

REQUEST FOR QUALIFICATIONS (RFQ)

CONSTRUCTION MANAGER AT RISK FOR Morgan's Wonder Care – Prescribed Pediatric Extended Care Center (PPECC)

Release Date: April 17, 2024
Submittals Due: May 3, 2024 at 4:00 PM Central Time (CT)

PROHIBITED CONTRIBUTIONS

Notice Regarding Prohibition of Contributions for Individuals and Entities Seeking High-Profile Contracts. The following are prohibited from contributing to any member of Morgan's Wonderland, Morgan's, or Gordon Hartman Family Foundation (GHFF) beginning on the *10th business day after a contract solicitation has been released through the 30th calendar day following the approval.

- (1) Any individual seeking a high-profile contract;
- (2) Any owner, officer, officer of board, and executive committee member of an entity seeking a high-profile contract;
- (3) The legal signatory of the high-profile contract;
- (4) Any attorney, lobbyist or consultant hired or retained to assist the individual or entity in seeking a high-profile contract;
- (5) Subcontractors hired or retained to provide services under the high-profile contract; and
- (6) Any first-degree member of the household of any person listed in (1), (2), (3) or (5) of this subsection.

A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution was made by any of these individuals during the "blackout" period.

**For this solicitation, the first-day contributions are prohibited is Wednesday, April 17, 2024
The first day contributions may be made is the 31st day after the contract is approved.*

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Exhibit A	Bid Item Description	-
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Respondent's submittal must contain the following documents.		
		-
Form 1	Contract Signature Page	-
Form 2	Experience and Qualifications	-
No Form #	Project Sheets	-
No Form #	Team Profile	-
No Form #	Proposed Key Personnel/Organizational Chart	-
No Form #	Proof of Insurability (Current Certificate of Insurance)	-
No Form #	Certificate of Interested Parties	-
No Form #	Resumes	-

Construction Manager At Risk

Morgan's Wonder Care – Prescribed Pediatric Extended Care Center (PPECC)

I. BACKGROUND

Morgan's is seeking an experienced Construction Manager at Risk (hereafter referred to as "CMAR") firm with demonstrated technical capabilities and construction experience to provide Design and Construction services for the Morgan's Wonder Care Prescribed Pediatric Extended Care Center (PPECC). The CMAR firm will be integrated into a Morgan's-led team as part of a progressive Construction Manager at Risk delivery method that will be a blend of Morgan's and Consultant staff. The scale, concurrent projects, and operational complexity will require the CMAR to provide theme park expertise and specialty technical and architectural services for the project to be successful.

This Request for Qualifications (hereafter referred to as "RFQ") is a one-phase solicitation process. Morgan's will qualify a maximum of one (1) CMAR firm and may request additional information and a potential interview.

Through this single solicitation, it is Morgan's intent to select one (1) CMAR firm to design and construct the project.

II. SCOPE OF WORK, PROJECT OBJECTIVES, AND GENERAL REQUIREMENTS

Scope of Work:

The purpose of this project is to expand Morgan’s services by constructing a new Prescribed Pediatric Extended Care Center (PPECC) that will be called Morgan’s Wonder Care. This building will support up to 60 individuals with medically complex conditions on the first floor. The second floor will be used as a conference space for training and presentations.

The total estimated project amount is not to exceed the budget of \$4,140,000. Optional project components will be considered to meet budget requirements.

Project Objectives:

- Establish and sustain an integrated and cohesive Project team relationship between Morgan’s, the CMAR, and the CMAR’s entire team to deliver an optimized high-quality project and construction that is on time and within the Sponsor’s budget.
- Construct a Project that will achieve work excellence manifested by exceeding Morgan’s vision and functional requirements with solutions that are high performance, sustainable, and possess a holistic awareness of local site.
- Maintain a safe, injury free work site.
- Minimize impacts to parking and traffic for work site and material storage.

