

PROCUREMENT SERVICES

PERSONAL SERVICES CONTRACT (PSC)
REQUEST FOR PROPOSAL(RFP)

Table with 2 columns: Field Name, Value. Fields include REQUEST DATE, DUE DATE & TIME, SPEED TYPE, DEPARTMENT NAME, DEPARTMENT CONTACT, CONTRACT ADMINISTRATOR, and CONTRACT ADMINISTRATOR EMAIL.

Table with 2 columns: SERVICE REQUESTED, Description. Description: Commissioning Services for the JB Speed Student Success Building

EMAIL OR MAIL PROPOSALS TO:
UNIVERSITY OF LOUISVILLE
ATTN: PROCUREMENT SERVICES, SERVICE COMPLEX BUILDING
LOUISVILLE, KY 40292

CONTRACT ADMINISTRATOR NAME: Evan Riddell
EMAIL: evan.riddell@louisville.edu

THE BOTTOM PORTION OF THIS FORM IS TO BE COMPLETED BY THE VENDOR AND SUBMITTED WITH PROPOSAL

Equal Employment Opportunity – All parties must be in compliance with executive order 11246 of September 24, 1965 as amended by executive order 11375 of October 13, 1967.

STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

I hereby swear (or affirm) under penalty for false swearing as provided by KRS 523.040:

- 1. That attached Request for Proposal has been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other vendor of materials, supplies, equipment or services described in the Request For Proposal designed to limit independent competition.
2. That the proposer is legally entitled to enter into the contract with the University of Louisville, an agency of the Commonwealth of Kentucky, and is not in violation of any prohibited conflict of interest, including those prohibited by the provisions of KRS 45A.325, to 45A.340, 45A.990, 164.990, and 164.821 (7).
3. That I have fully informed myself regarding the accuracy of the statements made above.

Table for signature and contact information. Columns: SIGNATURE, FIRM NAME, PHONE, EMAIL, PRINT NAME, ADDRESS, CITY, STATE, ZIP CODE, WEBSITE.

1. **OVERVIEW:**

The University of Louisville (Owner) is requesting proposals for building systems commissioning services for the construction phase of the JB Speed School Student Success Building Project. The project scope is a single-phase, 4-story, 116,000 ft² building at University of Louisville Main Campus in Louisville, KY. The program includes a multi-purpose building (classrooms, labs, engineering garage) targeting LEED v4.1 BD+C certification.

Proposals shall include fees for the Construction Phase commissioning activities only.

The commissioning services shall meet all the requirements of the LEED BD+C Fundamental Commissioning Prerequisite and Enhanced Commissioning Credit.

The project team consists of the following:

Architect: Luckett & Farley/SmithGroup

LEED Consultant: Luckett & Farley/SmithGroup

MEP Engineer: Luckett & Farley/SmithGroup

Construction Manager: Whittenberg Construction

Project Schedule:

Construction is currently ongoing with occupancy in July 2025.

2. **SCOPE OF WORK:**

The owner is committed to commissioning this facility, to systematically optimizing the building and its ancillary systems, and to meeting the requirements of LEED-v4.1EA P1 Fundamental Commissioning and EA C3 Enhanced Commissioning (Enhanced and Monitoring-Based Commissioning Path & Building Enclosure Commissioning Option). The commissioning agent (CxA) will provide the signed letter template and suitable documents for the required credits before termination of contract. The CxA will report directly to the owner. The CxA shall be independent to the project and may not be an employee of the owner, design consultants, or interested contractor.

The project is required to achieve LEED Silver Certification at a minimum; however, the team is striving to achieve LEED Gold.

Commissioning services consist of systematically documenting that the specified components and systems have been installed and initiated properly, and of functional testing to verify and document proper operation. The CxA shall coordinate with the architect, engineer, contractor, and owner on scheduling, and integrate activities into the overall project schedule for commissioning scope as per LEED reference guide.

