

## ADDENDUM #3

### NOME COURTHOUSE LEASE PROJECT #NOM-L-18-0014

Date: March 22, 2019

To All Plan Holders:

The following changes, additions, clarifications, and/or deletions are hereby made a part of the Contract Documents for the above noted project, fully and completely as if the same were fully contained therein. All other terms, conditions, and specifications of the original Invitation to Bid, remain unchanged.

**This amendment must be acknowledged in the space provided on the Bid Schedule.**

The Submittal Date and Time is **CHANGED**. The new Submittal Date is: May 2, 2019 at 10:00 a.m. AST.

The modifications directed by this Addendum #3 are described on this page and the following attachments:

- |  |         |
|--|---------|
| 1. Addendum Text:  | 3 page  |
| 2. Request for Proposals Cover and TOC   | 4 pages |
| 3. Section B: RFP Deliverables, Criteria Evaluation, Selection Process<br>PART I-Selection Process | 8 pages |
| 4. Section B: RFP Deliverables, Criteria Evaluation, Selection Process<br>PART V-Proposal Form     | 3 pages |

#### CHANGES TO PREVIOUS ADDENDA

1. None.

#### PRE-PROPOSAL QUESTIONS AND ANSWERS:

- Q1** ***Bidder Question:*** Can we submit more than one proposal?  
***ACS Response:*** A proposer is allowed to include in a proposal two or more alternate methods, provided that each method is identified, and each alternate proposal provides sufficient information to allow the court system to evaluate the alternate proposals using the criteria established in the RFP.
- Q2** ***Bidder Question:*** Can we submit a partial proposal?  
***ACS Response:*** A partial proposal would be graded against the same criteria as a full proposal. Partial proposals may be determined to be non-responsive.
- Q3** ***Bidder Question:*** There is not enough time to get materials to Nome and perform construction. Will the Court System be extending the deadline?  
***ACS Response:*** If it is in the best interest of the Court System, the deadline can be extended.
- Q4** ***Bidder Question:*** Can you clarify the items that the Court System is providing?  
***ACS Response:*** The Court System has offered to pay for its own heat and electricity as noted in Proposal Form.  
As currently indicated in the RFP, Section C, Lease Requirements, Technical Lease Requirements, Item 5.D.10, ACS will provide the following items:  
**ACS Furnished and Installed (AFAI)**
- a. Microphones, Speakers, Audio and Video Cabling and Audio Equipment Rack in Courtrooms and Grand Jury
  - b. Duress Alarm System
  - c. Polycom
  - d. Video Equipment – Flat Screen Monitor, Bracket and cabling at courtrooms and Lobby. Landlord to provide backing (in-wall preferred) for all wall mounted monitors.

- e. Under counter Refrigerators at Jury Rooms and Grand Jury
- f. All moveable furniture with exception of Witness Stand and Clocks

**ACS Furnished, Landlord Installed (AFLI)**

**These items will be manufactured or shipped to Anchorage. Landlord will be responsible for shipping costs from Anchorage to Nome. ACS will assist in coordination of shipping items to Nome based on Landlord provided shipping schedule.**

- a. Spectator Bench Seating at all courtrooms
- b. Server and Telecom Racks in Server Room and Communications Room
- c. Top down/bottom up Window Horizontal Blinds at all windows and interior relites (not door relites).
- d. Carpet Tile Flooring at all Areas. Landlord to prep for cracks and levelness. Levelness is critical at sound door thresholds for acoustic drop bottom seals to work properly
- e. Acoustical Wall Panels at Courtrooms and Grand Jury Room
- f. Cipher Locks at areas noted in Paragraph 21E.10
- g. Interior Wall Signage at all leased areas.
- h. Interior Building Directory at each floor.

**NOTE: ACS IS IN THE PROCESS OF EVALUATING ADDITIONAL PRODUCTS AND MATERIALS WITH THE INTENT OF FURTHER REDUCING A PROPOSERS'S INITIAL CONSTRUCTION COSTS. THIS INFORMATION WILL BE ISSUED IN A FORTHCOMING ADDENDUM.**

- Q5     *Bidder Question:*** I would like to formally request that the date for submitting bids be moved out one month to May 2, 2019, as the RFP period is short for a project of this complexity.  
***ACS Response:*** The Submittal Date for this project is extended to May 2, 2019, at 10:00 a.m. AST
- Q6     *Bidder Question:*** How are you going to score the RFP's?  
***ACS Response:*** Evaluation and selection is based on proposal, according to the scoring criteria in the ITB, and in the best interests of the Court System.

**CHANGES TO RFP:**

**REQUEST FOR PROPOSALS:**

1. **Submittal Information:** **REVISE** Submittal Deadline date to May 2, 2019 10 a.m. AST
2. **Lease Commencement:** **REVISE** Lease Commencement date to read: "No earlier than March 1, 2020, and no later than December 1, 2020."

