

**MEDICINE CREEK ENTERPRISE CORPORATION**

**REQUEST FOR PROPOSAL (RFP)  
FOR  
OWNER REPRESENTATIVE  
SERVICES**

**MEDICINE CREEK ENTERPRISE CORPORATION  
HOTEL CONSTRUCTION PROJECT**

**Proposal Due Date: April 14, 2017 at 5:00 pm PST**

## **I. INTRODUCTION**

The Medicine Creek Enterprise Corporation (MCEC) is requesting Proposals from qualified individuals and/or firms to provide Owner's Representative services for the design and construction of the Medicine Creek Enterprise Hotel Construction Project. The Owner's Representative shall represent and protect the interests of the MCEC during the completion of the Medicine Creek Enterprise Hotel Construction Project. The RFP includes the following:

1. Introduction
2. Scope of the Owner's Representative's Services
3. Proposal Requirements for RFP
4. Evaluation of Proposals
5. Proposal Development and Submittal Requirements
6. Project Budget and Fees
7. Procurement Timetable
8. Contacts

The Owner's Representative will work directly with the MCEC and its representatives to provide construction oversight on a regular and on-going basis, including but not limited to: Construction Design, Construction Cost Estimates, Construction Management (including Sub-Contract Review and Selection, Pay Application Review, and Project Closeout), Project Cost Tracking, and Statutory, Regulatory and Tribal Compliance (including Code Review, Indian Preference Requirements and Mitigation). Expect up to sixty (60) hours per week mostly on-site until completion of the Medicine Creek Enterprise Hotel Construction Project. The selected Owner's Representative will provide a dedicated principal for the engagement, who will be the primary point of contact between the MCEC and on-site contractor(s). The selected Owner's Representative shall report directly to the MCEC.

## **II. SCOPE OF THE OWNER'S REPRESENTATIVE'S SERVICES**

The Owner's Representative will work with the Project Manager, the design team and general contractor to administer the design and construction of the Hotel Project in accordance with the contract documents, on schedule, on budget, and to a level of quality commensurate with the MCEC's requirements. The Owner's Representative will serve as a consultant to the MCEC and not an employee of the MCEC and shall act on behalf of the MCEC, as directed. The selection process will be based on the Owner's Representative's qualifications to carry out the following scope of work:

1. Assist MCEC Board in the selection of Architect, Engineer and General Contractor for the Hotel Project.
2. Supervise and monitor the general contractor and any subcontractors working on the Hotel Project.
3. General oversight of construction project activities, including but not limited to, regular on-site construction management and oversight coordination responsibilities, prepare construction project schedules, including project status reports, maintain job site records and provide the MCEC Board with regular progress reports.
4. and present to the MCEC Board.
5. Project budgeting work, including the tracking of construction costs, maintaining detailed construction cost records, maintain cost control system and conduct cost review meetings with the MCEC Board.

6. Review, evaluate and report the necessity of all change orders, changes to submittals, RFI's, non-conformity with contract documents and make recommendations to the MCEC Board.
7. Coordinate FF&E and make recommendations to the MCEC Board.
8. Assist with any dispute resolution.
9. Ensure that all building systems are functional and that the equivalent of a certificate of occupancy is received.
10. Coordinate system commissioning work.
11. Coordinate transfer of building operations to the MCEC.
12. Review and verify site logistics planning.
13. Assist with all applicable regulatory compliance and review coordination, as necessary.
14. Organize, coordinate and meet regularly with the MCEC Board on the planning, design and construction of the hotel project, including but not limited to, contractor evaluation/reviews and pre-award cost estimating.
15. Establish and maintain quality control/quality assurance standards.
16. Review, validate and approve all pay request application, keep record of retainage and invoice retainage.
17. Provide all record keeping and reporting as may be required by Federal, State, Local and/or Tribal authorities.
18. Implement safety monitoring program.
19. Coordinate 3<sup>rd</sup> party testing or inspections as required or necessary.
20. Manage close-out period as follows:
  - Coordinate punch list;
  - Participate in inspections for substantial and final completion and warranty inspections; and
  - Coordinate and document receipt of warranties, O&M manuals, and "as-built" documents.
21. Other tasks as assigned by the MCEC Board.

### **III. PROPOSAL REQUIREMENTS FOR RFP**

In general, proposals must be clear, concise, and clearly follow the format stated in this RFP. Respondents must, at a minimum, include all the information sought in this RFP. The MCEC reserves the right to reject proposals that are non-conforming in any respect. The MCEC also reserves the right to change the evaluation criteria or any other provision of this RFP, provided that all Respondents are notified of the change(s).

