

Florida International University Board of Trustees

STANDARD OPERATING PROCEDURE: # FIU-09-001-CM SELECT

SUBJECT: Construction Manager Selection Process

DATE: October 1, 2015

AUTHORITY: Section 255.29, F. S.
BOG Regulations 14.002, 14.0055 and 14.007

POLICY/PURPOSE: To provide guidelines for the selection of construction managers

Conditions for Use of Construction Management. The criteria to be used in determining which projects are candidates for construction management are provided in BOG Regulation 14.0055. In addition to those criteria, each project for which construction management services is requested must have an approved facilities program. The program should address the aspects of the project which indicate a need for construction management and budget implications of construction management. Adequate funding for preconstruction construction management fees must be available during the planning phase and must be considered when planning funds are requested for appropriation.

When construction management has been approved as the project delivery method in the building program, the Notice to Construction Managers shall be posted on the university web page and advertised in a state wide publication to alert applicants to that fact.

Summary of Construction Management Approach. The construction manager should be appointed during the schematic design phase of the project and made an integral part of the design team. The timing for actions required by these procedures is based on construction manager selection during the schematic design phase. However, if the construction manager is selected at another time, appropriate adjustments must be made. The president shall award and execute construction management contracts. Contracts for construction management services consist of two phases. The first phase of the contract is for preconstruction services, wherein the construction manager functions as an agent of the Owner, is paid a fixed fee for services performed, and is an integral part of the design team. Preconstruction services shall include value engineering, scheduling, constructability analyses, etc., and the development of a Guaranteed Maximum Price (GMP). If the GMP is accepted, the second phase (the construction phase) is implemented. During the construction phase, the construction manager ceases to be an agent of the Owner, becomes the single point of responsibility for performance of the construction contract for the project, and functions in the role of an independent contractor, publicly bidding trade contracts.

University Consideration of Construction Management Delivery System. When a university is considering the use of construction management services to implement a project, the university explains the justification for its decision in the facilities program which is approved by the university president. The program must outline the circumstances justifying the use of construction management services as provided in BOG Regulation 14.0055. If the approved program for a project does not include a provision for construction management, and the university later decides to use construction management services, it must include an approval letter from the president justifying the use of construction

management services in the project files and in a program amendment with any other information related to changes to the project.

Formation of Certification and Selection Committee. A Construction Manager Certification and Selection Committee (Committee) appointed by the President shall serve throughout the selection process. The Committee composition shall be as provided in BOG Regulation 14.0055,(4). The President may designate the Chief Financial Officer as the person with authority to appoint committee members.

Prior to advertisement of the Notice to Construction Managers the Committee shall:

- a. Review the standard criteria listed on the Construction Manager Qualifications Supplement (CMQS) form (Attachment 1). Based on unique requirements of the project, the Committee may add up to three additional questions to the CMQS form. The Committee reviews weight factors to be applied to each of the categories on the Construction Manager Short List Worksheet (Attachment 2) and revises those factors, as necessary, according to the needs of the project.
- b. Determine construction manager criteria for interview questions (Attachment 3).
- c. Review the standard reference check questions (Attachment 4) and add additional questions pertaining to the unique requirements of the project, if necessary.

Advertisement. At approximately the time the notice to proceed with development of conceptual schematics is issued to the architect/engineer, the university places an advertisement for construction management services in the *Florida Administrative Register (FAR)* and on the *FIU Facilities web page*. The advertisement shall provide information regarding application and direct the applicants to contact the university Application Forms and project information.

Preparation of CMQS Form. The university develops the CMQS form (Attachment 1) for the project, including any revisions requested by the Committee. The bonding information on the CMQS form is to be completed by referring to the Section B-14 of the contract Project Manual. If three additional questions are not included as Questions 12-14, Questions 15 and 16 are renumbered. The information in Question 16, b-iv, must be completed in accordance with the *FAR* advertisement.

University Response to Interested Firms. The university shall provide those firms indicating an interest in the project with the CMQS form, the Project Fact Sheet and related information.

