

MACON-BIBB COUNTY, GEORGIA

Request for Proposals (RFP)

to provide

The Design and Build for a Macon-Bibb County Amphitheater

Phase II

RFP 22-029-LH



MACON-BIBB COUNTY

ISSUE DATE: December 10, 2021

DUE DATE: January 13, 2022

Please direct questions related to this solicitation to Laura Hardwick, email preferred at lhawdwick@maconbibb.us

NOTE: THIS SOLICITATION IS PHASE 2. ONLY THE DESIGN BUILD TEAMS PREQUALIFIED BY THE RFQC 22-021-LH ARE ELIGIBLE TO SUBMIT A RESPONSE TO THIS RFP.

The Design and Build for a Macon-Bibb County Amphitheater

Guaranteed Fixed Price Design-Build Delivery

REQUEST FOR PROPOSALS

Phase II Process

I. GENERAL

A. Invitation

Notice is hereby given that Macon-Bibb County will receive bid responses from the selected qualified Contractors to provide Design-Build services (hereinafter referred to as “Contractor” or “Proponent”) to design and construct the project known as the Design and Build for a Macon-Bibb County Amphitheater Project (hereinafter referred to as the “Project”). The purpose of this Request for Proposals (RFP) is to obtain the best design at a competitive price from Contractors. Macon-Bibb County intends to identify and select said Contractor for award for the Design and Build of a new Amphitheater. Only the Contractors who successfully qualified as a result of evaluation of RFQC-22-021-LH are invited to submit bid responses to this Request for Proposal.

1. Phase II Process

This RFP is the Phase II process to select a Contractor with which to execute a single prime contract for this Project. Request for Proposals to include the Technical Proposal and Cost Proposal that will be opened and scored. It is the intention of the County to receive project specific design/drawings, technical specifications, and cost for construction of the new Amphitheater.

Contractors are asked to submit Cost Proposals for a Guaranteed Fixed Price (herein referred to as “GFP”) and Technical Proposals as separate documents. From those qualified Contractors, Sealed Cost Proposals will be received by the County no later than the deadline stated in Section 5.1 of this document. The Proposals shall contain all information that is required in this RFP.

Failure to submit information in accordance with the requirements and procedures listed herein may be cause for disqualification. The successful Contractor must hold all licenses as required by Georgia State Statutes and will be required to furnish same with the required bonds and insurance.

Details for this RFP and Statement of Work (SOW) are detailed further in Attachment “B” and sections below.

2. Submittals for Phase II Process

Submit Five (5) paper documents (one original and four copies) along with a Flash Drive, must be received no later than **Thursday, January 13, 2022, at 12:00 PM EDT** addressed to:

Macon-Bibb County Procurement Department
City Hall
700 Popular Street, Suite 308
Macon, Georgia 31201

Responses must be sealed and identified on the outside of the package as and delivered to:

“RFP 22-029-LH”

The Design and Build for a Macon-Bibb County Amphitheater Project

Submissions may not be withdrawn for a period of one hundred-twenty (120) days after the deadline on date of closing. Macon- Bibb reserves the right to reject any and all submissions and to waive technicalities and formalities. Respondents shall carefully read the information contained herein and submit a complete response to all requirements and questions as directed. Submittals and any other information submitted by in response to the RFP shall become the property of Macon-Bibb County.

NO LATE RESPONSES WILL BE CONSIDERED

Definitions

Wherever the term “Owner”, “County”, or “Macon-Bibb County” occur in this document, it shall mean Macon-Bibb County, a political subdivision of the State of Georgia acting through the Macon-Bibb County Board of Commissioners.

Solicitation Documents

Bids shall be accompanied by a bid bond, payable to the Owner, in amount not less than five percent (5%) of the total base bid.

Surety

Whereas the anticipated contracted price exceeds \$5,000, the bidder to whom award is made

shall submit a Payment Bond and a Performance Bond, both in amount of one-hundred-percent (100%) of the contract price. **Bonding company/Surety shall be:** Rated B+ or better in current Key Rating Guide as issued by A.M. Best Company, Oldwick, NJ and licensed to do business in the State of Georgia.

Pre-Solicitation

Contractors are required to visit the site in order to submit a proposal. A mandatory site visit will take place Wednesday, 12/15/2021 at 10:00 am standard eastern time at the Macon Mall, Macon, Georgia at the field across from the former JC Penny's site.