This RFP does not obligate the MCEC to award a contract or enter into a contract for Owner's Representative services, nor does it obligate the MCEC to complete the Hotel Project. The MCEC reserves the absolute right to cancel this RFP or any other solicitation at any time if it is considered to be in the MCEC's best interest.

1. This document, including any attachments, constitutes a formal Request for Proposals (RFP) in a competitive procurement process.
2. Proposals must be provided in electronic format only; sufficient electronic signatures are: use of email signature in transmittal email letter, graphic representation of signature, or use of "/s/" preceding Respondent's name. Proposals may be submitted by email to the Project Manager or by delivery of a CD disk containing proposal documents. If by delivery of a CD, a hard copy of the transmittal letter is acceptable.
3. The MCEC reserves the right to:
  - a. Reject any and all proposals received in response to this RFP;

- b. Select, for contract negotiation, a proposal other than the one with the lowest cost;
  - c. Waive or modify any informalities, irregularities, or inconsistencies in the proposals received and/or accept a late written modification requested by the MCEC if the proposal itself was submitted on time and if the modification is more favorable to the MCEC;
  - d. Negotiate with more than one Respondent at a time;
  - e. If negotiations fail to result in an agreement, terminate negotiations and select the next most responsive proposal, prepare and release a new RFP, or take any other action the Owner deems appropriate;
  - f. Select more than one proposal;
  - g. Conduct or decide not to conduct interviews, in the MCEC's sole discretion; and
  - h. Cancel this RFP or any other solicitation at any time if it is considered to be in the MCEC's best interest.
4. Any verbal explanations of instructions or discussion of any aspect of this RFP provided to any Respondent before the award of a contract is not binding, nor does it form a contract of any kind. Respondents with questions regarding this RFP must submit them in email to the Project Manager named in this RFP.
  5. Respondents may propose additional tasks, activities, or alternative suggestions if they will substantially improve the results of the Projects. Any additional items must be separated and identified as such in the cost portion of the proposal.

#### IV. EVALUATION OF PROPOSALS

The MCEC Board will select an Owner's Representative based on an evaluation of the Respondents' expertise, skill, experience, and overall capabilities, including:

1. **Construction Experience**. History of extensive construction experience, including experience with design-build projects, cost estimating, SWPPP development and implementation, LEED-certified building practices, value engineering, and a demonstrated history of work on "fast-track" projects. **(30%)**
2. **Cost Effectiveness**. Demonstrated history of cost control on prior projects, including experience with value engineering, and demonstrated history of completing projects on or under budget. **(40%)**
3. **Tribal Hotel & Amenities**. Extensive experience with Tribal Hotel and amenities. **(15%)**
4. **Communications Skills**. Respondent should have the ability to work with a wide variety of people and have excellent written and verbal communication skills. The ability to communicate with the MCEC Board, A&E consultants, construction project personnel, casino executive management staff as well as tribal governmental staff will be critical. **(10%)**
5. **Tribal Experience**. Familiarity with tribal governments, preferably consisting of a history of work on tribal governmental projects, including Indian casino construction projects and familiarity with Tribal TERO requirements. **(5%)**

**Total: 100%**

Proposals will be scored based on the quality of responses and subject to the following factors considered for each element named above:

- Completeness, detail, and thoughtfulness of response
- Experience of the Respondent
- Approach and special services, benefits, or advantages to the Owner
- Cost in relation to level of service provided

**V. PROPOSAL DEVELOPMENT AND SUBMITTAL REQUIREMENTS**

The following is required by the Proposal Due Date:

1. A statement of the objectives, goals, and tasks, to demonstrate the Respondent's view of the nature of the Hotel project.
2. The name of the proposer, the contact person and the contact person's business address, telephone and facsimile numbers and e-mail address.
3. Schedule of costs and fees associated with the Owner Representative's services, in a spreadsheet format.
4. A brief description of yourself including current employment, biography, and experience in similar capacity.
5. A detailed resume, highlighting experience relevant to the position.
6. Please send a resume of construction projects for the last five (5) years and include contact information from past construction project owner's. The MCEC will contact the construction owner's to verify construction management expertise.
7. Names and telephone numbers of three client references.
8. Knowledge of the relevant laws of the Nisqually Indian Tribe, including but not limited to, TERO and Indian Preference Requirements.
9. Ability to present construction notes and other information to the MCEC Board at bi-monthly board meetings.
10. Must have seven (7) years of construction management experience.