Development of Short List. After receipt of submittals, the university reviews them for completeness and documents irregularities for the Committee. The Committee convenes to develop the short list. The Committee members individually evaluate the applicant firms and determine a score for each category on the Construction Manager Short List Worksheet (Attachment 2). Each Committee member ranks the firms on the Shortlist Proposal Worksheet (Attachment 5). The firms with the lowest total rank points will be shortlisted for interview. From the Shortlist Proposal Worksheet, total rank points and short list rank are entered on the Construction Manager Selection Evaluation Form A (Attachment 6) and signed by each member of the Selection Committee. The short list should be no fewer than

three and no more than five firms unless the committee determines a need for more. For a project having three or fewer applicants, each firm is included on the short list. (Rank established on the short list portion of the selection is only considered in the interviews in the event of a tie.) If the project architect/engineer was involved in the short list process in a non-voting capacity, his/her recommended rank may be noted for information.

Reference Checks. Facilities Management staff prepares the standard reference questions, Construction Manager Reference Check form (Attachment 4), to be issued to the applicants with the interview invitation letters. Each applicant is encouraged to request a minimum of three (3) references from the owner representatives listed in their application submittal. References are sent directly via email from the owner reference to Facilities Management staff to be distributed to the Committee prior to the interviews.

Notification of Applicants. The university sends each firm which applied for consideration an email, return receipt requested, notifying it of the short listed firms. The notification is to include the following statement: "Pursuant to Florida Board of Governors Rule 14.023, any qualified applicant who is adversely affected by the university's decision may file a written notice of protest within 72 hours after posting of this notice. Failure to file a notice of protest within the time prescribed in Florida Board of Governors Regulation 14.023 shall constitute a waiver of the right to protest proceedings." The university shall make available to firms which were short listed the following, if available: a copy of the approved facilities program; a copy of the latest approved design documents prepared by the project architect/engineer; a description of the interview requirements; a copy of the standard SUS Construction Management Agreement (this document may be obtained from the FIU Facilities web page); the time, date, and location of the interview; and, the length of time allotted for the interview and for questions and answers. Each firm should be requested to provide the Committee copies of a written summary of its presentation at the conclusion of the interview including a digital copy for public record.

Oral Presentations. Interviews for the selection of a construction manager should be held as soon as possible after the shortlist meeting. At the oral presentation, applicants are rated in the following areas:

a. Understanding of the Program and Project Requirements: The Applicants are evaluated on their understanding of the requirements and needs of the project as demonstrated by their project teams. Applicants are rated on the completeness of their understanding of the factors that are unique to the project, including the thoroughness demonstrated in analyzing and investigating the scope of the project and in preparing for the interview. **The score range is 0-20.**

b. Approach and Method: Applicants are evaluated on their (and their consultants', if any) proposed methods and approaches for preconstruction services, construction staging, scheduling, quality control, safety, coordination, and administration of the project. Applicants should be asked to identify by name the key personnel of their proposed team: project executive, project manager, estimator, superintendent, and other key staff members to be assigned to the job. **The score range is 0-20.**

c. Ability to Provide Service: Applicants are evaluated on their ability to meet the Owner's required timetable and to provide for the special or unique requirements of the project including a projected time line of activities through project completion. The

Applicants should be asked to discuss their ability to fulfill each particular project requirement and to describe all other projects on which team members are currently involved. Results of the reference checks will be considered in this category. **The score range is 0-20.**

Question and Answer Period. Following each presentation, a time shall be set aside for the Committee to ask questions.