CMAR shall provide, but not limited to:

- Complete, permittable, and constructable construction documents developed from the preliminary RFQ bridging documents.
- All project management, architectural, engineering, cost management, permitting (including costs), project design and construction schedule, and other such pre-construction services required for the successful completion of the Project.
- Identify a fair process to facilitate and expedite design review to enhance schedule with Morgan’s and stakeholders.
- Identify project specific risks, clearly identify how such risks are mitigated, and maintain a risk register. CMAR shall allocate the risk to each party best suited to address the risk.
- Identify sustainable design opportunities.
- All quality management controls and monitoring needed for a successful project, including quality assurance and quality control of both design and construction phases of the project.
- All construction management and supervision, general conditions for construction, construction services for all required trades, including all labor, materials and equipment required for a complete and workable Project.
- Maintain compliance with all applicable prevailing wage laws/Davis Bacon Act.
- Systems commissioning, operational readiness, performance requirements validation, Project Substantial Completion, close-out, Final Completion, and warranty follow-up services.

III. SCHEDULE OF EVENTS

The following tentative schedule has been prepared for this project:

Request for Qualifications Advertisement	April 17, 2024
Statement of Qualifications Due:	May 3, 2024, 4:00 PM (CT)
Bids Read Aloud	May 6, 2024
Committee Review	May 6, 2024
Contractor Notification	May 6, 2024
Construction Start	May 2024

IV. SUBMITTAL DOCUMENT REQUIREMENTS AND EVALUATION CRITERIA

Morgan's will conduct a comprehensive, fair, and impartial evaluation of all submittals received in response to this RFQ. Morgan's will appoint a selection committee to perform the evaluation of the received submittals. Each submittal received will be analyzed to determine overall responsiveness and qualifications to the RFQ. The selection committee may select Respondents who are judged to be reasonably qualified for interviews, depending on whether further information is needed. Interviews are not an opportunity to change a submission. If the Morgan's elects to conduct interviews, Respondents may be interviewed and re-scored based upon the same criteria. Morgan's may also request information from Respondents at any time prior to final approval of a selected Respondent deemed reasonably qualified for award.

Respondent's submittal shall include the following items in the following sequence combined in PDF format:

1. **EXECUTIVE SUMMARY** – Respondent shall include a one (1) page Executive Summary at the beginning of the Statement of Qualifications. Respondent's Executive Summary shall state the number of years Respondent's team has been in business, Respondent's number of years in business in its local office, Respondent's local office address and the number of employees employed in Respondent's local office.
2. **CONTRACT TEMPLATE AND GENERAL CONDITIONS REVIEW** – Respondent shall review the Construction Manager at Risk Contract Template and General Conditions, provided hereto after and provide written acknowledgment that Respondent accepts the terms, conditions and requirements of Morgan's Wonderland Construction Manager at Risk Contract and General Conditions as it relates to the duties of Respondent.
3. **STATEMENT OF QUALIFICATIONS** – Respondent shall provide a narrative document, as outlined in the **Statement of Qualifications** below, considering the project defined in this solicitation. Sufficient information regarding Respondent's past projects and key personnel's experience shall be provided in Respondent's submittal to indicate its team has met or exceeded the required qualifications of this RFQ in submittal.

The following Evaluation Criteria shall be used, in recommending the award of this Contract:

A. Experience, Background, Qualifications of Construction Manager at Risk, Key Personnel, and Key Sub-Consultants – (50 Points)

Respondent shall respond to the following items, as related to Scope of Work:

1. **Qualifications**– Summarize CMAR Qualifications to perform the work. The preferred qualification summary shall be limited to two (2) pages.
2. **Team Profile**– Provide a description of the Respondent team, their qualifications and experience, including CMAR Firm, Joint Venture Parties or Partners and Sub-Consultants and identify which services they are proposed to provide (limited to ten (10) pages). Include teaming rationale and objectives.
3. **Proposed Key Personnel/Organizational Chart**– Provide a detailed organizational chart or graphic representation of your team, identifying key personnel who would be assigned to work on the various tasks assigned through this professional service agreement. For each of the key personnel, identify the firm with which they are employed. Describe, in graphic and written form, in the style of your choosing, the proposed assignments and lines of authority and communication for each team member to be directly involved in the project(s). The organizational chart or graphic representation may be an 11" x 17" sized page and has a page limit of one (1).
4. **CMAR Teams Past Experience Working Together as a Team** List the projects and timeframe for which respondents proposed CMAR team has worked together on similar projects.

In narrative form, using a maximum of two (2) pages, briefly describe relevant projects on which Respondents proposed CMAR team has worked together. (Note: you may reference projects included in the project sheets under Criteria A below or include other projects, but no additional project sheets shall be provided for this criteria).

