane
Purchasing Agent

Cc: Solicitation File, Other Offerors

Pursuant to M.C.L. 4.36.010 Authority to resolve protested solicitations and awards.

A. Right to Protest. Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Purchasing Agent. The protest shall be submitted in writing within ten (10) days after such aggrieved person knows or should have known of the facts giving rise thereto.

Procurement Division

730 Second Avenue South, Suite 112
P.O. Box 196300
Nashville, Tennessee 37219-6300

www.Nashville.gov
Phone: 615-862-6180
Fax: 615-862-6179

RFQ# 52055 - CMAR for Mill Creek Trunk Improvements and Equalization Facility				
Evaluation Criteria	Brasfield & Gorrie, LLC	Clark Construction Group, LLC	Garney Companies, Inc	Kiewit Infrastructure South Co
Round 1				
Required Licensing	Yes	Yes	Yes	Yes
Contract Acceptance	Exceptions Taken	Yes	Yes	Exceptions Taken
Solicitation Acceptance	Yes	Yes	Yes	Yes
ISA Questionnaire Completed and Terms Accepted	Yes	Yes	Yes	Yes
Project Methodology and Approach (30 Points)	27.00	28.00	24.00	29.00
Team Experience (30 Points)	24.00	26.50	18.00	28.00
Personnel Experience (30 Points)	27.00	28.00	26.00	29.00
Diversity Plan (10 Points)	9.50	10.00	8.50	9.00
Totals After Round 1	87.50	92.50	76.50	95.00
Round 2				
Live Interview (100 Points)	91.00	97.00	NOT INVITED	96.00
Totals After Round 2	178.50	189.50		191.00
Round 3				
Cost Proposal (100 Points)	70.19	100.00	NOT INVITED	81.74
Totals After Round 3	248.69	289.50		272.74
Strengths & Weaknesses				
Brasfield & Gorrie, LLC				
<p>Strengths: The firm described their team's methodology and approach to working with the design team to ensure this project is completed in a timely and collaborative manner. Firm described their team's approach to assist Metro in balancing costs and addressing trade offs among projected and land acquisition costs.</p>				
<p>Weaknesses: Firm did not adequately describe their team's methodology and approach to ensure successful completion of the project, including specific tactics. Firm did not adequately describe the team's approach to cost estimating and producing/maintaining accurate, current OPCCs. Firm did not provide a detailed Management Plan that your team recommends be implemented on this project. The plan should include, at a minimum, permitting, quality control, safety, scheduling, contract administration, change management, closeout, etc. Proposers are encouraged to provide details about staffing requirements and reflect the level of effort in the corresponding cost evaluation. The firm did not provide a clear explanation of each firm's role on the team. The firm's description of five (5) representative projects that illustrate competency in as many of the following as possible: was lacking in CMAR Delivery Method and Evaluating tradeoffs among projected land acquisition costs, costs to construct access portals, and costs for transporting spoils should long distances exist between access points. The firm did not provide resumes detailing the specialized expertise of proposed "key" individuals who will be used on the contract for both Pre construction and Construction phase services. The firm did not provide complete organizational chart showing the proposed structure, interrelationships, and interactions of the proposed CMAR staff. The firm did not demonstrate specific tools or work processes that would build a partnership between them, Metro and the design team. The firm did not demonstrate a clear vision for the sequence of work for the individual components, to minimize the construction duration and minimize downtime.</p>				

Clark Construction Group, LLC

Strengths: The firm described their team's approach to working in a partnering environment and encouraging open communication and trust. The firm described their team's methodology and approach to working with the design team to ensure this project is completed in a timely and collaborative manner. The firm described their team's approach to cost estimating and producing/maintaining accurate, current OPCCs. The firm demonstrated specific tools or work processes that they would implement to build a partnership between them, Metro and the design team. The firm demonstrated how they would ensure that adequate competition will be developed for both large and disadvantaged sub contractors

Weaknesses: The firm did not identify risks that you would anticipate for the prescribed project(s) and provide countermeasures you would employ to minimize those identified risks. The firm did not adequately describe their team's approach to assist Metro in balancing costs and addressing trade offs among projected land acquisition costs, costs to construct access portals, and costs for transporting spoils should long distances exist between access points. The firm's detailed Management Plan that your team recommends be implemented on this project did not include adequate change management content. The firm's description of five (5) representative projects that illustrate competency in as many of the following as possible: was lacking in Similar ground conditions and geology and Evaluating tradeoffs among projected land acquisition costs, costs to construct access portals, and costs for transporting spoils should long distances exist between access points. Firm did not adequately describe the proposed roles and estimated involvement for the above listed key personnel during pre construction, construction, and/or throughout the project. The firm did not demonstrate their approach to managing risks and reducing costs through risk management strategies regarding tunneling and identification of substrate.

Garney Companies, Inc

Strengths: The firm described their team's approach to cost estimating and producing/maintaining accurate, current OPCCs. The firm demonstrated their organization's safety record by providing your Experience Modification Rating (EMR) and corresponding man hours of work performed for the past 5 years.