Committee Recommendation. The architect/engineer should be encouraged to attend the oral presentations. The architect/engineer's ranking, if any, should be noted as information. Immediately following the conclusion of the interviews, the Selection Committee may ask for input from user representatives who attended the interviews. The Committee discusses the presentations. Committee members individually evaluate the firms based on the construction manager interview criteria, using the Construction Manager Selection Interview Worksheet (Attachment 7). Based on their individual scores, Committee members rank the interviewed applicants. The individual ranks are added to obtain the Committee score for each of the firms interviewed. The firm with the lowest total score is the firm listed first, etc. In case of a tie, the short list rank breaks the tie. If the short list rank was tied, the firm with more total points from Construction Manager Selection Evaluation Form A (Attachment 6) breaks the tie. The Committee's total rank points and final recommended rank are entered on Construction Manager Selection Evaluation Form B (Attachment 8), which must be signed by all Committee members.

Approval of Committee Recommendation. The Committee chairman submits the Committee's recommendation to the president for approval. The Committee shall not divulge its recommendation to anyone prior to approval of the Committee's recommendation by the university president.

Notification of Interviewed Firms. Upon approval by the president, the university notifies each interviewed firm in writing of the results of the selection. The notification is sent via email, return receipt requested. The notification must include the following statement: "Failure to file a notice of protest within the time prescribed in Florida Board of Governors Regulation 14.023 shall constitute a waiver of the right to protest proceedings."

Maintenance of Selection Records. The completed original Construction Manager Selection Evaluation Forms A and B (Attachments 6 and 8), related correspondence, notes kept by Committee members throughout the selection, and the proposals of the applicant firms are filed in the university facilities office.

NOTE: The Selection Committee may reject all proposals, and may stop the selection process at any time.

Contact:

Bob Griffith, R.A., A.U.A.
Director of Planning
Facilities Planning
305-348-4090
Griffith@fiu.edu

ATTACHMENTS

ATTACHMENT 1

**FLORIDA INTERNATIONAL UNIVERSITY
CONSTRUCTION MANAGER QUALIFICATIONS SUPPLEMENT**

INSTRUCTIONS:

- A) Please type. Attach additional pages for each numbered section, as necessary.
- B) Attach a reproduction of the current Florida Contractor's License for the APPLICANT.
- C) Attach a letter of intent from a surety company indicating the applicant's bondability for this project. The surety shall acknowledge that the firm may be bonded for each phase of the project, with a potential project cost of **\$0,000,000**. The surety company must be licensed to do business in the State of Florida, must have a Best Rating of "A", and a required financial size of "Class IX." Include a copy of the surety company's license with the letter of intent.
- D) Attach a Letter of Reference from the firm's financial institution.
- E) Number each side of each page consecutively, including letter of interest, brochures, licenses, résumés, supplemental information, etc. Submittals must be limited to 80 pages. Covers, table of contents and divider tabs will not count as pages, provided no additional information is included on those pages. Provide the number of copies of the submittal specified in the advertisement **plus one CD copy of the complete proposal in Adobe Acrobat PDF format. Any submittals exceeding the 80-page limit will be disqualified.**
- F) Only individual firms or formal joint ventures may apply. Two firms may not apply jointly unless they have formed a joint venture. (See Question 13.) Any associations will be disqualified. (This does not preclude an applicant from having consultants.)
- G) When ten related projects are requested (Question 4), do not list more than ten. When up to three project examples are requested, do not list more than three.

1. PROJECT NUMBER: **BT-8XX**

PROJECT NAME: **XXXXXXXXXXXXXXXXXXXXX**
Florida International University, Miami, Florida

2. FIRM NAME: _____

ADDRESS OF PROPOSED OFFICE IN CHARGE: _____

EMAIL ADDRESS: _____

TELEPHONE NUMBER: (____) _____ FAX NUMBER: (____) _____

FEDERAL. I.D. NO.: _____

FLA. CORPORATE CHARTER NO.: _____

3. For how many years has your firm been providing construction management services? _____

4. EXPERIENCE/REFERENCES (provide this information on a separate sheet:)

- a. List the ten projects for which your firm has provided/is providing construction management services which are most related to this project. In determining which projects are most related, consider: related size and complexity; how many members of the proposed team worked on the listed project; and, how recently the project was completed. List the projects in priority order, with the most related project listed first.
- b. For each of the listed projects, provide the following information: construction cost (original GMP and final construction cost), current phase of development, estimated (or past) completion date, type of construction services provided (CM at risk with GMP, CM-agency, design/build, general contractor-low bid, negotiated general contract, subcontractor to prime), Owner's contact person, telephone number, email address and the name, telephone number and email address of the project architect.