Please include the following:

- A. Name and Description of the project
- B. Project Owner
- C. Year of project
- D. Project's original construction budget
- E. CMAR team structure and project approach

5. Project Sheets Identify up to four (4) programs or projects completed by the CMAR and up to five (5) programs or projects completed by and representing the experience of the Team's Sub-consultants in the last ten (10) years. Each project sheet should be no more than (2) pages with a maximum of 30 pages for this section to include the following:

- a. Project name and description which highlights how Respondent meets qualifications for the ideal team as stated RFQ Sections I and II.
- b. List of team member firms (CMAR Firm, Joint Venture Parties or Partners and major Sub-Consultants) and their key personnel who were assigned to or who were under contract for the project and who are also proposed on this Master Architect project. Provide details regarding the firms' and key personnel's respective roles on the past project, and if proposed for this Master Architect project, note what role they will play.
- c. Names of Design Architect / Engineer; Project Estimator; and Program Manager firms.
- d. Relevant Project Dates: Contract Award, Contract Completion, and Construction Dates (start/completion).
- e. Project's original design and construction contract amount(s) and final design and construction contract amount(s) to date if project is ongoing.
- f. The owner's name and the name of the Owner's Representative (if different) who served as the owner's day-to-day liaison during the design/construction phase of the project in the following format:
 - i. Name of Owner:
 - ii. Name of Owner's Representative:
 - iii. Representative's Phone Number:
 - iv. Representative's E-mail:
- g. Description of the project including sustainability elements and any LEED certification obtained.
- h. Knowledge or experience gained that would benefit and be applied to this Program.
- i. Photograph or graphic rendering of the facility and other pertinent graphics.

6. Resumes Respondent shall provide a one-page resume for each key team member identified in the Organizational Chart. Resumes should link back to Project Sheets, if applicable. If person did not work on the Project Sheet projects, then the resume should show projects where the person performed similar roles proposed for this project. Resumes shall include:

- License type (if applicable) and number of years licensed.
- Certification or other role specific recognitions, and number of years, including LEED Accreditation, if any.
- Number of years employed with the Respondent or sub-consultant firm.
- Number of years of experience in proposed role identified on the Organizational Chart.
- Number of years of experience working on aviation.

B. Project Approach/Management Plan (40 points) Respondent shall submit information in a brief narrative plan which clearly and concisely describes the organizational structure, resource availability and approach to project management and execution. This section shall be limited to ten (10) pages.

- Describe Respondent's approach to management and coordination of their team members over distances and various offices.
- Describe how the Respondent's team will communicate with Morgan's Staff and others. How will the team engage face-to-face?

- Detail the current capacity of key personnel and their availability, and the Respondent’s capabilities to respond to assigned projects to complete the services outlined herein. Specifically, for each of the key personnel, provide the following:
 - List of active projects and projects anticipated to begin at the end of this summer along with the estimated completion date (month/year) of each
 - For each of those projects, identify the key staff’s responsibility and percent of time committed to or contractually obligated to the project.
- Explain how Respondent intends to distribute assigned work amongst itself and its sub-consultants.
- Include, in the narrative, the Respondent’s approach to:
 - Project management.
 - Collaborative work in large program teams.
 - Flexibility to respond to technology and regulatory changes.
 - Opportunities for sustainable development with increased energy efficiency.
 - Owner representation in CMAR and other alternative delivery methods.
 - Quality assurance/quality control management and processes.
 - Production and management of simultaneous projects.
 - Describe how the Respondents Team will proactively identify a process for change management and dispute resolution. The process shall include potential change to contract value and schedule.
- Describe Respondent’s understanding of Morgan’s Wonderland’s unique issues in regards to accessibility, constraints, nuances, or other factors that may affect the successful completion of assignments. Provide the approach of your Respondent Team to meet and manage those factors and comprehensively address all the issues, standards and requirements needed.
- Provide information related to Respondents or any of its proposed team members’ failure to complete any contract awarded and an explanation. If Respondent and its proposed team members have never failed to complete a contract awarded, please include a statement affirming this.