Proposals submitted in response to this RFP are irrevocable for 60 days following the due date of the proposals.

Each proposal must be enclosed with a transmittal letter on the Respondent's official business letterhead. The letter shall transmit the proposal, identify all materials and enclosures being forwarded collectively as a response to this RFP, and must be signed by an individual authorized to commit the Respondent to the scope of work proposed.

**VI. PROJECT BUDGET AND FEES**

Estimated total cost for Owner Representative Service is approximately \$(TBD). This cost includes: all professional consultants, Architect/Engineer and Owner's Representative fees and reimbursable expenses, site investigations and surveys, hazardous materials removal design and abatement, building and site construction,

project management fees, construction inspection and testing, furniture, fixtures and equipment, contingencies, art, and inflation factors.

The maximum Owner's Representative fees are anticipated to be no greater than 2% of the budgeted Hotel Project costs. The final contract amount will be negotiated with the selected Owner's Representative.

Respondent must obtain and provide evidence of satisfactory insurance coverage, to be determined during the contract negotiation.

**VII. PROCUREMENT TIMETABLE**

- RFP Released March 15, 2017
- Proposal Due April 14, 2017
- RFP's Opened and Evaluation Begins April 15, 2017
- Interviews, if any, held April 16, 2017
- Award Announced April 17, 2017
- Anticipated award of Owner's Representative contract April 25, 2017

**VIII. CONTACTS**

For Project information, please contact:

Cheebo Frazier, CEO/GM  
Nisqually Red Wind Casino  
(360) 412-5000

One unbound copy of the Proposal must be received by mail, hand delivery, e-mail ([cfrazier@redwind.net](mailto:cfrazier@redwind.net)), or fax (360) 412-8275 by close of business (5 p.m. MST) on April 14, 2017 to:

Cheebo Frazier, CEO/GM  
Nisqually Red Wind Casino  
12819 Yelm Highway  
Olympia, WA 98513

# DRAFT

## MCEC HOTEL CONSTRUCTION PROJECT: OWNER'S REPRESENTATIVE DUTIES

### **PROGRAM/PROJECT MANAGEMENT**

**Goal: Improve project delivery time, control costs and ensure quality by keeping multiple, interrelated project components in sync, on time and within budget. Reduce owner risk thru:**

1. Review and be familiar with details of the MCEC Hotel Construction Project.
2. Assist in reviewing and making recommendations related to the objectives, priorities, project controls and recommend plan for preventive action.
3. Assist in reviewing and making recommendations with Contract Management for:
  - **General Contractor**
  - **Architect**
  - **Engineers**
  - **Environmental**
4. Assist in reviewing and making recommendations with Contract Preparation for all proposed contracts between Architect, engineers, contractors, or consultants and the owner. All Contracts shall be approved by the MCEC prior to execution.
5. Act as Liaison between MCEC and other agencies/representatives coordinating on the Project.
6. Ensure Construction/Environmental Compliance with applicable laws and regulations associated with the Hotel Project.
7. Identify and anticipate problems or setbacks and recommend solutions during all phases of the Hotel project.

### **CONSTRUCTION MANAGEMENT**

**Goal: Monitor all phases of the construction process including; cost and budget controls, scheduling, estimating, expediting, inspection, contract administration and management including subcontractors and suppliers.**

1. Identify and anticipate problems or setbacks and recommend solutions during the Construction process.
2. Evaluate the performance of the General Contractor, Construction Manager/Superintendent, Sub-contractors thru monitoring of Schedules and Costs.
3. Participate in sub-contractor selection in conjunction with GC selection process.
4. Participate in scheduled construction meetings.
5. Review and approve Pay Requests.

### **ESTIMATING AND COST MANAGEMENT**

**Goal: Ensure accurate estimation of detailed construction costs and project budget.**

1. Analyze Construction Documents and Specifications for the preparation of accurate time, cost, material, and labor estimates to assist Owner in developing accurate project construction costs.
2. Monitor and Enforce Nisqually Indian Preference requirements and Procurement Policy to obtain local labor and materials.
3. Assess Cost Effectiveness and track actual costs relative to bids.

## **INSPECTION**

### **Goal: Insure necessary Plan Checks and Inspections are conducted**

1. Coordinate with GC, Architect, and subcontractors to conduct necessary inspections.