Insurance Requirements

1. Insurance coverage shall be carried with an insurance company licensed to do business in the State of Georgia.
2. Insurance shall be obtained prior to commencement of work and shall remain in force throughout the period of the contract.
3. Macon-Bibb County shall be named as additional insured on the policy.
4. Coverage shall include water damage.
5. Contractor is responsible for any and all deductibles.
6. Required coverage:
 - a) Worker's Compensation: Statutory
 - b) General Liability:
 - (1) \$1,000,000.00 combined single limit for B.I., P.D.
 - (2) Maximum deductible: \$5,000.00
 - (3) To include:
 - (a) Premises – Operations
 - (b) Products & Completed Operations
 - (c) Broad form Contractual
 - (d) Independent Contractor and Subcontractor
 - (e) Underground explosion and collapse
 - c) Automobile Liability:
 - (1) \$1,000,000.00 combined single limit for B.I. and P.D.
 - (2) Maximum deductible: \$5,000.00
 - (3) To include:
 - (a) Owned Automobiles
 - (b) Hired Automobiles
 - (c) Non-Owned Automobiles

Additional Conditions

The Owner reserves the right to reject any or all Proposals received. The Owner is not obligated to request clarifications or additional information but may do so at its discretion. The Owner reserves the right to extend the deadline for submittals.

Upon receipt of a proposal by the Owner, the proposal shall become the property of the Owner without compensation to the Respondent, for disposition or usage by Macon-Bibb County, Georgia at its' discretion. Subject to the provisions of the Open Records Act, the details of the proposal documents will remain confidential until final award.

The Owner assumes no responsibility or obligation to the respondents and will make no payment for any costs associated with the preparation or submission of the proposals. Costs incurred in responding to the request for qualifications are the Respondents' alone and the Owner does not accept liability for any such costs.

TABLE OF CONTENTS

SECTIONS

- Section 1: Background
- Section 2: Project Overview
- Section 3: Firm Fixed Price, Design-Build Services
- Section 4: Procurement Process
- Section 5: Proposal Submission Requirements
- Section 6: Proposal Evaluation and Selection
- Section 7: Conditions for Proponent

ATTACHMENTS

- Attachment A: Required Submittal Documents
- Attachment B: Statement of Work

If any ambiguity, conflict, discrepancy or errors in content or statements are discovered between the RFP sections and attachments, the contents of the RFP attachments take precedence over the RFP sections.

SECTION 1: BACKGROUND

1.1 Introduction

The primary objective of the project is to procure a design and build services for a new Macon-Bibb County Amphitheater that will contribute to the revitalization of Macon-Bibb nearby communities.

This RFP for the Project invites Proposals according to the requirements set forth in this RFP, including the format and content guidelines in Section 5. The Proposals will be reviewed and evaluated by following the selection process described in Section 6.

The Project is to be designed and constructed using the Guaranteed Fixed Price (GFP), Design-Build (DB) delivery method. The Project scope includes engineering and design services, permitting, and construction, provided however, the County reserves the right, in the sole discretion of the County, to amend any contract awarded pursuant hereto to include such project scope as is required to complete the Project. The project scope and design requirements are described further in **Attachment B**.

The Request for Proposal Technical and Cost Proposal responses will be evaluated by a committee(s) chosen by the County. At completion of the evaluation process, the County will select the best offer when selecting Contractor to enter into negotiations for award of the Project. Criteria for evaluations are contained in Section 6 of this RFP. All Proposals will be held in confidence until award. At the discretion of the County, interviews may be requested.

County reserves the right to reject any or all Proposals, to waive minor irregularities, and to contact Contractors as needed.

Contractors are prohibited from lobbying, individually or collectively, any appointed or elected County Public Official, any County employee, and any County contracted consultant or technical advisor regarding this solicitation. Any Proponent who violates this requirement shall be immediately disqualified and their proposal removed from the evaluation process.

Any questions concerning this RFP should be directed to:

Macon-Bibb County Procurement Department
Attn: Laura Hardwick at lhawdwick@maconbibb.us

The County is an equal employment opportunity employer. The County endeavors to do business with firms sharing the County's commitment to equal opportunity and will not do business with any firm that discriminates based on race, religion, color, ancestry, age, gender, sexual orientation, disability, medical condition, or place of birth.

