

**HAMBLEN COUNTY GOVERNMENT**  
**Request for Proposals – Hamblen County Justice Center Commissioning Services (2020-07)**

**REQUEST FOR PROPOSALS**

**Office of the Hamblen County Mayor**  
511 West Second North Street  
Morristown, TN 37814

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**RFP TIMELINE:** Times listed below are in Eastern Standard Time.

Date Issued:	Tuesday, August 25, 2020
RFP Title:	Hamblen County Justice Center Commissioning Services (2020-07)
RFP Question Deadline:	Friday, August 28, 2020 @ 2:00p.m. <i>All correspondence and communication must be via email to the designated Hamblen County point of contact listed below. Questions submitted by telephone call will <u>not</u> be answered. Questions submitted after this deadline will <u>not</u> be answered.</i>
RFP Answer Deadline:	Tuesday, September 1, 2020 @ 4:00p.m.
Proposal Submission Deadline Date & Time:	Wednesday, September 9, 2020 @ 2:00p.m. <i>If the Hamblen County Courthouse is closed for business at the time scheduled for proposal opening, for whatever reason, proposals will be accepted and opened on the next business day of the County, at the originally scheduled hour.</i>
Proposal Submission Opening Location:	Hamblen County Courthouse, West Wing Conference Room, 1 <sup>st</sup> Floor, Administrative Building

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**INTRODUCTION:**

Hamblen County (hereafter referred to as “County”) is soliciting proposals for the commissioning of building MEP systems in compliance with Section C408 of the 2012 International Energy Conservation Code and as described in Section II Scope of Commissioning Services on the Hamblen County Justice Center Project. The proposed Justice Center is a three (3)-story building with basement in approximately 196,000 square feet. It will consist of a 600-625-bed jail facility, three (3)-courtrooms, clerk office, community service office, judges office suite, and jail administration.

The County’s selection process will be based on qualifications and experience with similar projects, competitiveness of proposed fees, and overall comments from references as well as any subsequent supplemental evaluation process deemed necessary by the Justice Center Committee.

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**I. PROJECT OVERVIEW:**

The County is currently in the construction drawing phase of the Justice Center Project. The facility will be constructed on county-owned property located on West 3<sup>rd</sup> North Street in Morristown, TN. The construction of the project is expected to bid in November 2020 with construction duration of approximately 24 months. Mechanical, electrical and plumbing equipment are in the process of being finalized but will generally be as described in the attached equipment schedules.

**Project Team:**

Moseley Architects located in Charlotte, North Carolina has been contracted for Architectural and Engineering services for this project. BurWil Construction Company located in Knoxville, Tennessee has been contracted for Project Management Services.

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**Anticipated Project Schedule:**

<b>Projected Project Activity Duration</b>	
Schematic Design Drawings:	Completed
Design Development Phase:	Completed
Commission Approval of Project Concept:	Completed
Construction Drawings Preparation:	May-September 2020
Commission Approval of Construction Drawings:	October 2020
Authorization to Bid the Project:	October 2020
Award of Construction Contract:	January-February 2021
Current Property Demolition to be Completed:	October 2020

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**II. SCOPE OF COMMISSIONING SERVICES:**

- Perform commissioning of all building HVAC, domestic hot water, and lighting controls included in the proposed project.
- Commissioning scope shall include all activities described in Section C408 of the 2012 International Energy Conservation Code.
- Commissioning agent shall have a valid Professional Engineer (PE) license in Mechanical Engineering within the state of Tennessee.
- Provide the following deliverables directly to the County or its representative during the project phases indicated:

Construction Documents Phase: Commissioning specifications outlining the responsibilities of the Commissioning Agent, Contractor(s), A&E Firm and the County.

Construction Phase: Commissioning Plan describing the commissioning activities, applicable equipment types, testing procedures and performance criteria.

Prior to Certificate of Occupancy: Preliminary commissioning report of commissioning test procedures and results to the County as described in Section C408.2.4 of the 2012 International Energy Conservation Code.