C. Small Business Economic Development Advocacy (SBEDA) Program Requirements – (10 Points)

Information on achieving the SBEDA participation goals or documenting good faith efforts to achieve the goals is contained in the SBEDA Construction Manager at Risk Contract Provisions included in this RFQ. A 16% Minority Women Owned and 2% African American Owned goal has been established for the Construction Phase costs for this solicitation.

The selection process for this RFQ will be based on the information submitted by Respondent as set forth in the Small Business Economic Development Advocacy (SBEDA) Program Requirements, SBEDA Construction Manager at Risk Contract Provisions, and SBEDA Forms. If these required SBEDA forms and documentations are not submitted with this solicitation, the RFQ submittal will be deemed non-responsive.

V. SBEDA EVALUATION CRITERIA

The following SBEDA Participation Percentage Points (10 total) shall be utilized for the award of this project:

- a. Up to 10 points based on Respondent’s Business Diversity Plan and meeting the following criteria:
 - Plan should include, but not be limited to, the following types of information: commitment in addressing diversity; activities to be taken to assure equal employment opportunity for all persons, regardless of race, color, religion, age, national origin, citizenship status, or disability; and institutional strategies to ensure diversity
 - Respondent has achieved significant and meaningful diversity in its team compilation
 - Respondent has shown positive historical SBEDA utilization on previous contracts

SBEDA participation shall be evaluated based on the participation plan and other information submitted by Respondent as set forth in the Small Business Economic Development Advocacy Program Requirements and SBEDA Construction Manager at Risk Contract Provisions and SBEDA Forms.

Below is the Evaluation Criteria Summary:

Evaluation Criteria Summary	Maximum Points
A. Experience, Background, Qualifications of Construction Manager at Risk, Key Personnel and Key Sub-Consultants	50
B. Project Approach/Management Plan	40
C. Small Business Economic Development Advocacy (SBEDA) Program	10
Total Maximum	100 Points

Required Forms:

Morgan's shall conduct due diligence and analysis of the following required forms:

1. **SUBMITTAL SIGNATURE SHEET**– Respondent shall include the completed Contract Signature Page with the other required forms. The Contract Signature Page shall be signed by a person (or persons) authorized to bind Respondent and the entity/entities submitting the response. Signature pages signed by a person other than an officer of the company or partner of the firm shall be accompanied by evidence of authority. Joint ventures submittals require signatures from all firms participating in the joint venture. Submitting joint ventures are required to provide legal proof of the joint venture, such as a joint venture agreement. Respondent is required to enter the Texas Secretary of State Filing Number and the System of Award Management (SAMS) DUNS and/or CAGE number.
2. **PROOF OF INSURABILITY** – Respondent shall submit a copy of its current insurance certificate.

VI. EVALUATION CRITERIA (INTERVIEWS), IF SELECTED

This Request for Qualifications (hereafter referred to as "RFQ") is a one-phase solicitation process. Morgan's will qualify a maximum of one (1) CMAR firm and may request additional information and a potential interview. Additional information requested may include more detailed information from Respondent regarding demonstrated competence and qualifications, the ability of Respondent to meet the Project schedule and other information, as appropriate. During the solicitation process, the selection committee may evaluate and rank the short-listed firms based on the published evaluation criteria set forth below:

Evaluation Criteria		Maximum Points
A.	Proposed Design Methodology	20 Points
B.	Proposed Construction Methodology	20 Points
C.	CMAR Team's demonstrated history of successful collaboration.	20 Points
D.	Overall Evaluation of the Firm/Team and its Ability to Provide the Required Services	10 Points
E.	Proposed Fees for General Conditions/Overhead & Profit	20 Points
F.	Small Business Economic Development Advocacy (SBEDA)	10 Points
TOTAL		100 Points

VII. SUBMISSION INSTRUCTIONS

Hard copies and submittals sent email will be accepted starting February 16, 2024 and close on March 8, 2024 at 4:00PM CT

Please adhere to the following criteria:

- “Page” means one electronic page
- Sheets are 8.5”x11” unless otherwise stated
- No smaller than 11-point font.
- Be succinct and clear.
- Keep your submittal relevant to the target project.
- Each submittal shall include the sections and attachments in the sequence listed, Submittal Document Requirements & Evaluation Criteria, with each section divided by tabs and indexed, as indicated.
- All pages shall be numbered, and all sections shall adhere to page limits. If a section does not have a page limit specified, there are no page limits for that section.