Copies of this RFP can be obtained from the County's website at <http://www.maconbibb.us> or at the Macon-Bibb County Procurement Department, 700 Poplar Street, Suite 308, Government Center Macon, Georgia 31201. No fees for this RFP will be required.

All RFP documents will be available via electronic downloading from the County's website. This RFP is subject to revision after the date of issuance via written electronic addenda. Any such addenda will be posted on the County's website and not distributed directly to potential Contractors. It is each Proponent's responsibility to obtain all RFP addenda prior to submitting a proposal. Under no circumstances will the County be liable for any costs incurred by any Proponent or any other party in developing, preparing, or submitting a proposal in response to this RFP.

1.2 County's Objectives

The County's objectives for delivery of the project are as follows:

- Macon-Bibb County's objective is to provide a multifunctional outdoor venue that will accommodate a variety of performances and events that will benefit businesses and the surrounding community.
- Implementing a strong detailed design and build plan that represents the variety of services to conduct and execute quality events. The resulting design and build plan should support all goals and requirements stated in this RFP.
- Selecting a Contractor that can Guarantee Firm Fixed Price, Design-Build delivery method for the project. The County is committed to working in close collaboration with the Contractor during the design and construction of the project.
- Provide a structure that have a minimum useful life of 50 years taking into account the minimization of capital cost while considering life-cycle costs.

As set forth in **Attachment B**, the Proponent must adhere to the County's requirements and standards that apply to the Project's design.

END OF SECTION 1

SECTION 2: PROJECT OVERVIEW

2.1 Overview:

The new Macon-Bibb County Amphitheater will be adjacent to the existing Macon Mall located between Eisenhower Parkway and Mercer University, Macon, Georgia. The new Amphitheater is intended to provide a cohesive set of spatial relationships to complement a variety of event elements with the opportunities and constraints provided by the project site. The Amphitheater shall have a seating capacity of approximately 10,000 that will include both covered and lawn seats, a green area, green room with multi-purpose back house, ticket booth, vendor/event areas, transitional walkways, and other amenities. Associated infrastructure will include access to roads, driveway, and site utilities. There will be an emphasis on maximizing the use of the facility by designing spaces for multi-use and flexible sizing, flow between indoors and outdoors program activities.

2.2 Project Schedule

It is anticipated that the Notice To Proceed (NTP) for the Design-Build Contract will be executed within the anticipated timeframe February, 2022. All Contractors are to include a detailed schedule demonstrating proposed project duration, detailed phases of work, and County and 3rd party activities that lead to points of review and approval by the County and/or regulatory agencies prior to progressing to subsequent phases. The selected Contractor will commit to complete the project within the time proposed in the Technical Proposal response.

END OF SECTION 2

SECTION 3: GUARANTEED FIXED PRICE DESIGN BUILD SERVICES

3.1 General

Services to be provided by the Contractor consist of architectural, engineering and design, permitting, and construction for the Project. Design-Build Services include:

- Develop and maintain a Project Execution Plan, including Project Schedule
- Develop and refine the architecture and engineering design in collaboration with the County
- Conduct all permitting activities including the development of a permit activity schedule and obtain each permit required to design and construct these improvements.
- Identify any additional easements or rights-of-way required for the Project.
- Warranty all construction and services as required in Design-Build Contract for at least one year.

3.2 Roles and Responsibilities

County: The County will cooperate with the Contractor and perform its responsibilities in a timely manner to facilitate the Contractor's performance of services. The County's responsibilities include, but are not limited to:

- Review submissions and provide comments to Contractor in a timely manner.
- Provide Project funding in a timely manner.
- Provide access to the Project site.
- Obtain approvals and permits for which the County is responsible. To date no permits have been obtained. Further, the County does not expect an issue with easements or rights of ways at this time.