Project Close-Out:

Systems Manual containing the following:

- a. Submittal Data
- b. Manufacturers' O&M manuals
- c. Control Drawings
- d. Recommended schedules for ongoing testing and maintenance
- e. Narrative describing how each commissioned system is intended to operate (including recommended set-points)

Final commissioning report as described in Section C408.2.5.4 of the 2012 International Energy Conservation Code.

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**III. GENERAL INFORMATION FOR COMMISSIONING AGENT:**

**Project Administrator:**

The County Finance Department is the sole point of contact for this procurement. All communication between prospective proposers and the County upon receipt of this RFP shall be in email form to the County Finance Department as follows:

Johnna Harrell  
511 West Second North Street  
Morristown, TN 37814  
Telephone: 423-586-1931  
Email: Johnna.harrell@co.hamblen.tn.us

Any other communication will be considered unofficial and non-binding on the County. Communication directed to parties other than the County Finance Department may result in disqualification of the prospective proposer.

**RFP Questions and Answers:**

Questions regarding this RFP will be accepted via email to the Project Administrator until 2:00p.m. Friday, August 28, 2020. Questions submitted by telephone call will not be answered. Questions submitted after this deadline will not be answered.

Questions *and* Answers will be posted to the Hamblen County Government website, [www.hamblencountyttn.gov](http://www.hamblencountyttn.gov), under the Bids & Proposals Tab no later than 4:00p.m., Tuesday, September 1, 2020.

**Proprietary Information and Public Disclosure:**

Materials submitted in response to this competitive procurement shall become the property of Hamblen County. All proposals submitted shall remain sealed until the deadline for submission of proposals has expired. Once a proposal is submitted to Hamblen County Government and is opened, it constitutes a public record and is subject to the open records request pursuant to the Tennessee Open Records Act.

**Cost of Proposal Submission:**

The County will not be liable for any costs incurred by any respondent in preparation of a response to this RFP, in conducting of a presentation, or any other activities related to responding to this RFP.

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**Revisions to the RFP:**

In the event it becomes necessary to revise any part of this RFP, addenda will be produced in writing and submitted to all prospective respondents known to the County and will be listed on the Hamblen County website, [www.hamblencountytn.gov](http://www.hamblencountytn.gov), under the Bids and Proposals Tab.

The County reserves the right to cancel or to reissue this RFP in whole or in part prior to the execution of a contract.

**Period of Performance:**

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin upon award of a contract.

**Subcontract Terms:**

The successful respondent will not subcontract any portion of their duties under this RFP or subsequent contract without the prior written consent of the County.

**Contract Terms:**

All items in this RFP must be included with the proposal submission. All contracts between parties as a result of this RFP shall be governed by and enforced in accordance with the laws of the State of Tennessee. In the event a dispute arises, the venue shall be in Hamblen County, Tennessee. The County shall require the person with authority to bind the company to sign all agreement(s) with the County.

**Contract Termination:**

The County reserves the right to cancel the contract at any time for breach of contractual obligations without penalty or recourse by giving the Commissioning Agent a written notice of such termination of at least thirty (30) calendar days prior to said cancellation. Prior to issuing such a notice, the County will, if appropriate, provide the Commissioning Agent with an opportunity to cure the breach within a reasonable period of time. Should the County exercise its right to terminate the contract for such reasons, the termination shall become effective on the date as specified in the notice of termination sent to the Commissioning Agent. The Commissioning Agent shall be entitled to receive just and equitable compensation for the work provided pursuant to the contract prior to the effective date of cancellation.

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**No Obligation Contract:**

The County reserves the right to accept or reject any or all proposal submissions at its sole discretion without penalty and to not issue a contract as a result of this RFP. The County also has the right to waive any formal defects in submissions when deemed in the best interest of the County. Further, the County reserves the right to negotiate with any respondent concerning matters which the County determines require clarification or changes not in conformity with the specific requirements set forth herein.

**Right To Withdraw:**

Respondents have the right to request withdrawal of their proposals from consideration due to error by giving notice at any time before and not later than two (2) days after submissions are publicly opened.

**Commitment of Funds:**

The Hamblen County Legislative Body are the only individuals who may legally commit the County to the expenditures of funds for a contract resulting from this RFP. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract. Obligations on contracts that envision extended funding through successive fiscal periods shall be contingent upon actual appropriations for the following years.