5. APPLICANT'S PERSONNEL (provide this information on a separate sheet:)

- a. List total number of firm's personnel, for the applicant office location, by skill group (e.g. project managers, estimators, project engineers, superintendents, etc.)
- b. Name all key personnel which will be part of the construction management team for this project and provide their cities of residence. Describe in detail the experience and expertise of each team member. (Note: Key personnel must be committed to this project for its duration unless excused by the Owner.)
- c. For each project listed in response to Question No. 4, list the members of the proposed team for this project who worked on each listed project and describe their roles in those projects. (This response may be included with the response to Question No. 4.)
- d. If the team as a whole provided construction management services for any of the projects listed in response to Question No. 4, so indicate.

6. APPLICANT'S CONSULTANTS (provide this information on a separate sheet): Name any consultants which are included as part of the proposed team. Describe each consultant's proposed role in the project and its related experience. List projects on which your firm has worked with the consultant.

7. For three of the projects listed in response to Question No. 4, describe conflicts or potential conflicts with the Owner or with trade contractors, and describe the methods used to prevent and/or resolve those conflicts.

8. Describe the types of records, reports, monitoring systems, and information management systems which your firm used in the management of those projects. Describe how you used these systems for three of the projects listed in response to Question No. 4.

Describe your cost control methods for the preconstruction and construction phases. How do you develop cost estimates and how often are they updated? For three of the projects listed in response to Question No. 4, provide examples of how these techniques were used and what degree of accuracy was achieved. Include examples of successful value engineering to maintain project budgets without sacrificing quality.

10. Describe the way your firm maintains quality control during the pre-construction and construction phases. For three of the projects listed in response to Question No. 4, provide specific examples of how these techniques were used.

11. Describe the way in which your firm develops and maintains project schedules. How often do you update schedules? For three of the projects listed in response to Question No. 4, provide examples of how these techniques were used. Include specific examples of scheduling challenges, and how your firm helped solve them.

(Questions 12-14 may be added at the discretion of the Selection Committee to address specific project issues.)

15. Is the applicant a joint venture? _____ Yes _____ No

If so, describe the division of responsibilities between the participating firms, the offices (location) that will be the primary participants, and the percent interest of each firm. Also, duplicate the signature block and have a principal or officer sign on behalf of each party to the joint venture. Attach a copy of your joint venture agreement to each copy of the submittal. (The joint venture agreement should be numbered within the 80-page submittal.)

16. Do you make the following acknowledgments/certifications? If so, sign on the line provided below and have your signature notarized.

- a. Regarding information furnished by the applicant herewith, and as may be provided subsequently (including information presented at interview, if a finalist):
- i) All information of a factual nature is certified to be true and accurate.
 - ii) All statements of intent or proposed future action (including the assignment of personnel and the provision of services) are commitments that will be honored by the applicant if awarded the contract.
- b. It is acknowledged that:
- i) If any information provided by the applicant is found to be, in the opinion of the Selection Committee or the President, substantially unreliable, this application may be rejected.
 - ii) The Selection Committee may reject all applicants and may stop the selection process at any time.
 - iii) The selection of finalists for interview will be made on the basis of information provided herein. The interviewed firms will be ranked based on their total scores earned in response to the interview questions to be provided to the finalists and the results of the reference checks.
 - iv) It is understood that this submittal must be received at Facilities Management, Real Estate Development & Planning, Florida International University, Modesto A. Maidique Campus, CSC 142, Miami, Florida 33199, **on XXXXXXX, XXXX XX, 20XX between 8:30 A.M. and 12:30 P.M. or 1:30 P.M. and 4:00 P.M. Submittals will not be accepted before or after the times and dates stated above.** Facsimile (FAX) submittals are not acceptable and will not be considered.
- c. The undersigned certifies that he/she is a principal or officer of the firm applying for consideration and is authorized to make the above acknowledgments and certifications for and on behalf of the applicant.