Contractor: The Contractor will cooperate with the County and will provide in a timely manner the services necessary to complete the Project Scope specified in this RFP. Contractor responsibilities include, but are not limited to:

- Preparation of design and construction documents
- All permits required and not provided by the County
- Procurement of materials, equipment, and subcontractors
- Maintenance of site security
- Adherence to project site specific health and safety requirements
- Completion of construction of Project
- Risk Management associated with Design-Build activities
- Quality Management

END OF SECTION 3

SECTION 4: PROCUREMENT PROCESS

4.1 Communication and County Contact

On behalf of the County, Laura Hardwick will act as sole point of contact for this RFP and shall Administer the RFP process. All communications shall be submitted in writing or by email and shall specifically reference the RFP. All questions or comments shall be directed to the County's contact as follows:

Macon-Bibb County Procurement Department
Attn: Laura Hardwick at lhardwick@maconbibb.us

No oral communications from the County's contact or other individual is binding. Any request for interpretations of this RFP or explanations shall be in writing to the County's contact in accordance with the procurement schedule. All information given to a Proponent will be furnished to all Contractors via Addendum as placed on the County's website.

No contact with any Macon-Bibb County employee (other than the identified contact), any appointed or elected County Official, or any County contracted consultant or technical advisor regarding this solicitation individually or collectively is allowed during proposal preparation, the evaluation process, or prior to award. A violation of this provision will result in automatic disqualification of Proponent and the proposal shall be dropped from the evaluation process.

4.2 Procurement Schedule

he anticipated procurement schedule is as follows:

EVENTS	DATES
Date of RFP Issuance	Friday, December 10, 2021
Pre-Proposal Meeting and Tour of Building	Wednesday, December 15, 2021
Deadline for Questions Regarding RFP	Friday, December 17, 2021 5:00 PM EDT
RFP Submission Date	Thursday, January 13, 2022 2:00 PM EDT
Evaluate and Score Qualifications	To be determined
Notice of Award	To be determined

4.3 Mandatory Pre-Bid Meeting and Site Tour

A mandatory pre-bid meeting and site tour is scheduled for 10:00 o'clock a.m., Wednesday, December 15, 2021, at the Macon Mall, Macon, Georgia at the field site across from the former JC Penny's. All questions concerning this project and request for interpretation of this solicitation shall be asked at the pre-bid conference. Questions must be submitted via email only to Lhardwick@maconbibb.us

The County will provide voluntary access to the site prior to the bid opening and after the bid opening for those interested in responding to the RFP.

END OF SECTION 4

SECTION 5: TECHNICAL/ COST PROPOSAL SUBMISSION REQUIREMENTS

5.1 RFP Guidelines

5.1.1 Submittal Place and Deadline

Number of copies: submit Five (5) bond paper documents (one original and four copies) and flash drives for both Technical Proposal and Cost Proposal. The package shall include five (5) copies of the Part one – **Technical Proposal** and five (5) copies of the Part Two – **Cost Proposal**. Technical Proposal and Cost Proposal are to be submitted on separate documents and submitted as a sealed package. The Request for Proposal and Cost Proposal must be received no later than **Thursday, January 13, 2022 at 12:00 PM EDT** addressed to:

Macon-Bibb County Procurement Department
City Hall
700 Poplar Street, Suite 308
Macon, Georgia 31201

Each Proponent assumes full responsibility for a timely delivery of its Technical and Cost Proposal at the required location. Any Proposal document received after the submittal deadline will be deemed unresponsive and returned. The delivered package containing the Technical and Cost Proposal documents must note on its face and submitted as separate documents:

“The Design and Build of a Macon-Bibb County Amphitheater”

Project

RFP #22-029-LH

Date: January 13, 2022

Time: 12:00 PM EDT

5.1.2 RFP Submission Format

The Request for Proposal (Exclusive of the transmittal letter) (most or all 8½” x 11” paper with 1” or greater margins front and back), excluding the transmittal letter, index or table of contents, front and back covers, title pages/separation tabs, and appendices. The required sections are outlined in Section 5.1.3. Each section shall be clearly labeled with pages numbered and separated by tabs. Eleven (11) point font or larger must be used.

5.1.3 RFP Submission Content

Contractors must submit a transmittal letter (maximum two (2) pages not included in page count) on the Contractor’s letterhead. It must be signed by a representative of the Contractors who is authorized to sign such material and to commit the Contractor’s to the obligations contained in the Request for Proposal. The transmittal letter may include any information deemed relevant by the Contractor but will not be used to convey additional information not found elsewhere in the Request for Proposal. The Transmittal Letter must include the name, address, phone number and e-mail address for the Contractor’s Contact

and identify who would be the Contract's signatory to any contract documents executed with the County including title, address, phone number, and e-mail address.