**Invoice Requirements:**

The Commissioning Agent will submit invoices to the County Finance Department based on the timeline outlined in the contract. The invoices will include a detailed account of the following:

1. A description of the work performed;
2. The date(s) the work was performed; and
3. If applicable, an itemized list, including receipts, of all reimbursable expenses as outlined in the contract.

**IV. SUBMISSION REQUIREMENTS:**

Respondents are required to submit one (1) complete proposal packet either electronically or in a sealed envelope based on the instructions below. Proposals, whether mailed, hand-delivered, or electronically submitted must arrive no later than 2:00p.m. Eastern Standard Time on Wednesday, September 9, 2020.

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**Instructions for Submitting Proposals Electronically:**

Electronic submissions should be sent to Johnna.harrell@co.hamblen.tn.us via WeTransfer.com, an internet-based computer file transfer service. The message line of the WeTransfer page should state: **HAMBLLEN COUNTY JUSTICE CENTER COMMISSIONING AGENT RFP, SEPTEMBER 9, 2020 @ 2:00P.M.** Please note: Proposal should be submitted no earlier than September 2<sup>nd</sup> as the documents are only available for download for seven (7) days and we cannot access them for any reason prior to Wednesday, September 9, 2020 @ 2:00p.m.

**Instructions for Submitting Hard Copies of Proposals:**

Envelopes **must** arrive **sealed** and clearly **marked** with **HAMBLLEN COUNTY JUSTICE CENTER COMMISSIONING AGENT RFP, SEPTEMBER 9, 2020 @ 2:00P.M.** on the outside of the envelope to the Hamblen County Mayor’s Office, 511 West Second North Street, Morristown, TN 37814, Attention: Johnna Harrell.

Respondents assume the risk for the method of delivery chosen. The County assumes no responsibility for delays caused by any delivery service whether in-person or electronically. Late proposals will not be accepted.

**Proposal Content:**

All items listed below must be included in your submission.

1. Statement of Qualifications Form (attached)
2. Copy of Professional Engineer (PE) License in Mechanical Engineering within the State of Tennessee
3. Anti-Collusion Statement (attached)
4. Certificate of Compliance with Iran Divestment Act (attached)

**Statement of Qualifications Form:**

The respondent must complete the statement of qualifications on pages 11 & 12 of this document. This includes contact information, education, experience, three (3) references and proposed cost. If the respondent would like to list more than three (3) references for previous projects, those can be listed on a separate sheet and submitted with this document.



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**Insurance Requirements:**

a. Certificates of Insurance

Upon award of this project, the Commissioning Agent **must** provide to Hamblen County Government certificates of the insurance requirements listed below before duties commence. Policies shall be endorsed to provide Hamblen County Government at least thirty (30) days written notice of reduction, cancellation or intent not to renew coverages as listed. If insurance is canceled, reduced, non-renewed or otherwise is not in effect to the minimum required coverage, the Commissioning Agent **must** cease work on this project.

b. Liability Coverages

1. The Commissioning Agent shall furnish at their own expense and keep in full force during the terms of this contract the following coverages which shall list Hamblen County Government as an additional insured:

- General liability insurance covering bodily injury and property damage in the minimum sum of \$1,000,000 for each occurrence, \$2,000,000 aggregate and products/completed operations in the minimum sum of \$1,000,000 for each occurrence, \$2,000,000 aggregate.
- Professional liability insurance in the minimum sum of \$2,000,000 limit per occurrence.
- Automobile liability insurance in the minimum of \$1,000,000 combined single limit for bodily injury and property damage.
- Umbrella liability insurance in the minimum sum of \$3,000,000 for each occurrence.

2. Worker's Compensation Compliance

The Commissioning Agent shall also comply with all requirements of the Workers' Compensation Law and shall at their own expense, maintain such insurance, including waiver of subrogation in favor of Hamblen County and employer's liability, as will protect the Commissioning Agent from claims under said law and from any other claims for personal injuries, including death which may arise from the operations under the contract, whether operations be by anyone directly or indirectly employed by the Commissioning Agent.