**SECTION B - RFP DELIVERABLES, EVALUATION CRITERIA, AND SELECTION PROCESS:**

**1. Part IV Technical Criteria:**

- a. **TECHNICAL CRITERIA 7:** Lease Commencement Date: **DELETE** the following:

~~*"Time Range for Occupancy: Occupancy no earlier than March 31, 2020, and no later than December 1, 2020".*~~

**REPLACE** with the following:

*"Time Range for Occupancy: Occupancy no earlier than March 1, 2020, and no later than December 1, 2020.*

**END OF ADDENDUM #3**

**REQUEST FOR PROPOSALS****ALASKA COURT SYSTEM****NOME COURTHOUSE LEASE**

Project Number NOM-L-18-0014

**REQUEST FOR PROPOSALS****February 11, 2019****1. Solicitation**

The Alaska Court System (ACS) is seeking proposals from firms qualified and interested in providing a leased courthouse facility to accommodate the Alaska Court System in Nome, AK. The leased facility shall be constructed, remodeled and/or built out to provide **approximately 7,000 square feet of Net usable space**, including finishes, amenities and services described in this RFP.

**Location:** Nome, Alaska

**Description of Lease:** Approximately 7,000 NUSF

**Period of Lease:** Twenty (20) years with Two (2) Five (5)-year options to renew.

**Lease Commencement:** No earlier than March 1, 2020, and no later than December 1, 2020.  
**NOTE:** The Lease Commencement date is an evaluation criterion.

**Annual Budgeted Lease Rental:** \$420,000  
**NOTE 1:** The Lease Rental amount does not include the utilities and services to be contracted separately by ACS as described in the attached General Lease Conditions.  
**NOTE 2:** The Lease Rental amount is an evaluation criterion. The offeror may submit a Lease Rental amount more than amount indicated.

**Issuing Office Information:** Contact Dawn Molina, Alaska Court System Leasing & Contracts Manager, for further information.  
Phone: 907-264-8284; Fax: 907-264-8296  
Email: dmolina@akcourts.us

**2. Selection Process and Basis for Award:**

This document sets forth information regarding the Landlord (LL) selection process for a future Lease Contract. Proposals will be evaluated based on cost and technical submittals. The intent is to select a LL offering the best combination of lease experience, references, and yearly cost; and proposed court facility delivery schedule, facility characteristics, and provided amenities, for a 20 year term lease contract. The LL's Price Proposal will not be the sole consideration. The Alaska Court System will award a Lease Contract to the responsible proposer whose proposal, conforming to the RFP requirements, received the highest total number of evaluation points, price and other factors considered, pending availability of funding.

The intent of the drawings and narratives required to be submitted as part of the RFP response is for an Offeror to demonstrate that the proposed building and site plan drawings can accommodate ACS Lease Space and Programming Requirements. ACS acknowledges that existing buildings in particular may not be able to fully comply with all the requirements listed. Proposals will be evaluated based on the best interests of the Court System. All changes agreed to between an Offeror and ACS, including building and site plan changes, shall be documented in writing prior to Notice of Award.

### **3. Pre-Submittal Conference:**

A Pre-Submittal Conference for all interested parties will be held on March 4, 2019, at 2:00pm in Grand Jury Room located at the Nome Courthouse at 113 Front Street, 2<sup>nd</sup> Floor, Nome, AK. Attendance is optional. Participation by teleconference will be available.

### **4. Submittal Information and Deadline:**

To be considered, respondents must deliver submittals in a sealed package to the address below, on or before the deadline, and in the number of copies indicated below.

**Deadline:** Proposals will be accepted until April 2, 2019 at 10:00 AM AKST. Any proposal not received by that date and time will not be considered. Proposals will be collected for review by the selection committee as outlined below. They will not be publicly opened or read aloud.

**Address Responses To:** Dawn Molina – Leasing & Contracts Manager  
Alaska Court System  
820 W 4<sup>th</sup> Ave.  
Anchorage, Alaska 99501

**Mark Submittals as Follows:** Nome Courthouse Lease Proposal

**Required Number of Copies:** Three (3) copies

**Note to Proposers:** Faxes, facsimiles, or electronic submissions will not be accepted; they will be rejected as non-responsive.

Any costs incurred in response to this request are at the Proposer's sole risk and will not be reimbursed by the ACS, except as provided in Procurement Guideline 4-401.03.8. The ACS reserves the right to reject all proposals and proceed utilizing a different process.

## TABLE OF CONTENTS

### REQUEST FOR PROPOSALS .....

1. Solicitation .....
2. Selection Process and Basis of Award .....
3. Pre-Submittal Conference .....
4. Submittal Information and Deadline .....

### SECTION A – INSTRUCTION TO OFFERORS .....

1. Definitions .....
2. Authority .....
3. This Procurement is Governed .....
4. Availability of Contract Documents .....
5. Use of ACS Provided Design Information .....
6. Inclusion in Plan Holder's List .....
7. Completeness of Contract Documents .....
8. Questions and Explanations Regarding the RFP .....
9. ACS Contact .....
10. RFP Amendments .....
11. RFP Protests .....
12. RFP Preparation .....
13. RFP Offers .....
14. Timeliness of Proposals .....
15. Reservation of Rights .....
16. Modification or Withdrawal of Proposals .....
17. Documents required for Proposal .....
18. Solicitation and Responsiveness of Offers .....
19. Responsibility Requirement .....
20. Confidential or Proprietary Information .....
21. Preferences .....
22. EEO and Federal Civil Rights Compliance .....
23. Taxes .....
24. Evaluation and Scoring Confidentiality .....
25. Alaska Little Davis Bacon Act .....
26. Employment Preference in Zones of Underemployment .....

