

REQUEST FOR PROPOSAL

TONTO APACHE TRIBE

DESIGN-BUILD SERVICES

APACHE CORNERS PHASE ONE

ISSUED FRIDAY JANUARY 5, 2024

UPDATED DUE FRIDAY FEBRUARY 12, 2024

Overview

The Tonto Apache Tribe (Owner), a Federally recognized Native nation, is seeking the services of a Design-Builder to help plan and complete construction for Phase One of Apache Corners. The Design-Build services will be performed as a single contract with one entity identified as the Design-Builder providing Design-Build services. This will include all necessary activities to design and construct a turn-key project including but not limited to: project planning, permits, fees, inspections, architecture, engineering, and construction services to provide a complete, usable, and fully-operational facility.

The Design-Builder will be an integral member of the Project Team, consisting of the Design-Builder, representatives from the Owner and other consultants, as required. It will be the responsibility of the Design-Builder to integrate the design and construction phases, utilizing skills and knowledge of design and general contracting to provide design, code analysis, value engineering and constructability reviews, develop schedules, prepare detailed Project construction estimates, study labor conditions and, in any other way deemed necessary, to contribute to the development of the Project during the pre-construction/design phase. The Design-Builder assumes design and construction risk and has direct authority over the sub consultants and subcontractors and be responsible for construction means and methods.

Project Overview

Apache Corners is a multi-year community and economic planning effort by the Tonto Apache Tribal Nation. Beginning in 2020, Tonto Apache focused on what economic opportunities existed that would benefit their Nations economy and benefit the region. Approximately 75 acres on the reservation will be used to build the future Tonto Apache economy! (including trust land on the east and west sides of A-87) is slated for development with an effort to capture dollars leaking outside the economy and stimulate not only the Tonto Apache economy, but the entire region. The total development is slated for a mixed-use approach focused on building an economy from their initial businesses with the Tonto Apache government, Mazatzal Casino and Hotel, Convenience Store and Tire Shop. Future developments in the first phase will include an entertainment district with a distillery

and additional restaurants, two convenience stores, a family entertainment center and infrastructure improvements. Additional developments will focus on a health center, training and educational partnership, grocery store, cannabis dispensary, warehousing, and light manufacturing. The plan is to connect parcels on the east and west side of A-87 through finding ways for pedestrian safety, traffic calming and efficiency improvements.

Continuous updates on Apache Corners are provided at www.ApacheCorners.com

Specific Construction Phase 1

Based on preliminary review, Phase One includes new businesses, remodel of the existing convenience store and a variety of infrastructure improvements (road, traffic roundabout, water, sewer, power....). Below is a rough estimate based on preliminary review subject to change:

• Convenience Store w Gas-West	\$6,000,000
• Convenience Store w Gas-East	\$6,000,000
• Distillery	\$6,000,000
• Family Entertainment Center	\$30,000,000
• <u>Infrastructure</u>	<u>\$10,000,000</u>
• TOTAL	\$58,000,000

Scope of Work

After being selected, the Design-Builder will execute a contract with the Owner to provide design and construction services for the Project including, but not limited to:

- Project Management and Administration through project leadership and overall team coordination.
- Coordination of inter-disciplinary professional services.
- All related design (architectural and engineering) elements.
- Review of and compliance with Codes and Standards of the Tonto Apache Tribe.
- Secure final approval of Site Plan Review with the Owner.
- Value analysis services, value engineering and offer cost savings suggestions and best value recommendations.
- Project planning and scheduling.
- Construction cost models, estimates based on marketplace conditions and cash flow development and analysis.
- Coordination of Contract and Construction Documents.
- Coordination with public and private utility providers to bring all required services to the Project.
- Coordination of all construction related activities.
- Successful completion of Phase 1 of Apache Corners

Qualifications

Firms interested in providing design build services must submit their qualifications that addresses the following seven evaluation criteria. Applicants shall organize their submissions in such a way as to follow the evaluation criteria listed below. Information included within the qualifications may be used to evaluate your firm as part of any criteria regardless of where that information is found within the qualifications. Information obtained from the qualifications and from any other relevant source, including references from any past clients, may be used in the evaluation and selection process. In short-listing pre-qualified design-build offerors, emphasis will be placed on information demonstrating ability to successfully complete this Project with quality workmanship, in tight spatial and schedule constraints, and in a productive, collaborative environment.

1. Financial Ability: The prospective Design-Build team must demonstrate sufficient financial ability to perform the contract by providing evidence (a letter from the surety) of the ability to acquire performance and payment bonds from a corporation included on the United States Treasury list of acceptable surety corporations in an amount not less than the desired amount of the estimated contract. The offeror submitting the response to this RFP must be the same entity providing the evidence of ability to be bonded and must be the same entity that will enter into a design-build agreement with the Owner. Appropriate amounts of bonding shall be applied to each portion of Phase One to satisfy the lending entity.
2. Experience: The prospective Design-Build team must demonstrate and provide evidence of appropriate experience for this Project, for both the design and construction entities and their key personnel to be assigned to this Project. Each project used as evidence of applicable experience shall be presented on a separate sheet to include, but not be limited to, a photograph of the completed project, size of the facility, construction cost, date completed, major features, general contractor, architect of record, and owner of the facility with current contact information for a reference check.
 - a. Experience
 - i. Please describe overall qualifications, capabilities, and experience as it relates to this Project. Explain your understanding of, and experience with, the Design Build delivery method.
 - ii. Please provide three (3) references of similar Design-Build projects
 - b. Project Understanding and Approach
 - i. Describe your understanding of the Project.
 - ii. Identify and discuss and potential problems during design and construction.
 - iii. Identify and discuss methods to mitigate those problems.
 - iv. Describe the work you anticipate self-performing and the work you anticipate being performed by subconsultants/subcontractors.
 - c. Approach to Project Management