- d. The undersigned certifies that the Applicant has not been convicted of a public entity crime within the past 36 months, as set forth in Section 287.133, Florida Statutes.
- e. Failure to sign this form will result in disqualification.

For and on behalf of the Applicant:

Sworn to and subscribed to me,

a Notary Public, this _____ day

of _____, _____.

_____ (seal)

By: _____

(type name & title)

Official Use Only

ATTACHMENT 2

Construction Manager Short List Worksheet

BT- _____

Committee Member Name: _____

Applicant Name: _____

RELATED EXPERIENCE (35 pts.)

4. EXPERIENCE/REFERENCES: 10 related projects (size and complexity; how many members of the proposed team worked on the listed project; and, how recently the project was completed); construction cost (original GMP and final construction cost); current phase of development, completion date; type of construction management services provided; Owner's contact, project architect.

Notes/Comments:

Score: _____

EXPERIENCE & ABILITY (30 pts)

3. Years providing: construction management services? _____; general contracting? _____.

5. APPLICANT'S PERSONNEL

- a. Total personnel, for the applicant office location, by skill group (e.g., project managers, estimators, project engineers, superintendents, etc.)
- b. Key personnel and cities of residence. Describe the experience and expertise of each team member.
- c. Members of the proposed team who worked on listed projects and their roles.
- d. Did the team as a whole provide CM services for any of the listed projects?

6. APPLICANT'S CONSULTANTS. Proposed role in the project and related experience; list projects on which firm has worked with the consultant.

7. Conflict resolution

Notes/Comments:

Score: _____

SERVICES (5 pts.)

8. Records, reports, monitoring systems, and information management systems

Notes/Comments

Score: _____

COST/QUALITY CONTROL (20 pts.)

9. Cost Control

10. Quality Control

Notes/Comments:

Score: _____

11. SCHEDULING (10 pts.)

Notes/Comments:

Score: _____

Rel. Exp.	Exp. & Abil.	Svcs.	Cost/Qual.	Sched.	Total Score
_____	_____	_____	_____	_____	_____

ATTACHMENT 3

Construction Manager Criteria for Interview Questions (Suggested Topics)

1. Understanding of the project requirements and knowledge of existing campus conditions
2. Knowledge of the local construction market
3. Staging and project mobilization plan
4. Schedule
5. Project program requirements and the established budget - demonstrate with examples the firm's accuracy and effectiveness in forecasting cost during preconstruction phase.
6. Subcontractor management – how are subcontractors prequalified?
7. Safety program – insurance modifier
8. Quality control approach – specifically address job site environment and sanitation practices related to construction of vivarium facilities.
9. Standard “dashboard” status report
10. Ability to address major change in scope, should additional funding become available
11. Provide specific examples of your firm's experience with animal facilities, advanced research laboratories, teaching laboratories, data centers and mixed use of space types.
12. Experience with phasing and multiple GMP's for the purpose of project acceleration.

ATTACHMENT 4

CONSTRUCTION MANAGER REFERENCE CHECK

(This form is to be completed for each of the references checked. If the Owner's Representative cannot be reached, note the attempts in the "Comments" section.)