### SECTION B – RFP DELIVERABLES AND SELECTION PROCESS .....

- PART I - Selection Process .....
- PART II - Criteria Evaluation .....
- PART III - Documents Required for Proposal .....
- PART IV – Technical Criteria .....
- PART V – Cost Criteria .....
- PART V.5 – Building Questionnaire .....
- PART V – Price Proposal Form .....
- PART VI – Proposal Submittal Information & Certifications .....

**SECTION C – LEASE REQUIREMENTS**

General Lease Conditions .....  
Supplementary Lease Conditions .....  
Technical Lease Requirements.....  
Appendices  
A. Lease Space Requirements .....  
B. Schematic Floor Plan of Court Facility .....  
C. Space Programming Sheets.....  
D. Schematic Superior Courtroom .....  
D.1 Judge’s Bench Casework .....  
D.2 Audio-Video Riser Diagram - Typical Courtrooms.....  
D.3 Typical Mobile Witness Stand & Platform .....  
D.4 Fixed Modesty Wall .....  
D.5 Jury and Judge’s Casework Platform Construction.....  
E. Server & Communications Room Equipment Layout.....  
F. - I. Unused .....  
J. Sound Isolation Wall.....

**SECTION D – LEASE CONTRACT (SAMPLE) .....**

**END OF SECTION**

## SECTION B – RFP DELIVERABLES, EVALUATION CRITERIA, AND SELECTION PROCESS

### PART I – SELECTION PROCESS

This procurement process represents an innovative procurement as permitted by AS 36.30.308. All Offerors should review this process description prior to responding to the RFP.

- A. Offerors will submit a Combined Technical and Price Proposal. Each Offeror's proposal will be reviewed to establish compliance with the requirements of this RFP. At a minimum, and before further consideration is given, the following criteria must be met:
  - a. Part V Price Proposal Form must be fully completed, and pricing must not exceed "MAXIMUM" limits stated in Price Criteria 1.
  - b. Part VI Proposal Submittal Information and Certifications must be submitted and signed.
  - c. Proposal Guarantee must accompany the Proposal as noted in PART III, Paragraph D.
  - d. Proof of compliance with the statutory requirements for licensing by the State of Alaska.
  - e. Absence of material defect in the proposal.
- B. Proposals will be evaluated by a committee selected by ACS. The Technical and Price criteria to be used in evaluation is outlined in **PART IV TECHNICAL CRITERIA and Part V PRICE PROPOSAL CRITERIA below**. The Technical criteria in PART IV has been assigned a maximum point total and the committee members will independently assign a score to each proposal resulting in a numerical total technical score for each proposal. The Price criterion will be evaluated and scored as determined in accordance with Part V to determine the preliminary ranking.
- C. The total score for each Offeror will be obtained by adding together the scores determined for the **PART IV TECHNICAL CRITERIA and Part V PRICE PROPOSAL CRITERIA**. The order of ranking shall be as follows: highest scored Offeror will be ranked first, next highest scored second, and so on.
- D. After completion of individual ratings, the committee will meet to discuss proposals. Evaluators may alter their ratings after these discussions; however, any changes must be based solely on the criteria set forth in **PART IV TECHNICAL CRITERIA**. Once each committee member's total technical scores are finalized they will be assigned weights to obtain weighted scores. These weighted scores will be added together and then divided by the number of evaluators to obtain an average weighted technical score. Any Offeror whose proposal does not meet minimum qualifications will not be considered further.
- E. The Selection Committee may discuss factual knowledge of, and may investigate Offerors' prior work experience and performance, including past projects, property and lease contacts referenced in proposal, available written evaluations, or other relevant information, and may contact listed references or other persons knowledgeable of an Offeror, Offeror's proposed contractor's and/or a subcontractor's past performance. The ACS reserves the right to request site visits of the Offerors' offices or previous projects prior to or after the submission of proposals. Factors such as overall experience relative to the proposed contract, quality of work, control of cost, and ability to meet schedules may be addressed. If any issues of significant concern to the proposed contract are identified, the Selection Committee may
  - a. Deem the submitting RFP to be unqualified;
  - b. Treat the omission or inaccuracy as immaterial; or
  - c. Request clarification or supplemental information in accordance with Paragraph F, below.
- F. The ACS intends to evaluate proposals and make award without discussions with Offerors. However, ACS reserves the right to conduct discussions if the Facilities Manager later determines them to be necessary. Therefore, Offerors are advised to submit complete proposals with their best terms and pricing and not expect an opportunity to revise their proposals at a later time in the process. The Selection Committee may, but are not required to conduct discussions with Offerors whose proposals are determined to have a reasonable likelihood of being selected for award. The purpose of the discussions is to obtain full understanding of, and ensure responsiveness to, the solicitation

requirements (AS 36.30.240). The Offerors may be requested to submit written clarifications of their proposal. The technical scores may be adjusted in response to discussions and clarifications submitted by the Offerors. Offerors whose proposals are determined to have a reasonable likelihood of being selected for award may be requested to submit Best and Final Offers (BAFO) for final Selection Committee evaluation.