Each Request for Proposal will be reviewed to determination if it is complete prior to actual evaluation. Failure to provide an accurate, complete and up-to-date information may result in disqualification. The County reserves the right to eliminate from further consideration any response that is deemed to not substantially conform to the request for information contained in this Request for Proposal. The County also reserves the right, during the course of the evaluation process, to request any additional information deemed necessary to supplement and/or clarify the information provided.

Any change in the Team or Key Personnel included in the Request for Proposal will require the County approval. At a minimum, Key Personnel must include the Project Manager, Design Manager, and Construction Manager.

All subcontractors, sub-consultants or other firms to be utilized on this project are subject to the approval of the County. Any subcontractor, sub-consultant or third party selected by the Proponent is deemed approved upon Contract Award.

END OF SECTION 5

SECTION 6. TECHNICAL/COST PROPOSAL EVALUATION AND SELECTION

6.1 General

The RFP Technical Proposals and Cost Proposals will be reviewed and evaluated by the County's Selection Committee utilizing the requirements and criteria outlined in this Section. During the evaluation process, written questions or requests for clarifications may be submitted by the County (in writing) to one or more of the Contractors regarding the Technical and Cost Proposals or related matters. Failure to respond in the time allotted to any questions or requests may be grounds for elimination of the Proponent from further consideration

6.2 Proposed Staffing and Project Organization

This section of the proposal should identify key personnel assigned to manage the services. The Contractor shall:

- Identify key personnel proposed to perform the work and identify and describe any subcontract work proposed to complete the task.
- Include a statement that key personnel will be available to the extent proposed for the duration of the project.

6.3 Project understanding and Work Plan

The Contractor should provide a narrative, which address the scope of work and shows the Contractor's understanding of the County's needs and requirements.

6.4 Responsiveness

Each Request for Proposal response will be reviewed to determine if it is responsive to the RFP requirements. Failure to comply with the requirements of this RFP may result in rejection as non-responsive.

6.6 Qualification Scoring Criteria

Upon the close of acceptance of each Request for Proposal shall be subsequently scored as follows:

	Total Maximum Points
• Design	50
• Capabilities	35
• Cost	15
Total Maximum Points:	100

Once all Request of Proposals are scored each submitting Contractor will be notified of their firms Score. Score of less than 50 do not meet the minimum requirements and will not be considered for award.

6.7 Cost Proposal Scoring Criteria

Cost Proposals will be due no later than Thursday, January 13, 2022 at 12:00 PM EDT. Cost Proposals will be opened at **Thursday, January 13, 2020 at 2:00 PM EDT**. Cost Proposals will be scored on a comparative basis. The Cost Proposal will be worth a total of 15 points and will be scored on a comparative basis, i.e. the lowest estimated price (based on the highest price if given as a range), will be awarded the total 15 points, each of the remaining proposals will be awarded a prorated number of points based on the ratio of the offeror's cost to the lowest proposed price.

For example, if Proponent A has the lowest Cost Proposal at \$100, Proponent B's Cost Proposal is \$110 and Proponent C's Cost Proposal is \$120, then Proponent A receives the full **15 points**, Proponent B would receive **13.6 points** and Proponent C would receive **12.5 points**.

6.8 Other Potential Scoring Criteria

The County's decision will be based upon a cumulative scoring factor and not solely upon the lowest cost proposal. Based on the combined scoring on the Request for Proposal Cost Proposal and potential bonus points, the County will select the responsible and responsive offeror or offerors whose proposal or proposals are determined to be in the best interest of the County, taking into consideration the evaluation factors set forth above, as well as factors such as the work to be performed by local contractors and dates of commencement and completion. The maximum points that could be allocated for these categories are as follows:

- Work performed by local subcontractors - 5points

All Contractors submitting proposals shall be notified in writing of the County's decision, along with their score, and following the final decision all proposals and their scoring shall be available for inspection.

END OF SECTION 6

SECTION 7. CONDITIONS FOR CONTRACTORS

7.1 County Authority

Macon-Bibb County in the State of Georgia procurement process for this project is authorized under O.C.G.A. § O.C.G.A. 36-9-2, *et. seq.* and O.C.G.A. Title 36 Chapter 91 Public Works bidding and by the County.