Weaknesses: The firm did not adequately describe their team's plan to help Metro with constructability and value engineering during pre construction. The firm did not adequately identify risks that they would anticipate for the prescribed project(s) and provide countermeasures you would employ to minimize those identified risks. Firm did not adequately describe their team's approach to assist Metro in balancing costs and addressing trade offs among projected land acquisition costs, costs to construct access portals, and costs for transporting spoils should long distances exist between access points. The firm did not adequately describe their team's approach to cost estimating and producing/maintaining accurate, current OPCCs. The firm did not provide a detailed Management Plan that your team recommends be implemented on this project. The firm did not provide a clear explanation of each firm's role on the team. The firm did not demonstrate understanding of the project will include large diameter conveyance pipe using tunneling methods involving either a slurry or an earth pressure balance machine to support tunnel excavation. The firm's five (5) representative projects that illustrate competency in as many of the following as possible were lacking in: Similar ground conditions and geology and CMAR delivery method. The firm's organizational chart showing the proposed structure, interrelationships, and interactions of the proposed CMAR staff lacked some detail. The firm did not adequately describe the proposed roles and estimated involvement for the above listed key personnel during pre construction, construction, and/or throughout the project.

Kiewit Infrastructure South Co

Strengths: Firm described their team's plan to help Metro with constructability and value engineering during pre construction. The firm provided five (5) representative projects that illustrate competency in as many of the following as possible: CMAR delivery method. Firm demonstrated their organization's safety record by providing your Experience Modification Rating (EMR) and corresponding man hours of work performed for the past 5 years. Firm described the proposed roles and estimated involvement for the above listed key personnel during pre construction, construction, and/or throughout the project. Only provide descriptions for first group of proposed personnel, not alternates. The firm demonstrated their approach to managing risks and reducing costs through risk management strategies.

Weaknesses: Firm did not adequately describe their team's approach to working in a partnering environment and encouraging open communication and trust. Describe specific tactics you will employ. Firm did not adequately describe their team's methodology and approach to working with the design team to ensure this project is completed in a timely and collaborative manner. The firm did not demonstrate a clear vision for self construction and how that benefits the owner.

Solicitation Title & Number			RFP Cost Points	RFP SBE/SDV Points	Total Cost Points
Mill Creek Trunk Improvements and Equalization Facility - CMAR, RFQ# 52055			100	0	100
Offeror's Name	Total Bid Amount	SBE/SDV Participation Amount	RFP Cost Points	RFP SBE/SDV Points	Total Cost Points
Clark Construction Group, LLC	\$23,164,000.00	\$312,480.00	100.00	0.00	100.00
Kiewit Infrastructure South Co	\$28,340,000.00		81.74	0.00	81.74
Brasfield & Gorrie, LLC	\$33,000,000.00	\$161,000.00	70.19	0.00	70.19

Ferguson, Scott (Finance)

From: Frye, Jeremy (Finance)
Sent: Wednesday, February 3, 2021 3:37 PM
To: Ferguson, Scott (Finance)
Cc: Lane, Michelle (Finance - Procurement); Wood, Christopher (Finance - Procurement)
Subject: BAO Final Assessment RFQ#52055 - Mill Creek Trunk Improvement and Equalization Facility CMAR
Attachments: 52055 CMAR Millcreek Truck Improvements.pdf; 52055 Mill Creek Trunk Improvement and Equalization Facility CMAR.pdf

Scott,

Please accept this as my final assessment for the referenced RFQ#. The awardee is compliant with the EBO goal acknowledging that they can achieve goals and minimum SBE/SDV requirement over the life of the contract. **This contract will require monitoring in B2Gnow.**

Jeremy R. Frye
Contract Administrator
Department of Finance
Office of Minority and Women Business Assistance (BAO)
Metropolitan Nashville Davidson County Government
730 2nd Avenue South, 1st Floor; PO Box 196300
Nashville, TN 37219-6300
(p) 615-862-6638 (f) 615-862-6175

EBO Compliance Results From**Department Name: Metro Water Services****RFP/ITB Number: RFQ #: 52055****Project Name: Mill Creek Trunk Improvement and
Equalization Facility - CM@R**

Primary Contractor	EBO Compliant (Yes/No)	Determination Comments/% of Participation Proposed or Bid
Clark Construction Group, LLC	Yes	Proposer is compliant with the Equal Business Opportunity Program requirements having acknowledging the 5% MBE and 4% WBE subcontracting goals as required by the Procurement Code. Subcontractors/Subconsultants will be solicited prior to issuing the design documents for bidding. Consistent with the Procurement Code, actual dollar amounts will be confirmed upon contract award.

Date: 2/3/2021**Metro Buyer: Scott Ferguson****BAO Rep: Jeremy Frye**

BAO Small Business Assessment Sheet**BAO Specialist:** Jeremy Frye**Contract Specialist:** Scott Ferguson**Date:** 02/02/2021**Department Name:** Metro Water Services**RFP/ITB Number:** 52055**Project Name:** Mill Creek Trunk Improvement and Equalization Facility CMAR

Primary Contractor*	Prime Bid Amount	Total Proposed SBE (\$)	Acknowledged SBE Requirement ?	SBE (%)	Comments
Clark Construction Group, LLC	\$ 23,164,000.00	IDIQ	Yes	14% requirement	The prime is not an approved SBE and acknowledged 14%SBE/SDV requirement over the life of the contract and consequences of misrepresentation.