- i. Describe your approach to change orders.
 - ii. Describe your planning, scheduling, estimating and construction management tools.
 - iii. Describe your quality control plan.
 - iv. Describe your safety management.
 - v. Describe your current workload and ability to proceed promptly
Professional Team
 - d. Describe each firm's position within the team and role on this Project.
 - i. Design-Builder Project Manager: Qualifications, resume, and experience with design-build projects for the individual that will be responsible for the integration of the Project team and design-build team leadership. The design-build project manager is the primary contact to the owner.
 - ii. Pre- construction Services Manager: Qualifications, resume, and experience with design-build projects for the individual that will perform the pre-construction services.
 - iii. Design-Construction Coordinator (Design Manager): Qualifications, resume, and experience with design-build projects for the individual on the construction side that will be responsible for coordinating design and construction efforts and the transition from the design phase to the construction phase.
 - iv. Designer of Record: Qualifications, resume, and experience with similar projects of the individual who is responsible for the design. A copy of the individual's current professional registration shall be provided.
 - v. Construction Manager: Qualifications, resume, and experience with design-build projects for the individual responsible to manage the design implementation and construction execution.
3. Judgments: Has your firm or any officer, director or owner thereof had a judgment(s) entered against him/her within the past ten years for breach of contract for governmental or nongovernmental construction, including, but not limited to, design-build or construction management? If so, please explain.
4. Noncompliance: Has your firm been in substantial noncompliance with the terms and conditions of prior construction contracts with a public body without good cause? If so, please explain.
5. Convictions: Has your firm, any officer, director, owner, project manager, procurement manager, or chief financial official thereof been convicted within the past ten years of a crime related to governmental or non-governmental construction or contracting? If so, please explain.
6. Debarment: Is your firm, any officer, director, or owner thereof currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body, agency of another state, or agency of the federal government? If so, please explain.

7. Timely Response: Failure to respond to and provide the information requested above by the due date for responses to this RFP shall be considered justification for denying pre-qualification for this Project.

Design Builder Fee

The fee shall be based on a straight percentage executed in a contract Between Owner and Design Builder, with a Guaranteed Maximum Price (GMP)-to be negotiated based on the agreed upon fee and applied to each project listed as part of Phase One. Proposer shall provide a single percentage amount that includes all office / general and administrative costs (G&A costs), design costs, premiums for contractually required payment and performance bonds, premiums for all insurance contractually required including Builder's Risk and liability insurance; Business & Occupations, excise, income, and any other taxes (except sales tax on progress payments); together with any profit to be paid to the Proposer. If the Owner utilizes their own professional services, then this will be deducted as part of the percentage.

Such percentage shall be applied to the direct design and construction costs performed under the Guaranteed Maximum Price Contract, to include as a mark-up on change order requests and change orders which may be approved adjusting the Guaranteed Maximum Price of the Contract. Pursuant to and in compliance with the Request for Proposals, the undersigned certifies, having carefully examined the Contract Documents, and conditions affecting the Work, that the following percentage amount shall constitute full compensation for Design-Builder's G&A costs and profit on all direct design and construction costs performed under the Guaranteed Maximum Price Contract. Please provide a line in the proposal stating the fee as listed below:

Design/Build Contractor Fee: _____%

If the proposal provides an alternative form of fee, the Design-Builder may offer an alternative fee with explanation, understanding the preferred fee is a straight percentage of the GMP.

General Information

UPDATED The RFP must be received electronically to info@ApacheCorners.com no later than 5:00 pm PST on February 12, 2024. Hard copies will not be accepted.

The Owner is seeking Native-Owned as well as Tonto Apache Tribe owned firms to submit proposals. There will be a preference based on these proposals if all other aspects of the proposals are equal and preferential. Please provide evidence that the firm proposing is at least 51% owned by a qualified person and/or entity.

The Owner is a federally recognized Native Nation and has not waived their sovereign immunity at any time through the RFP process, review, and negotiations. There is no

compensation or reimbursements for any costs and/or time dedicated to the responses to this RFP.

ALL QUESTIONS regarding this solicitation shall be submitted to apachecorners@alocalsolutions.com no later than 4:00 p.m. PST January 26, 2024. Answers to questions are planned to be provided to all firms and individuals interested in the RFP. The Owner shall not be held responsible for any oral instructions or other instructions delivered outside the framework of the RFP. Any changes to this RFP will be in the form of an addendum, which will be furnished to all registered RFP holders.

Please address proposals to the following:

Apache Corners
c/o aLocal
30 Tonto Apache Tribe Reservation
Payson, Arizona 85541

DO NOT CONTACT ANYONE ELSE AT THE TONTO APACHE TRIBE WITH QUESTIONS ABOUT THE RFP.

The Owner reserves the right to reject any or all proposals, to waive any informality or irregularity in any proposals received, and to be the sole judge of the merits of the respective proposals received.

All final decisions are made by the Tonto Apache Tribe.