Construction Manager: _____

Project: _____

Who was contacted?: _____

Owner (Name of Rep): _____

1. What construction management services were performed? _____

2. What was the project size? \$ _____

3. Was the project completed on time? _____ Yes _____ No

4. Was the project completed within budget? _____ Yes _____ No

5. Did the construction manager make appropriate efforts to assure quality construction? _____

Yes _____ No

6. Was the overall performance of the construction manager:

_____ below average

_____ average

_____ above average

7. Would you hire this firm again? _____ Yes _____ No

8. Do you have any specific impressions (positive or negative) of individuals who worked on the project? _____

Comments: _____

Interview conducted by: _____

(Name)

(Date)

Signature: _____

ATTACHMENT 5

CONSTRUCTION MANAGER SHORTLIST

PROPOSAL WORKSHEET

Construction Manager Selection

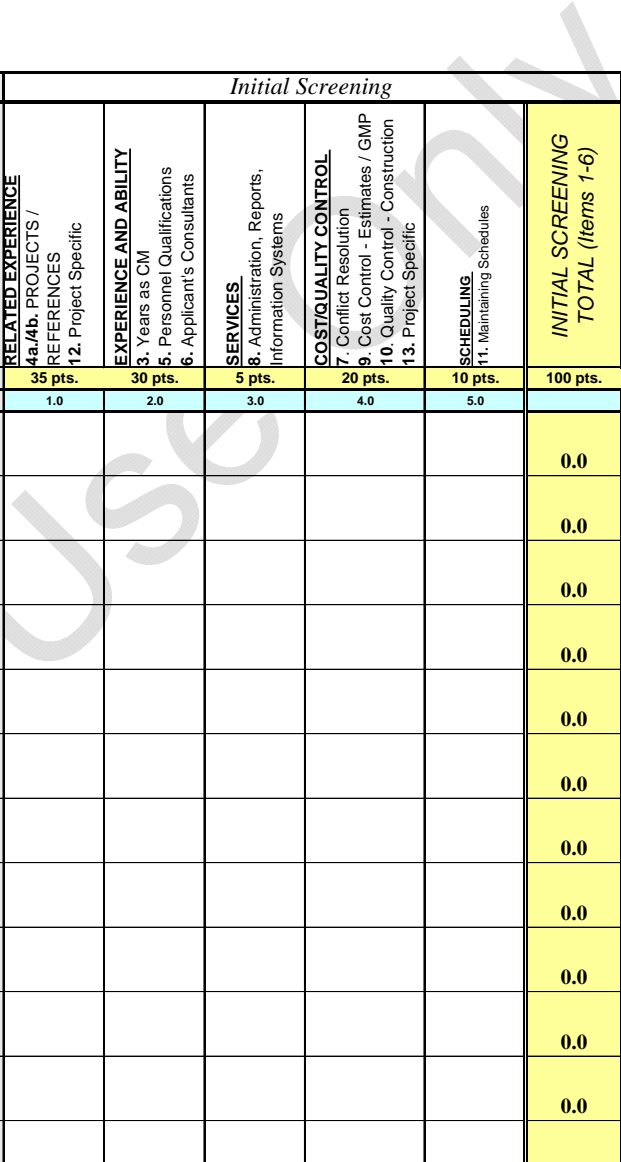
19-Jun-09

BT-8XX, Project Name

Florida International University

Name #1

Firm No.	Firm Name	Initial Screening										INITIAL SCREENING TOTAL (Items 1-6)				
		CORPORATION OR JOINT VENTURE	YEARS IN BUSINESS	BONDING AGENT / CAPACITY	LETTERS OF REFERENCE - BANK(S)	TOTAL STAFF	RELATED EXPERIENCE 4a/4b. PROJECTS / REFERENCES 12. Project Specific	EXPERIENCE AND ABILITY 3. Years as CM 5. Personnel Qualifications 6. Applicant's Consultants	SERVICES 8. Administration, Reports, Information Systems	COST/QUALITY CONTROL 7. Conflict Resolution 9. Cost Control - Estimates / GMP 10. Quality Control - Construction 13. Project Specific	SCHEDULING 11. Maintaining Schedules		35 pts.	30 pts.	5 pts.	20 pts.
1	A										1.0	2.0	3.0	4.0	5.0	0.0
2	B															0.0
3	C															0.0
4	D															0.0
5	E															0.0
6	F															0.0
7	G															0.0
8	H															0.0
9	I															0.0
10	J															0.0
11	K															0.0
12	L															0.0
13	M															0.0
14	N															0.0
15	O															0.0
16	P															0.0
17	Q															0.0
18	R															0.0
Attachment 5, CM Selection																0.0