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**Anti-Collusion Statement:**

The respondent certifies by signing the anti-collusion statement on page 13 of this RFP that this proposal is made without prior understanding, agreement, or accord with any other person submitting proposals for the same service and that this submission is in all respects bona fide, fair and not the result of any act of fraud or collusion with another person engaged in the same line of business or commerce.

**Iran Divestment Act:**

The respondent must certify on page 14 of this RFP that neither they nor any of their successors, parent companies, subsidiaries or companies under common ownership or control certifies, under penalty of perjury, that to the best of their knowledge and belief that they are not on the list created pursuant to Tennessee Code Annotated § 12-12-106.

**Signatures:**

The Statement of Qualifications Form, Anti-Collusion Statement, Certification of Compliance with the Iran Divestment Act, and all RFP Amendments must be signed and dated by a person authorized to legally bind the respondent to a contractual relationship.

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**V. FORMS:**

**a) STATEMENT OF QUALIFICATIONS**

<b>Information of company or individual with whom the contract would be written</b>	
Legal Name:	
Address:	
Phone:	
Email Address:	
Education:	
Experience:	
Name & Email Address of Commissioning Agent & Primary Point-of-Contact (if different from information listed above)	

List a minimum of three (3) completed projects that demonstrate your experience with commissioning services, preferably of large scale projects.

<b>Completed Project #1</b>	
Name of Project:	
Year Completed:	
Size of Project:	
Project Owner Contact Information:	

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**STATEMENT OF QUALIFICATIONS continued...**

<b>Completed Project #2</b>	
Name of Project:	
Year Completed:	
Size of Project:	
Project Owner Contact Information:	

<b>Completed Project #3</b>	
Name of Project:	
Year Completed:	
Size of Project:	
Project Owner Contact Information:	

<b>Total Cost Proposed:</b>	<b>\$</b>
<b>(based on scope of services listed in this RFP)</b>	

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**b) ANTI-COLLUSION STATEMENT**

By signing this form the respondent agrees that he/she has not divulged to, discussed, or compared his/her submission with other respondents and has not colluded with any other respondent whatsoever. Note: no premiums, rebates or gratuities to any employee or agent are permitted with, prior to, or after any delivery of service. Any such violation will result in any contract related to this RFP being null and void and could constitute a felony and result in a fine, imprisonment and civil damages.

The undersigned certifies that he/she has read, understands, and agrees to all terms, conditions, and requirements of this RFP, and is authorized to enter into a contract with Hamblen County Government. This form must be signed personally by the respondent or the respondent's authorized agent. All signatures must be original and not photocopies.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

By signing this form, the respondent signifies understanding and agreement with Hamblen County Government's Terms and Conditions.

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**c) CERTIFICATION OF COMPLIANCE WITH IRAN DIVESTMENT ACT**  
**Tenn. Code Ann. § 12-12-101 et seq.**

Comes \_\_\_\_\_, for and on behalf of  
(Printed name of Principal Officer of Company)

\_\_\_\_\_, (the “Company”) and, after being duly authorized by the Company so to do, makes oath that:

By submission of these qualifications, each respondent certifies, and in the case of a joint submission each party certifies, under penalty of perjury, that to the best of their knowledge and belief that each respondent is not on the list created pursuant to the Iran Divestment Act, Tenn. Code Ann. § 12-12-106.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

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**VIII. RFP SUBMISSION CHECKLIST:**

- Proposal is labeled on the outside of the envelope or in the subject line, if electronically delivered, 'Hamblen County Justice Center Commissioning Agent RFP– September 9, 2020 @ 2p.m.' as instructed on page 8 Section IV of this document
- Complete ORIGINAL signed and initialed RFP packet
- Statement of Qualifications Form completed (pages 11 & 12 Section V.a. of this document)
- Copy of Professional Engineer (PE) License in Mechanical Engineering within the State of Tennessee
- Anti-Collusion Statement Signed (page 13 Section V.b. of this document)
- Certification of Compliance with Iran Divestment Act completed and signed (page 14 Section V.c. of this document)