- G. After discussions and BAFO's, if any, Selection Committee members will determine the final scoring and ranking for contract negotiations by evaluating written and oral responses using only the criteria set forth in Part II of this RFP.
- H. Offerors will be advised of the name of the Offeror whose proposal is selected by the ACS via the issuance of a Notice of Intent to Award. A copy of this Notice will be provided to all Offerors.

## PART II – CRITERIA EVALUATION

Each proposal will initially have a maximum of 200 points available for award. Final scoring of the combined proposals for each Offeror will be weighted at 60% for the Technical Criteria and 40% for the Price Criterion. For example, if an Offeror's Technical Criteria had a score of 200.0 points and its companion Price Criterion had a score of 167.4 points the final weighted score would be 187.0 [(200 X. 0.60) + (167.4 X. 0.40) = 187.0]. The Offeror with the highest score will be ranked 1st, and the next highest 2nd, and so on.

### Example:

#### **Offeror A (Ranked 1<sup>st</sup>)**

Technical Evaluation Points	200.0	Weighted Points @ 60%	120.00
Price Evaluation Points	167.4	Weighted Points @ 40%	67.00
Total Weighted Score			187.00

#### **Offeror B (Ranked 2<sup>nd</sup>)**

Technical Evaluation Points	185.0	Weighted Points @ 60%	111.00
Price Evaluation Points	180.0	Weighted Points @ 40%	72.00
Total Weighted Score			183.00

#### **Offeror C (Ranked 3<sup>rd</sup>)**

Technical Evaluation Points	150.0	Weighted Points @ 60%	90.00
Price Evaluation Points	200.0	Weighted Points @ 40%	80.00
Total Weighted Score			170.00

## PART III – DOCUMENTS REQUIRED FOR PROPOSAL

Offerors must submit the following documents, properly completed and executed, within a sealed envelope, no later than the time of the deadline shown, and to the address shown, in the **Request For Proposals, Submittal Information and Deadline**. Seal Proposal documents in an envelope with the project number and RFP submittal deadline marked on the front of the envelope. **Bids not including all of the items noted below in A, C (if applicable), D, E, F and G will be rejected. Documents to be Submitted for PART IV Technical Criteria:**

### A. **Documents to be Submitted for PART IV Technical Criteria:**

- Response Technical Criteria 1 through 3:** Submit up to four (4) single sided 8-½ x 11 sheets with distinct responses to each Technical Criteria 1 through 3 stapled together. Font size shall be no less than 10pt. Criteria responses must be titled, numbered and assembled in the order of Criterion1 through 3.
- Response to Technical Criteria 4:** Submit Floor Plan(s), Site Plan, Vicinity Site Map, and Photographs, Elevations, and Narrative Statement (if applicable) of proposed building and property. Floor Plan(s) must be shown on a sheet size of 11 x 17 – up to two (2) sheets is allowed to show the full lease area layout. Site Plan and Photos and/or Exterior Elevations may be smaller. Staple all plans, map, photos and elevations together. Narrative Statement should be on up to two (2) single sided 8 ½" x 11" sheets of paper stapled together. Font size shall be no less than 10pt.

3. **Response to Technical Criteria 5:** Submit Proof of Ownership documents and Building Questionnaire (**Appendix PART V.5**) stapled together. Paper clip to the back of Criteria 4 Response.
  4. **Response to Technical Criteria 6:** Submit one (1) single sided 8-½ x 11 sheet listing all Design Elements that the Offeror is able to incorporate in their Floor Plan(s) submitted in Criteria 4 above. Font size shall be no less than 10pt. Paper clip to back of Criteria 4 and Criteria 5 Response.
  5. **Response to Technical Criteria 7:** Submit one (1) single sided 8-½ x 11 sheet with a schedule showing the required Milestone dates that the Offeror proposes to accomplish the work required for occupancy. Staple this sheet to the back of Criteria 1 through 3 above. Font size shall be no less than 10pt.
- B. **Documents to be Submitted for PART V Price Proposal Form:** Submit a fully completed **Part V – Price Proposal Form** (one page). All requested pricing must be fully completed. Price Proposal Form may be photocopied for submittal.
- C. **Documents to be Submitted for PART VI Proposal Submittal Information & Certifications:** Submit a fully completed **Part VI Proposal Form**. Include acknowledgment of any addenda that may be issued. Proposal Submittal Form may be photocopied for submittal.
- D. **Proposal Guaranty:** All proposals shall be accompanied by bid security in the form of an acceptable bond issued by a surety company, certified check, cashier's check or money order made payable to the Alaska Court System (State of Alaska). Submit in a separate sealed and labeled envelope. ACS requires the proposal guaranty in the amount of 5% of the Annualized Basic Proposal amount. The surety of a bid security may be any corporation or partnership authorized to do business in Alaska as an insurer under AS 21.09. This bid security from the awarded Proposer shall be held until a firm contract is executed. All other bid securities shall be returned to the unsuccessful Offerors upon Notice of Award. If the successful Offeror fails to accept and proceed with the Work of this RFP after issuance of a Notice of Award, this bid security shall be forfeited to the Alaska Court System. Award may be made to the next lowest responsive and responsible Offeror. By submission of a bid security and signature on the bid schedule, the successful Offeror acknowledges and agrees to the conditions of this Request for Proposals.
- E. **Alaska Business License:** A current valid Alaska Business License number is required on **PART VI Proposal Submittal Information and Certifications** form. If Offeror has applied, but not yet received, an Alaska Business License, then a photocopy of the Application for same must be submitted with proposal as required under AS.08.18. Staple to the back of **PART VI Proposal Submittal Information and Certifications**.
- F. **Quantity of Proposals to be Submitted:** Submit three (3) sets of Proposal documents in separately sealed envelopes. All envelopes shall have the project number and RFP submittal deadline marked on the front of the envelope as noted above.