ATTACHMENT 6

Construction Manager Shortlist Selection Evaluation Form A

Shortlist Summary

Construction Manager Selection

BT-8XX, Project Name

Florida International University

Firm No.	Firm Name	Screening Committee Votes										Total Rank Points	Committee Ranking
		Name #1	Ranking	Name #2	Ranking	Name #3	Ranking	Name #4	Ranking	Name #5	Ranking		
1	A	0.0		0.0		0.0		0.0		0.0		0.0	
2	B	0.0		0.0		0.0		0.0		0.0		0.0	
3	C	0.0		0.0		0.0		0.0		0.0		0.0	
4	D	0.0		0.0		0.0		0.0		0.0		0.0	
5	E	0.0		0.0		0.0		0.0		0.0		0.0	
6	F	0.0		0.0		0.0		0.0		0.0		0.0	
7	G	0.0		0.0		0.0		0.0		0.0		0.0	
8	H	0.0		0.0		0.0		0.0		0.0		0.0	
9	I	0.0		0.0		0.0		0.0		0.0		0.0	
10	J	0.0		0.0		0.0		0.0		0.0		0.0	
11	K	0.0		0.0		0.0		0.0		0.0		0.0	
12	L	0.0		0.0		0.0		0.0		0.0		0.0	
13	M	0.0		0.0		0.0		0.0		0.0		0.0	
14	N	0.0		0.0		0.0		0.0		0.0		0.0	
15	O	0.0		0.0		0.0		0.0		0.0		0.0	
16	P	0.0		0.0		0.0		0.0		0.0		0.0	
17	Q	0.0		0.0		0.0		0.0		0.0		0.0	
18	R	0.0		0.0		0.0		0.0		0.0		0.0	
19	S	0.0		0.0		0.0		0.0		0.0		0.0	

Selection Committee Signatures

Name #1

Name #2

Name #3

Name #4

Name #5

Bob Griffith (non-voting chairperson)

20-Apr-09

ATTACHMENT 7

CONSTRUCTION MANAGER SELECTION
INTERVIEW WORKSHEET

Construction Manager Selection

20-May-09

BT-8XX, Project Name

Florida International University

Name #1

		<i>Oral Presentation</i>				
<i>Firm No.</i>	<i>Firm Name</i>	<u>A. UNDERSTANDING PROJECT REQUIREMENTS</u>	<u>B. APPROACH/METHOD</u> 1. Knowledge of Campus conditions	<u>C. ABILITY TO PROVIDE SERVICE</u>	INTERVIEW TOTAL (Items 6-8)	INTERVIEW Rank Points
		20 Pts.	20 Pts.	20 Pts.	60 Pts.	
		6.0	7.0	8.0		
5	<i>E</i>				0.0	
7	<i>G</i>				0.0	
10	<i>J</i>				0.0	
13	<i>M</i>				0.0	
19	<i>S</i>				0.0	

ATTACHMENT 8

Construction Manager Selection Evaluation Form B

Interview Summary

Construction Manager

BT-8XX, Project Name

Florida International University

20-May-09

Firm No.	Firm Name	Screening Committee Votes										Total Rank Points	Committee Ranking
		Name #1	Ranking	Name #2	Ranking	Name #3	Ranking	Name #4	Ranking	Name #5	Ranking		
5	E	0.0		0.0		0.0		0.0		0.0		0	
7	G	0.0		0.0		0.0		0.0		0.0		0	
10	J	0.0		0.0		0.0		0.0		0.0		0	
13	M	0.0		0.0		0.0		0.0		0.0		0	
19	S	0.0		0.0		0.0		0.0		0.0		0	

Selection Committee Signatures

Name #1

Name #2

Name #3

Name #4

Name #5

Bob Griffith, (Non-voting Chairperson)

20-May-09