7.2 Conflict of Interest

The State law mandates the public disclosure of certain information concerning persons doing business or seeking to do business with the County, including affiliations and business and financial relationships such persons may have with County officials.

7.3 Collusion among Respondents

Each Contractor, by submitting a proposal, certifies that it is not party to any collusive action or any action that may be in violation of State and Federal law.

7.4 Drug Free Workplace

The County, as policy, operates all facilities as a drug-free workplace, and requires that the labor force be drug free. The Proponent hereby acknowledges this requirement, and asserts that the organization of the Proponent adheres to such policy and practice. The Proponent acknowledges that it may be required to produce certificates affirming its compliance of these requirements of drug-free workplace for duration of agreement term, at execution, or at any time during the term of the agreement. The Proponent shall secure from any sub-contractor hired to work in a drug-free workplace the following written certification: "As a part of the subcontracting agreement with (Proponent's name, sub-contractor's name) certifies to the Proponent that a drug-free workplace will be provided for the sub-contractor's employees during the performance of this contract." The Proponent may be suspended, terminated, or debarred if it is determined that: 1. The Proponent has made false certification hereinabove; or 2. The Proponent has violated such certification by failure to carry out the requirements of Official Code of Georgia Section 50-24-3.

7.5 Indemnify and Hold Harmless

Contractor further agrees to indemnify, defend and hold harmless the County against (1) any and all losses, claims, damages, law suits and liabilities for any personal injury, death or property damage arising out of or as a consequence of any work performed pursuant to this contract, (2) any and all expenses related to claims or lawsuits resulting from the above including courts cost and attorney fees, (3) any and all penalties and damages incurred by reason of Contractor's failure to comply with any applicable laws, ordinances or regulations.

7.6 Proprietary Information

All documents submitted as part of the Proponent's proposal will be deemed confidential during the evaluation process. Proponent proposals will not be available for review by anyone other than the County evaluation team or its designated agents. There shall be no disclosure of any Contractor's information to a competing Contractor prior to award of the contract. All applicable information will be subject to public disclosure in accordance with the Freedom of Information Act, at award of contract, or cancellation of this RFP.

The County reserves the right to retain all proposals submitted and to use any ideas in any proposals submitted, regardless of whether or not that proposal is accepted. Submission of a proposal indicates acceptance by the person submitting the proposal of the terms, conditions and specifications contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in a subsequent contract between the County and the Contractor selected.

7.7 Rights of the County

In connection with this procurement process, including the receipt and evaluation of proposals and award of the Design-Build Contract, County reserves to itself (in its sole discretion) all rights available to it under applicable law, including without limitation, with or without cause and with or without notice, the right to:

- Cancel, withdraw, postpone, or extend this RFP, in whole or in part, at any time prior to the execution of the Design-Build Contract, without incurring any obligations or liabilities.
- Modify the procurement schedule.
- Waive deficiencies, informalities & irregularities in a proposal and accept and review a non-conforming proposal.
- Suspend and terminate the procurement process or terminate evaluations of proposals received at any time.
- Waive or permit corrections to data submitted with any proposal until such time as County declares in writing that a particular stage or phase of its review of the proposals has been completed and closed.
- Hold meetings and interviews and conduct discussions and correspondence with one or more of the Contractors to seek an improved understanding of any information contained in a proposal.
- Seek or obtain, from any source, data that has the potential to improve the understanding and evaluation of the responses to the proposal.
- Seek clarification from any Contractor to fully understand information provided in the proposal and to help evaluate and rank the Contractors.
- Reject a proposal containing exceptions, additions, qualifications or conditions not called for in the RFP or otherwise not acceptable to the County.
- Conduct an independent investigation of any information, including prior experience, identified in a proposal by contacting project references, accessing public information, contacting independent parties, or any other means.
- Request additional information from a Contractor during the evaluation of the Contractor's proposal.

7.8 Obligation to Keep Project Team Intact

Contractors are advised that all firms and Key Personnel identified in the proposal, including the Contractor, shall remain on the Project Team for the duration of the procurement process and execution of the project. If extraordinary circumstances require a change, it must be submitted in writing to the County's Contact, who, at his or her sole discretion, will determine whether to authorize a change. Unauthorized changes to the project team at any time during the procurement process may result in elimination of the Proponent from further consideration.