## PART IV – TECHNICAL CRITERIA

**Total Max Points: 200**

The Technical Evaluation criteria consist of four (4) sub-categories:

Criteria 1. Relevant Experience - Lease Contracts	25 points
Criteria 2. Relevant Experience - Design and Construction	30 points
Criteria 3. Financial History & Funding Plan	15 points
Criteria 4. Proposed Floor Plans, Building Photos, Narrative Statements	65 points
Criteria 5. Proof of Ownership, Building Questionnaire	15 points
Criteria 6. Preferred Design Elements	20 points
Criteria 7. Lease Commencement Date	30 points

Submit only information specifically requested and relevant to the specific Criteria and this project. Unnecessary text which does not respond directly to the information requested in the Criteria will be disregarded and may affect the Offeror's score.

**TECHNICAL CRITERIA 1:****Max Total Points for Criteria 1: 25****Relevant Experience of Offeror with Lease Contracts**

The response to this criterion will be evaluated on how well Offeror demonstrates the organization has the experience and institutional expertise to perform successfully the services required of a landlord in the Bethel region. Consideration will be given as to how effectively and successfully the organization has executed past lease contracts. Landlord/Lessor surveys will be considered in this item.

- A Provide the following information for all facilities in which the Offeror has acted as the landlord for the past 5 years:
1. Address and name (if applicable) of the facility
  2. Name, e-mail, and phone number for private Tenant, or a contact of the Tenant company. The ACS will contact Tenant to obtain references.
  3. Description of the leased building, including: size, construction type, zoning, occupancy type, finishes and amenities. Additionally, describe exterior features that are part of the lease agreement such as parking areas, storage, signage, headbolt heaters, sidewalks, and porches.
  4. Description of services and utilities provided as part of the lease agreement.
  5. Type of tenants (private residents, government entity, commercial, retail, etc.), and quantity of tenants.
  6. Date of building construction and expiration of lease(s).
  7. Narrative of difficulties related to maintenance, services and tenant issues, and description of how the issues were resolved with least impact to the tenant(s).

The ACS reserves the right to investigate referenced leased properties, contact references and research other leased properties that the Offeror has managed.

- B List history of defaults, lawsuits, or arbitrated claims on lease contracts by or against the Offeror initiated during the last seven years, including case name, location, and case number or citation.

**TECHNICAL CRITERIA 2:****Max Total Points for Criteria 2: 30****Relevant Experience with Design, Construction, Remodel or Renovation**

The response to this criterion will be evaluated on how well Offeror demonstrates that the organization has the expertise to manage design and construction, either in-house, with outside subcontractors, or in a contract with a General Contractor. Note that at least a minimal amount of construction is required to comply with all the RFP requirements. Consideration will be given as to how effectively and successfully the organization has executed past construction projects.

Provide the following information on at least two (2) past construction projects – preferably for buildings intended as lease space:

1. Address and name (if applicable) of the facility
2. Name, location and contact information for consulting firm(s) contracted for design of building and property upgrades. Include at least Architect, and Electrical and Mechanical Engineers.
3. Name, location and contact information for General Construction contracting firm used, or if in-house, then include Sub-contractors.
4. A brief description of the project and scope of construction – if it is a property included in the above Criteria 1, just identify which lease it is.
5. Originally scheduled completion date and final (or anticipated) completion date.

6. Description of the difficulties and/or challenges encountered and resolved during the management of this project. Emphasis should be on challenges that may be similar to those that will be faced in this project.

The ACS reserves the right to investigate referenced projects, contact references and research other projects that the Offeror has worked on. For each project referenced clearly identify any unresolved changes, claims and lawsuits, assessments of liquidated damages, insurance claims, and explain in detail the alleged basis of any litigation or lawsuit and the results, including settlement amount, if settled.