To correctly submit a response to this RFQ, Respondent shall reveal, disclose and state the true and correct name of the individual, proprietorship, corporation and/or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any) submitting the response. The true and correct name shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller's Taxpayer Number on the signature page of the Submittal.

VIII. RESTRICTION ON COMMUNICATIONS

Respondents are prohibited from contacting Morgan's employees, officers, board, or staff regarding the RFQ or submittal from the time the RFQ has been released until the selection process has concluded.

Restrictions extend to “thank you” letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFQ and/or submittal submitted by Respondent.

Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent's submittal from consideration.

Exceptions to the restrictions on communication with Morgan's employees include:

Respondent shall provide responses to any questions asked of it by the Selection Committee both before and after responses are received and opened. During the interview stage of this selection, if any, verbal questions to Respondent and Respondent's answers and explanations shall be permitted. Morgan's reserves the right to exclude any persons from such selection committee meetings/interviews or conversations as it deems in Morgan's best interests.

IX. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

- A. A Contract, if awarded, shall be awarded to the Respondent determined to be the most qualified to successfully complete the Project based on demonstrated competence and qualifications, as determined by the selection committee.
- B. Morgan's may accept any submittal in whole or in part. If subsequent contract negotiations are conducted, such negotiations shall not constitute a rejection or alternate RFQ on the part of Morgan's.
- C. Morgan's reserves the right to accept one or more submittals or reject any or all submittals received in response to this RFQ and to waive informalities and irregularities in any submittal received. Morgan's also reserves the right to terminate this RFQ, reissue a subsequent solicitation and/or remedy technical errors in the RFQ process.
- D. By executing the Submittal Cover/Signature Sheet, Respondent agrees to be bound by the terms therein. Respondent acknowledges it has received all Addenda and agrees to be bound by the terms, conditions, and requirements of this submitted submittal, all documents and Table of Contents, and all of the associated documentation that form the entire

Contract to which Respondent shall be bound, upon the approval. All Contract documents are not binding until approved. No work shall commence on the subject Project until Respondent provides the necessary evidence of insurance required and until Morgan's Wonderland Staff signs the Notice to Proceed. In the event the parties cannot negotiate within the time specified, Morgan's reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.

- E. This RFQ does not commit Morgan's to enter into an agreement or award any services related to this RFQ, nor does it obligate Morgan's to pay any costs incurred by Respondent in the preparation or submission of a response or in anticipation of a contract.

Conflicts of Interest: Respondent acknowledges that Morgan's Officers or employees are prohibited from having a financial interest in any contract entered into with Morgan's. An officer or employee has a "prohibited financial interest" in a contract with Morgan's.

- F. Respondent is required to warrant and certify that it, its officers, employees, and agents are neither officials nor employees of Morgan's.
- G. **Independent Contractor:** Respondent understands, accepts and agrees, if selected, it and all persons designated by it to provide services in connection with a contract, is/are and shall be deemed to be an Independent Contractor(s), responsible for its/their respective acts or omissions, that Morgan's shall in no way be responsible for Respondent's actions and that none of the parties to this award shall have authority to bind the other or to hold out to third parties that it has such authority.
- H. All submittals become the property of Morgan's upon receipt and shall not be returned. Any information deemed to be confidential by Respondent clearly should be noted on the page(s) where confidential information is contained; however, Morgan's cannot guarantee that it shall not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law or pursuant to a Court order.
- I. Any cost or expense incurred by the Respondent associated with the preparation of its submittal, the Pre-Submittal Conference or during any phase of the selection process, if any, shall be borne solely by Respondent.
- J. Morgan's reserves the right to verify any and all information submitted by Respondents at any time during the solicitation/evaluation process.
- K. Morgan's reserves the right to contact any Respondent to negotiate a contract if such an action is deemed desirable by Morgan's.
- L. By submitting a submittal, Respondent warrants and certifies, and a contract awarded pursuant to this RFQ is made in reliance thereon, that it, has not knowingly or intentionally failed to comply with this subchapter in a previous RFQ or contract. Morgan's hereby relies on Respondent's certification, and if found to be false, Morgan's may reject the submittal or terminate the Contract for material breach.