The commissioning plans and specifications can be found at the following link (Exhibit A and B):

<https://louisville.box.com/s/0d4j9d1dye7dl3nyx5fwx1c1x4v5thzg>

Refer to project manual for systems to be commissioned. All bidders shall review the documents from Bid Pack#1 (IB-007-24), Bid Pack#2 (IB-020-24), Bid Pack#3 (IB-022-24) & Bid Pack#4 (RP-040-24). These bid packages shall be used as reference for preparing proposals for this RFP and can be found at the following link:

<https://louisville.box.com/s/m1rxpa3nsolmj2c3sad24vgo901in1wg>

- Bid Pack#1 (IB-007-24) included early purchase of equipment, site electrical work to make the existing site safe, the civil sitework, geothermal, landscaping and site hardscapes. Submittals for the equipment that was purchased early will be included in this solicitation via addendum. The applicable trade contractors will be responsible for installing this equipment.
- Bid Pack#2 (IB-020-24) included the auger cast piles and special inspections on the auger cast piles.
- Bid Pack#3 (IB-022-24) included the remaining build out of the building.

- Bid Pack#4 (RP-040-24) included the Laboratory Gas Delivery System.

A. Construction Phase Commissioning – The commissioning services included in fundamental and enhanced commissioning span the period from execution of the CxA Construction Phase contract through 10 months after occupancy.

Table 1 – Construction Phase Commissioning

Phase/Milestone	Commissioning Activity	Commissioning Deliverable
Construction Phase	Commissioning Plan	Written plan, to be updated throughout construction phase.
Construction Phase	Progress Meetings	Attend progress meetings and prepare field observation reports
Construction Phase	Develop Installation & Functional Checklists.	Written checklists, shared with contractors and design team.
Construction Phase	Maintain Issues Log.	Issues log document with open and closed items.
Construction Phase	Building Envelope Test	Written evaluation report, reviewed and shared with the contractor and design team.
Pre-Installation	Review submittals for mechanical, electrical, and plumbing systems (Divisions 22, 23, 26) and submittals relevant to the building	Reviewed submittals with CxA comments.
Installation	Installation checklist and equipment startup	Completed installation checklists, with deficiencies noted.
Post-Construction	Systems functional performance testing.	Completed functional performances checklists, with deficiencies noted until remedied.

Post-Construction	Testing, Adjusting, and Balancing (TAB) Review	Review TAB Report and Sample Readings
Post-Construction	Develop Operations and Maintenance (O&M) Systems Manual	O&M System Manual.
Post-Construction	O&M Staff Training	Facilitate and document O&M Staff Training
Post-Construction	Commissioning report	Written Commissioning Report
10 Months into occupancy	10-month post-construction follow up	Follow-up Report
Construction Phase	Complete LEED CxA Documentation for Construction phase activities.	LEED forms completed

B. Fundamental Commissioning Services – LEED Prerequisite (refer to LEED v4.1)

The following services shall be included the scope of work according to the LEED v4.1 EA P1 Fundamental Commissioning:

1. The mechanical contractor (MC) and controls contractor (CC) shall document the pre-functional checklists and perform startup and initial checkout. The CxA shall then document that the checklists and startup were completed according to the approved plans. This may entail the CxA witnessing the startup of selected equipment.
2. The CxA develops specific equipment and system functional performance test procedures. The functional testing performed by contractors and witnessed by the CxA shall include operating the system and components through each of the written sequences of operation, including heating and cooling modes as well as other identified operational variances. Functional testing shall be done using conventional manual methods, control system trend logs and read-outs, or stand-alone data-loggers, to provide a high level of confidence in the functioning of the system, as deemed appropriate by the CxA and the owner for the applicable systems on the project.
 - a. Ventilation: The CxA shall check the physical operation of air-handling units, energy-recovery units, unit ventilators, fan-coil units, rooftop units, exhaust fans, and any other related equipment to ensure that they operate properly and that all air dampers are properly positioned for all sequences. The CxA shall review the Balancing Report to check that fresh air is delivered in accordance with the design criteria and applicable codes.
 - b. Mechanical/Electrical Rooms: The CxA shall check that all equipment operates in accordance with the design criteria, including proper lead/lag operation of pumps, settings of operating limits, outdoor reset schedules, proper domestic hot water production, and performance of any other equipment.
 - c. Heating Coils and Terminal Units: The CxA shall check proper operation of all coils, radiation, control valves, and terminal units.
 - d. Cooling units: The CxA shall check for proper operation of all cooling equipment, including operating limits and safety settings.
3. Submit a commissioning report to the client at the end of the commissioning process. Outline all systems checks and consequent actions taken as a result of the test outcome. Detail any and all activities and recommendations.
4. The CxA shall conduct a review of contractor submittals for commissioned systems.
5. The CxA develops a construction-phase commissioning plan.
6. The CxA conducts a scoping/kick-off meeting with the construction team members.
7. Additional meetings will be required to plan, scope, coordinate, and resolve problems.