### **TECHNICAL CRITERIA 3:**

**Max Total Points for Criteria 3: 15**

#### **Financial History and Funding Plan**

The Offeror will be evaluated on its financial condition and funding plan for this lease project. Note that the information submitted will be considered public information unless confidentiality is requested by the Offeror and granted by the ACS. A detailed description of the information requested for evaluation is as follows:

#### **History and Funding Plan**

1. Provide information indicating your Company's financial resource capabilities and address your Company's stability in the marketplace.
2. Describe how your company intends to fund the costs associated with any and all necessary property acquisition, permitting, design, construction, and management required to comply with this lease RFP. Additionally, identify the anticipated pay off period for these upfront costs after commencement of the lease.

### **TECHNICAL CRITERIA 4:**

**Max Total Points for Criteria 4: 65**

#### **Proposed Floor Plans, Building Photos and Narrative Statements**

The Offeror will be evaluated on its ability to provide those design elements, relationships, adjacencies and required access, in particular those that are described in **Section C-Technical Lease Requirements, Appendix A-Lease Space Requirements** and **Appendix C-Space Programming Sheets**, on a diagrammatic floor plan. Note that incorporation of the "Preferred" items submitted under Criteria 6 below, within the floor plan submitted for this Criteria 4, will be a factor for the review committee.

- A. **Plans, Documentation:** Offerors shall provide a floor plan(s) with their proposal. The floor plan(s) shall show square footage (as described in the in **Appendix A-Lease Space Requirements**) for each space and indicate at a minimum, overall building dimensions. The floor plan shall identify all spaces described in **Appendix A Lease Space Requirements** and further detailed in **Appendix C-Space Programming Sheets**. The plan may be in the form of schematic diagrams drawn to a scale no smaller than 1/8" equals one foot. All lease areas and adjacent public use and common spaces must be shown.

The Offeror shall submit floor plan and site plan drawing (s) showing the spaces that can either be integrated into an existing building or be accommodated on a site for a new building.

#### **1. Existing Building to be Remodeled:**

- i. On the Floor Plans: Show only the final floor configuration proposed. Construction features to be demolished do not need to be separately identified on the drawings.
- ii. Provide proposed Site Plan at a scale that will fit on one (1) 11" x 17" or one (1) 8 ½" x 11" sheet. Show location of required reserved parking and available public parking, in addition to any other required site elements (i.e. flagpole(2)).
- iii. Submit photographs of the existing interior of the proposed building lease areas and photos showing views of the building exterior.
- iv. Provide a narrative statement describing all intended alterations to the interior and exterior of the building.

**2. New Construction:**

- i. Provide exterior elevations of the proposed building at no less than 1/8" = 1'-0" scale.
- ii. Provide proposed Site Plan at a scale that will fit on one (1) 11" x 17" or one (1) 8 1/2" x 11" sheet. Show location of required reserved parking and available public parking, in addition to any other required site elements (i.e. flagpole(2)).

- B. **Vicinity Site Map:** Offeror shall also provide a vicinity site map, which clearly identifies the location of the proposed space in relation to the rest of the community and indicates location of highway access points.

Points will be awarded on the basis of providing the required design elements, in particular the relationships, adjacencies and required access. ACS acknowledges that building and site constraints may limit the Offeror from strictly meeting all the room size and adjacency requirements. Therefore points will be awarded on the basis of ACS determining the proposal that best addresses the needs of the Court System.

**In lieu of submitting proposed floor plans:**

ACS recognizes the particular unique design elements and adjacency relationships associated with a Court Facility. In lieu of the Offeror submitting floor plan (s), the Offeror may submit a response for Technical Criteria 4 stating

"The final design will be established with ACS which incorporates design elements, relationships, adjacencies and required access, in particular those that are described in Section C-Technical Lease Requirements, Appendix A-Lease Space Requirements and Appendix C-Space Programming Sheets".

A price proposal is required to be submitted and shall be based on the diagrammatic layout in Appendix B-Schematic Floor Plan of the Facility but adjusted accordingly to take into consideration the site and building being proposed.

If an existing building is being proposed, the Offeror shall include floor plans of the existing building including plans of levels above and below the proposed plan as well as a site plan. If a new building is being proposed a site plan indicating the proposed location of the building envelope may be submitted.

Points will be awarded on the basis of ACS experience and understanding of its court facilities to determine how viable ACS deems the proposed existing building; proposed building envelope and the site plan.

**TECHNICAL CRITERIA 5:****Max Total Points for Criteria 5: 15****Proof of Ownership, Building Questionnaire**

- A. **Proof of Ownership:** Proof of Ownership of the existing or proposed building/property, or proof of possession of the existing or proposed building and power to lease the same to the ACS for the entire term of the lease. The ACS will accept as proof of ownership of the existing or proposed building/property, a contract of purchase of the building/property provided that the contract clearly shows that the Offeror will have possession of the building/property no later than thirty (30) days after the date of proposal deadline, and provided that the Offeror resolves any and all contingencies in the contract (other than payment of the purchase price) within twenty (20) days after the proposal deadline. If the Offeror does not provide written proof of resolution of any and all contingencies in the contract (other than payment of the purchase price) within twenty (20) days after the date of proposal deadline, the ACS may cancel the award to the Offeror without penalty to the ACS, and award to the next high ranked responsive and responsible Offeror who proposed premises acceptable to the ACS.
- B. **Building Questionnaire:** Offeror shall fully complete attached **Appendix Part V.5 Building Questionnaire**, for both new construction and for existing buildings to be remodeled.