7.9 Change in Objectives

Macon-Bibb County may materially change the objectives. Such changes may include additions, deletions, or other revisions within the general scope of RFP requirements. No changes or adjustments shall be made without a written amendment to this RFP. Provided, however, the County reserves the right to amend any contract awarded hereunder to include Cost Proposal of the Project without further notice, advertisement or solicitation.

7.10 Addenda

If any revisions to the RFP or procurement process become necessary or desirable (in the County's sole discretion), the County may issue written addenda. The County will not transmit addenda to potential Contractors. The County will post all addenda on the County project website at the following address: maconbibb.us and it is Proponent's responsibility to obtain all addenda prior to submitting its proposal.

7.11 Exceptions

A respondent taking exception to any part or section of this solicitation shall indicate such expectations in a separate section in the appropriate section of the submitted proposal – such section shall be entitled "Exception of Conditions." Failure to indicate any exception will be interpreted as the respondent's intent to comply fully with the requirements of this RFP as written.

7.12 Nonconforming Terms and Conditions

Any proposal that includes terms and conditions that do not conform to the terms and conditions in this RFP is subject to rejection as non-responsive. Macon-Bibb County reserves the right to permit the respondent to withdraw non-conforming terms and conditions from its proposal prior to action by the Mayor and Commissioner to award a contract.

7.13 Withdrawal of Request for Proposal

Macon-Bibb County retains at all times the right to cancel or withdraw this RFP, to refuse to accept a proposal from any respondent, and to modify or amend any portion of this RFP.

7.14 Cost of RFP Preparation and Submission

Each Contractors shall be responsible for all costs incurred in order to prepare and submit their response to this RFP. There is no expressed or implied obligation for the County to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. Materials submitted by respondents are subject to public inspection under the Georgia Public Records Act (Government Code Sec. 6250 et seq.), unless exempt. Any language purporting to render the entire proposal confidential or proprietary will be ineffective and will be disregarded.

7.15 Default

In case of default by the contractor or any other reason deemed appropriate by the County, the County may by providing 30 days written notice cancel this contract and make award to another contractor. The County reserves the right to recover the excess cost by deduction from an unpaid balance or by invoicing the defaulting contractor for any price differences. The submitted proposal must follow the rules and format established within this RFP. Adherence to these rules will ensure a fair and objective analysis of all proposals. Failure to complete any portion of this request may result in rejection of a proposal.

END OF SECTION 7

POINTS ALLOCATION GUIDELINES

POINTS	Design-Build MAXIMUM 50 POINTS
50	Demonstrate that the proposed design/construction meets or exceeds the project specific requirements and criteria stated in this Request for Proposal.
	Capabilities Maximum 35 Points
35	Provide specific information on resources required that will illustrate the ability to complete the project and demonstrates that the appropriate resources will be committed to the performance of work and completion of projects.
POINTS	Cost – MAXIMUM 15 POINTS
15	Itemize cost fees for design, construction cost, and all other applicable fees to complete the project.

ATTACHMENT B

STATEMENT OF WORK

The scope of services for the new Amphitheater includes all disciplines necessary to completely design and construct the Project, including, without limitation, all on-site and off-site work. The new amphitheater shall comprise of a stage and seating of approximately 10,000 people. The amphitheater is to be adjacent to the Macon Mall located between Eisenhower Parkway and Mercer University Blvd in Macon, Georgia. The amphitheater will serve both large and small performances. The objective of the amphitheater is to serve as a public space for the benefit of the community and contribute to the revitalization of Macon-Bibb County nearby communities. The amphitheater should provide optimum views of both the stage and the natural surroundings. Contractor should arrange the site to mitigate impact of low-setting sunlight on artist and audience. All components to the construction of the amphitheater needs to fit on the parcel of land where the Macon Mall resides. The following design and construction of the amphitheater should include but not limited to the following master plan:

The master site development plan for the amphitheater facility should include the following:

- Amphitheater Building/Performance Stage
- Minimum Stage Size: 72x 60
- Open Pit Area between Fixed Seats and Stage with capacity for 1,500
- General Service Building: Administrative and Grounds Support
- Lighting and Spot Light Platform in General Admission Area
- Box Office/ Ticketing Space
- Seating to encompass 2,500 fixed seats; 4,000 permanent covered seats; 1,500 temporary seating; 6,000 informal lawn seating; 10 VIP seating areas with a capacity to house 20 people.
- Robust Weather Resistant Material for Seating.
- Green Space
- Facility Gateway Entry and Concession Areas
- Backhouse of Amphitheater to include Hospitality Green Room; Locker Room Kitchen; Commercial Laundry). Restrooms (each greenroom should have own bathroom)
- Pedestrian Access/Walkways coupled with transitional space between the Macon Mall and Amphitheater.
- Semi loading and unloading areas for access into and out of the back area of the amphitheater.
- On-Site High Capacity Power Network
- AV/Rigging System
- ADA Considerations
- Water Access and Amenities
- Site Security
- Secured Production Parking
- Site Use will be for multi-use during non-performance periods.
- Site usage area to create specialty entry sequences for special events.

Add Alternates to include:

- Permanent Restaurant

The scope of this project will consist of the following major items, but are not limited to the following:

- Architect/Engineering to provide the design/drawing and technical specifications of the new amphitheater.
- Construction of the new Amphitheater
- Site Preparation/Grading
- Project Management/Construction Management Oversight
- Provide a service drive and sidewalk area for access into and out of the amphitheater

Contractor to provide the Design and Build for a new Amphitheater facility

Design-Build Professional: The Architect and Engineer design professionals shall provide a complete design and drawings, technical specifications, reports, studies, and any other pertinent documentation for the build design construction of new amphitheater. In addition, the Design Builder will coordinate and conduct program validation, design review meetings and construction meetings as required to facilitate the project and will maintain and provide all records of these meetings with the action agendas. Construction services will include the procurement and furnishing of all necessary management, labor and materials, bonds, and insurance necessary and requirements necessary to complete the project.

The Design-Builder's scope of work will include, but not limited to:

The Design-Builder will provide a draft copy of the building schematics for the Amphitheater project. The successful bidder/contractor is expected to verify in writing the building scope of work and budget. The Design-Builder should also address parking as a separate and additional component.

Pre-construction project planning includes but not limited to assistance in the preparation of surveys, schedule/timeline, preliminary cost estimate and value engineering measures.

Site Design: To include but not limited to demolition and clearing plans, grading and drainage plans, sedimentation and erosion control plans, layout and staking plans, elevations and sections, construction details, lighting and signage, landscape and planting plans and details.

Building Design: To include but not limited to building plan configuration and elevation elements including exterior building skin materials and colors, foundation, structural and roof systems, overall dimensions, materials testing requirements, Mechanical/Electrical/Plumbing design including systems, equipment and calculations, energy and performance modeling, systems review, coordination and integration to include all utilities and controls.

Construction Phase Services shall include, but not limited to the following:

- Develop requirements for safety, quality, and schedule adherence.
- Maintain on-site staff for construction management
- Maintain a system for tracking the timely submittal, review, and approval of technical drawings
- Coordinate, conduct and document regular construction meetings
- Prepare and submit change order documentation for approval of the Architect and the Owner.
- Maintain on-site records and submit progress reports to Architect and the Owner.
- Maintain quality control and ensure conformity to contract documents.
- Administer the construction contract and reconcile the construction budget.
- Develop and maintain a detailed design and construction schedule, indicating methods and sequencing of construction activities and milestones necessary for completion of the project by the targeted date.
- Document activities associated with the administration, management, and construction of the project.
- On a monthly basis, certify of all work in place and approval of all contractor and vendor payment requests.
- Develop record documents for presentation to the Owner upon project completion.

Project Management Plan: Will be the responsibility of the selected Design Builder to develop a comprehensive Project Management Plan which will define and document to Macon-Bibb County Government satisfaction the project program of requirements in narrative form with the activities tied to constructing the Amphitheater facility. The Project Management Plan must include the following components:

- A. Project Master Plan
- B. Master Schedule
- C. Organization Chart and Staffing Plan
- D. Description of the roles, responsibility, and authority of each of the project team.
- E. Project Budget
- F. Quality Assurance