8. Equipment documentation is submitted to the CxA during normal submittals.
9. The CxA shall work with the mechanical contractor, electrical contractor, fire protection contractor, and controls contractor in developing start-up plans and start-up documentation formats.
10. The CxA shall prepare a commissioning report.

C. Enhanced Commissioning Services – LEED Enhanced Commissioning (refer to LEED v4.1) –Include activities for Option 1, Path 2 – Enhanced and Monitoring-Based Commissioning and Option 2 – Building Enclosure Commissioning. The following services shall be included in the scope of work:

1. CxA shall be responsible for the following services in addition to the fundamental commissioning items.
2. The CxA reviews the Operation & Maintenance (O&M) documentation, project reports, and closeout documents for completeness.
3. The CxA reviews, pre-approves, and coordinates the training provided by the mechanical contractor, electrical contractor, plumbing contractor, and controls contractor and verifies that it was completed.
4. Post-Occupancy Check: Include a post-occupancy checkup as part of the commissioning proposal to verify how the building is actually operating between 8-10 months after construction. The CxA shall address a list of “events” or complaints compiled by the owner. This post-occupancy checkup will include verifying that the training requirements have been met and that a plan to resolve outstanding commissioning-related issues has been pursued.
5. The CxA shall develop a systems manual that contains the information necessary to fully recommission the energy-related systems within the tenant space.
6. The CxA shall develop monitoring-based procedures and identify control points to be measured and evaluated to assess performance of energy- and water-consuming systems.
7. The CxA shall commission the building enclosure.

3. REQUIRED PROPOSAL SUBMITALLS:

a. Financial Proposal (Fee):

- Provide a lump sum fee for all services as specified in these RFP documents
- Fee shall include **all expenses**
- Provide an itemized cost breakdown of the fee:
 - Table 1 Construction Phase Commissioning Activities. Costs should be detailed and broken out by Phase/Milestone and Commissioning Activity.
 - All other assumptions and associated expenses (travel, meetings, etc)

b. Firm Qualifications:

- Provide a minimum of two (2) similar projects (include references) your firm has completed that are similar in nature to the scope of this RFP – laboratories or higher education facilities)
- Do you have experience working in the public sector, specifically with a state University? If so, please provide references.

c. Team Experience:

- Provide an organizational chart and resumes of team members who will be working with the University on this project (going back at least 5 years, if possible) and include references
- The University would like the original team as provided in your proposal who are assigned to this project remain intact throughout the duration of the project, if possible.

d. Work Plan:

- Understanding of preliminary information and quality of proposal submitted.
- Methods for project management and delivery

4. **METHOD OF AWARD:**

a. **Short List (Initial Scoring):**

Cost:	40%
Firm Experience:	20%
Team Experience:	30%
Work Plan:	10%
TOTAL	100%

Evaluation committee members will score each proposal based upon the responsiveness and quality of the above required submittals.

b. **Interviews/Presentations (Final Scoring):**

Quality of Presentation and Interview	100%
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Evaluation committee members will score the short-listed proposers' interviews/presentations from 1-10 with one (1) being the lowest and ten (10) being the highest. Scoring is based upon the proposer's ability to effectively demonstrate that their proposal meets the requirements of the RFP and the proposer's ability to respond to questions and clarifications requested by the committee during the presentation.