**TECHNICAL CRITERIA 6:****Max Total Points for Criteria 6: 20****Preferred Design Elements**

Reference **Appendix A Lease Space Requirements** and **Appendix C Space Programming Sheets** for **“Preferred”** design features and construction elements that the ACS would like to have incorporated into the finished facility. The Offeror must show each item from the below list that they were able to incorporate into their Floor Plan(s) submitted under Criteria 4, and describe its location and any other pertinent information. Note that the document location where the design feature is shown as **“Preferred”**, and where it is described in more detail, is referenced below.

- B **Section C – Arrangement and Type of Space:** Separate circulation paths for Secure Corridor and Prisoner Transport
- C **Section C and Appendix– Windows:** 60” wide x 48” for exterior windows except 60” wide x 24” high for Jury windows.
- A **Appendix C – Superior and District Courtrooms:** Offeror should indicate on response how many of the required Courtrooms will have these features:
  - 1. Ceiling over Judge’s Bench to a Minimum of 11’-0”H
  - 2. Door to be used solely for Prisoner Transport into Courtrooms
- D **Appendix C – Grand Jury:** Add Door for Secure Hall access for Clerk
- E **Appendix C–Clerk’s Office:** Direct Clerk access from Secure Corridor

**TECHNICAL CRITERIA 7:****Max Total Points for Criteria 7: 30****Lease Commencement Date**

The Offeror must provide a facility which complies with this RFP and all code requirements ready for ACS occupancy by the earliest possible date within the following time range. In addition to a higher rating being given to the Offeror with the earliest possible date, this criteria will be evaluated on its ability to clearly show reasonable durations and dates necessary for the work required by this Lease RFP:

**Time Range for Occupancy:** Occupancy shall be **no earlier than March 1, 2020**, and **no later than December 1, 2020**.

**Proposed Schedule:** Provide a schedule with the following milestone dates. Should the Offeror believe additional milestone dates are needed for clarity to the schedule, include those dates and descriptions also:

- A. Procurement and clearing of land (if necessary).
- B. Execution of agreement with Design Team for this facility.
- C. Submittal of Construction Drawings to ACS and Authority Having Jurisdiction (AHJ) for approval.
- D. Approval of Construction Drawings and Specifications
- E. Execution of contract with either:
  - 1) General Contractor for construction (if necessary); or
  - 2) with subcontractors, if Landlord is acting as General Contractor.
- F. Procurement of materials, Start of Construction.
- G. Completion of Construction, and Ready for Occupancy date.

**PART V – PRICE PROPOSAL CRITERIA****Total Max Points: 200**

**ANNUALIZED (YEARLY) LEASE AMOUNT:** The Offeror must enter a fixed annualized price for this space lease on **PART V Price Proposal Form, Cost Criteria 1**. Failure to enter a yearly price on this item will result in the proposal being declared non-responsive. Lease cost for approximately 7,000 NUSF of space as described in Sections A, B and C, and Appendix A of this RFP. This Lease Amount shall include **only** those Services, Utilities and Maintenance as described in Section C General Lease Conditions, Supplementary Lease Conditions and Technical Lease Requirements of this RFP.

ACS understands proposed lease amounts will be based on the cost of construction to provide the required spaces, finishes, support systems and amenities. ACS acknowledges that proposed lease amount may need be adjusted during Best and Final Offeror (BAFO) negotiations if items have been revised from original proposal.

**During the design phase, there will be revisions to the floor plan, site plan and elevations that are either made to comply with the RFP requirements or for improved function of ACS court operations. Price Proposal shall not increase unless it is determined that ACS has increased the scope of work and ACS accepts the Price Proposal increase in writing.**

**NOTE: ACS BUDGETED ANNUALIZED LEASE AMOUNT IS \$420,000.00. .**

**Determination of Price Proposal Points:**

The proposal with the lowest proposed price after adjustment for allowable preferences will get the maximum points (200). The score for the remaining proposals will be calculated using the following formula:

**[Lowest Proposed Total Price X 200] / Offeror's Proposed Total Price] = Price Proposal Points**

Offeror's Total Proposed Price = (Criteria 1 Cost x 20 year Term).

**Example:****Offeror A**

Criteria 1 – Annualized Lease Amount:	Lump Sum Price Proposal	\$460,000	
	Term Contract Amount: 20 years X	\$460,000:	\$9,200,000

Total Proposed Price for Offeror A:	\$9,200,000
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<b>Price Points (\$8,000,000 X 200) / \$9,200,000</b>	<b>173.9</b>
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**Offeror B**

Criteria 1 – Annualized Lease Amount:	Lump Sum Price Proposal	\$420,000	
	Term Contract Amount: 20 years X	\$420,000:	\$8,400,000

Total Proposed Price for Offeror B:	\$8,400,000
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<b>Price Points (\$8,000,000 X 200) / \$8,400,000</b>	<b>190.5</b>
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**Offeror C**

Criteria 1 – Annualized Lease Amount:	Lump Sum Price Proposal	\$400,000	
	Term Contract Amount: 20 years X	\$400,000:	\$8,000,000

Total Proposed Price for Offeror C:	\$8,000,000
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<b>Price Points (\$8,000,000 X 200) / \$8,000,000</b>	<b>200.0</b>
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**END OF SECTION**

## SECTION B – RFP DELIVERABLES, EVALUATION CRITERIA, AND SELECTION PROCESS

### PART V – PRICE PROPOSAL FORM

#### TECHNICAL CRITERIA 7 – LEASE COMMENCEMENT DATE:

##### PROPOSED LEASE COMMENCEMENT DATE –

MONTH \_\_\_\_\_ DAY \_\_\_\_\_ YEAR \_\_\_\_\_

##### PROPOSED LEASE COMMENCEMENT DATE for Alternate 1 –

MONTH \_\_\_\_\_ DAY \_\_\_\_\_ YEAR \_\_\_\_\_

##### PROPOSED LEASE COMMENCEMENT DATE for Alternate 2 –

MONTH \_\_\_\_\_ DAY \_\_\_\_\_ YEAR \_\_\_\_\_

**NOTE: The Lease Commencement Date shall correspond with proposed Lease Amount. i.e. Lease Commencement Date Alternate 1 shall correspond with Lease Amount Alternate 1.**

#### PRICE CRITERIA 1 – ANNUALIZED (YEARLY) LEASE AMOUNT:

Lease cost for approximately 7,000 Usable Square Feet Lease Space in a building with additional square footage as required for building support systems, circulation, structure and as described in Sections A, B and C of this RFP. This Lease Amount shall include **only** those Services, Utilities and Maintenance as described in Section C General Lease Conditions, Supplementary Lease Conditions and Technical Lease Requirements of this RFP.

##### Proposal

MONTHLY LEASE AMOUNT \$ \_\_\_\_\_ (figures)

Dollars

ANNUALIZED LEASE AMOUNT \$ \_\_\_\_\_ (figures)

Dollars

**NOTE: The ACS's Budgeted ANNUALIZED LEASE AMOUNT IS \$420,000.00**

**Proposal Alternate 1**

MONTHLY LEASE AMOUNT \$ \_\_\_\_\_ (figures)

Dollars

ANNUALIZED LEASE AMOUNT \$ \_\_\_\_\_ (figures)

Dollars

NOTE: The ACS's Budgeted ANNUALIZED LEASE AMOUNT IS \$420,000.00

**Proposal Alternate 2**

MONTHLY LEASE AMOUNT \$ \_\_\_\_\_ (figures)

Dollars

ANNUALIZED LEASE AMOUNT \$ \_\_\_\_\_ (figures)

Dollars

NOTE: The ACS's Budgeted ANNUALIZED LEASE AMOUNT IS \$420,000.00

**PRICE CRITERIA 1 – PREFERRED UTILITIES AND SERVICES INCLUDED IN PROPOSED ANNUALIZED LEASE AMOUNT:**

This Lease Amount includes the following Services and Utilities provided and paid for by the Offeror:

**Proposal**Electric Utility Monthly Service: ☐ Check Box if includedHeating Fuel Oil Monthly Service: ☐ Check Box if included**Proposal Alternate 1**Electric Utility Monthly Service: ☐ Check Box if includedHeating Fuel Oil Monthly Service: ☐ Check Box if included**Proposal Alternate 2**Electric Utility Monthly Service: ☐ Check Box if includedHeating Fuel Oil Monthly Service: ☐ Check Box if included

This is an Evaluation criterion.

**Note: The total proposed Lease Amount and Lease Commencement Date are for evaluation purposes. Final Lease Amount and Commencement Date to be negotiated if Lease Contract awarded.**

## **OFFEROR CERTIFICATIONS AND REPRESENTATIONS**

1. Offeror has included bid security and agrees to abide by Instructions To Offeror for disposition of bid security.
2. The Offeror understands that the ACS reserves the right to reject this Proposal, but that this Proposal shall remain open and not be withdrawn for a period of sixty (60) days from the date prescribed for its submittal.
3. If written notice of Intent to Award the contract to the Offeror is mailed or otherwise delivered to the Offeror within sixty (60) days after the date set for Proposal Submittal, or at any other time thereafter before it is withdrawn, the Offeror will accept, execute and deliver the Contract to the ACS in accordance with this RFP, and will also furnish and deliver to the ACS the Performance Bond, Labor and Material Payment Bond, and proof of insurance coverage, all within fifteen days after personal delivery or after receipt of the notification of acceptance of this Proposal. In addition, the Offeror will furnish all other documentation according to the schedule.

**END OF SECTION**