*A short list for interviews and presentations may be issued if the evaluation committee decide that it is needed for further evaluation of proposers, however, this is not required. The evaluation committee also reserves the right to request interviews from any of the proposers, if needed, for further evaluation.

5. **REQUIRED PROFESSIONAL LIABILITY INSURANCE:**

Prime firm shall carry industry standard, general liability coverage of \$1,000,000 per occurrence and \$2,000,000 aggregate, automotive liability of \$1,000,000, umbrella liability of \$2,000,000, workers compensation of \$1,000,000, and professional liability of \$2,000,000. For fees exceeding the liability limits, the team shall be allowed to utilize the aggregate of coverage among all team members or provide a single policy covering the total fee amount over the life of the contract. UofL shall be made an additional insured on any policies utilized to satisfy the required coverage.

6. **PRE-PROPOSAL CONFERENCE:**

There will be a Pre-Proposal Conference held on **June 25th, 2024, at 10:00AM, EST.**, at the Service Complex Building (Procurement Services), 2215 South Brook Street, Louisville, Kentucky 40208 - Conference Room 102.

All prospective proposers are highly encouraged to attend.

The purpose of this meeting is to answer questions pertaining to this solicitation. This meeting is to assure that each potential proposer has a complete understanding of the scope of work involved.

Please do not park in unauthorized areas – see the following link for UofL parking rules and regulations:

7. RFP SCHEDULE:

- RFP Posted – June 20th, 2024
- Pre-Proposal Conference – June 25th, 2024, at 10:00AM, EST.
- Questions Due – July 3rd, 2024, by 2:00PM, EST.
- Response to Questions Addendum Posted – July 10th, 2024
- Proposals Due – July 19th, 2024, by 2:00PM, EST.
- Short List Announcement – TBD
- Interviews/Presentations – Week of July 29th
- Intent to Negotiate Contract – Week of August 5th

8. CONTRACT PERIOD:

The contract period will be from the date in which the contract is fully executed until all commissioning and administrative services have been completed. Commissioning services will begin upon execution of the contract.

NO SERVICES ARE TO BE PROVIDED PRIOR TO THE START DATE INDICATED ON THE FULLY EXECUTED PSC CONTRACT (sample provided).

A subsequent additional contract may be established from this solicitation to run from July 1, 2026, with all terms, conditions, and pricing to remain the same. This will require a new contract to be executed.

9. QUESTIONS:

The University of Louisville will accept questions regarding this RFP only if they are submitted by email no later than July 3rd, 2024, by 2:00PM, EST., and are to be emailed to evan.riddell@louisville.edu. Answers to the questions submitted will be issued as an addendum and posted to the website location of the RFP <https://louisville.edu/purchasing/bids> by July 10th, 2024.

10. FOREIGN CORPORATION REGISTRATION (OUT-OF-STATE CORPORATIONS):

Pursuant to KRS 271B.15-010, any Out-of-State corporate contractor must be properly registered with the Kentucky Secretary of State, before transacting any business within the state of Kentucky. The statute states "(a) foreign corporation...shall not transact business in this state until it obtains a certificate of authority from the Secretary of State." The registration form and instructions are found at https://web.sos.ky.gov/forms/corp/FBE-Certificate%20of%20Authorization_Foreign%20Business%20Entity.pdf.

11. RECIPROCAL PREFERENCE:

In accordance with KRS 45A.490 to 45A.494, a resident Offeror of the Commonwealth of Kentucky shall be given a preference against a nonresident Offeror. In evaluating proposals, the University will apply a reciprocal preference against an Offeror submitting a proposal from a state that grants residency preference equal to the preference given by the state of the nonresident Offeror. Residency and nonresidency shall be defined in accordance with KRS 45A.494(2) and 45A.494(3), respectively. Any Offeror claiming Kentucky residency status shall submit with its proposal a notarized affidavit affirming that it meets the criteria as set forth in the above referenced statute.

Forms can be found at louisville.edu/purchasing/policies/forms.