



Finance Department | Purchasing Division

44 E Downer Place | Aurora, Illinois & 60507

Phone: (630) 256-3550 | Fax: (630) 256-3559 | Web: www.aurora-il.org

DATE: June 2, 2020
TO: Prospective Proposers
FROM: Jolene Coulter, Director of Purchasing
RE: **CITY OF AURORA REQUEST FOR PROPOSAL 20-16 – Addendum #2
Job Order Contracting Vendor Services**

This notice forms a part of the Request for Proposal 20-16: Job Order Contracting Vendor Services the City of Aurora. All other information pertaining to this Request for Proposal shall remain the same.

Proposer must submit an original proposal response, marked as "original" and one (1) complete paper copy and one (1) PDF copy on a flash drive, and shall have provided all requested information, and submitted all appropriate forms, certificates, affidavits and addendum acknowledgements in each copy in order to be considered responsive.

DUE DATE CHANGE: Sealed Proposals will be received at the office of the City Clerk, 44 East Downer Place, Aurora, Illinois 60507, until **2:00 pm, CST, Wednesday, June 10, 2020** to determine proposals for the anticipated above named purchase. Proposals will be opened via a non-mandatory teleconferenced live stream at 2:00 pm. Zoom information for this opening will be posted 24-48 hours prior.

Proposers are hereby instructed to submit their bids on Proposal Form 20-16 (R) included with this Addendum in lieu of the original Proposal form issued with the Request for Proposal documents. Failure to submit on the attached form may be considered non responsive.

Please acknowledge this addendum with your proposal. Failure to do so may subject Bidder to disqualification.

Response to questions received by 8:00 am, Thursday, May 28, 2020:

1. Is this an RFP for construction services, or for professional services?

[This is an RFP for professional services to manage and deliver construction projects. It will be the vendor's responsibility to perform the construction services or hire those construction services.](#)

2. The RFP requires a JOC vendor to establish the City's JOC program, but also requires the vendor to "perform ongoing series of individual projects at various locations within the City." Is the City seeking a JOC consultant to establish the JOC program, or a construction services provider to perform construction work under a JOC contract?

The City is searching for a vendor to collaborate with the City on establishing a JOC program who will also hire or perform the necessary construction services under the JOC program.

3. Is the City aware this RFP does not describe the appropriate requirements for establishing a JOC program?

The City is seeking qualified, experience firms to establish a JOC program. The qualifications will provide city staff the tools to review and select a vendor who will be responsible for both the establishment of the JOC and the performance of services.

We invite responders to provide alternative responses/services above or in place of the requirements of the RFP. Responders must answer all the requirements of the RFP, but if they wish to add alternatives the City welcomes that information.

4. Is the City aware this RFP does not include the requirements necessary for establishing a JOC construction contract?

The City is seeking qualified, experience firms to establish a JOC program. The qualifications will provide city staff the tools to review and select a vendor who will be responsible for both the establishment of the JOC and the performance of services.

We invite responders to provide alternative responses/services above or in place of the requirements of the RFP. Responders must answer all the requirements of the RFP, but if they wish to add alternatives the City welcomes that information.

5. The RFP states that "although price is a consideration, qualifications and experience, capacity to handle the work, and response to the Proposal, will also be considered." Is this a best value award process and, if so, what are the categories and weighted scoring method used to evaluate proposers?

Please see Appendix A, Section 5 on page 12 – Selection of Firm.

6. The RFP states that "the contract will be awarded to the lowest responsive responsible Proposer." This is in conflict with other provisions. Is this a construction contract that is required to be awarded to the lowest responsive, responsible bidder?

The award of this request for proposal will be made to the highest ranked responsive, responsible proposer based on Appendix A, Section 5 on page 12.

7. Under the Award of Proposal section the RFP states the contract will be awarded to the "most responsive responsible Proposer meeting specifications." What specifications? What will be the basis of award?

Please see Appendix A, Section 5 on page 12 – Selection of Firm.

8. The RFP requires development of a “JOC Program Portal”. Is the City requesting custom software development work?

The City is not requesting custom software development work. The City is requesting the awarded firm have a JOC program/project system in place to manage and track project. It will be the firm’s responsibility to provide.

9. What are the required features of the “JOC Program Portal”?

We want to see what each vendor has to offer. We anticipate the portal to house documents pertaining to projects/task orders.

10. Is the City requesting a JOC Vendor that will also be responsible for providing construction services on projects?

See response to answer #2

11. The RFP states the JOC Vendor “must utilize industry pricing based on RS Means for construction activities.” How does the City intend for the JOC Vendor to “utilize” RS Means?

The JOC contract must submit cost proposals utilizing the RS Means Facilities Construction Task catalog.

12. Is the City aware there is no such standard as “RS Means prevailing wage”?

All work must be completed in accordance with the State of Illinois Prevailing Wage.

13. If this RFP is for construction services, but there is no pricing or competitive bidding related to the provision of construction services contained in the RFP, how does the City intend for other public agencies to be able to utilize a contract that does not provide for competitively-bid construction services? Can the City identify the legal authority for the cooperative use of a contract for construction services that is not awarded to the lowest responsive, responsible bidder?

The RFP is for management services and not for construction. Illinois law permits cooperative purchasing. Contracting municipalities should consult with their legal counsel to the extent they have concerns regarding this process.

14. The RFP provides for payment to the JOC Vendor as a percentage applied to all projects. How is the cost of projects determined by the City under the program described in the RFP?

As part of the City’s annual budget, most projects are outlined through engineering estimates. That being said, the JOC administrator will be a critical part of advising the City on anticipated pricing for projects.

15. If this RFP is for construction services, how will the pricing for such services be determined, and how will the City determine the lowest responsive, responsible bidder for construction services under the method described in the RFP?

The City is searching for a vendor to collaborate with the City on establishing a JOC program who will also hire or perform the necessary construction services under the JOC program.

Please see Appendix A, Section 5 on page 12 – Selection of Firm.

16. Is it the City's intent that the JOC Vendor will be paid to perform construction services for projects, while also getting paid a Management Fee of a fixed percentage applied to all projects? Does the City intend to pay the JOC Vendor to manage itself during construction?

Please find revised Appendix G. The city will use a multiplying factor based on estimated costs.

The fees charged by the JOC vendor as a part of their response is up to them to include. If this seeming double charge is deemed to be a competitive response by the proposer, it will be evaluated upon submission.

17. Will the awarded vendor under this contract be disqualified from bidding or performing construction services contracts due to a clear conflict of interest?

Please describe the clear conflict of interest.

If a formal bid process is used, all bids are sealed and will be awarded if they are the lowest, responsible bidder.

Becoming the JOC vendor does not preclude the successful responder from other business as long as said business has nothing to do with the JOC program once in operation.

18. Please clarify paragraph 31. Local Business Ordinance as it would pertain to the JOC contract.

- a. Is this designed for the bidding General Contractor or for subcontractors bidding to the awarded JOC contractor?
- b. Or could this have been language from a lump sum low bid solicitation and not the JOC RFP?

The Local Preference Ordinance should be used for subcontractors bidding to the awarded JOC contractor. The City is seeking to encourage and use local vendors when possible, if they are the lowest, responsible vendor for the job.

19. Appendix G – Price Proposal has fields to be filled in for what appears to be coefficients or multiplying factors to be applied to a construction task catalog, though out the bid documents it stated that the JOC vendor will use RS Means for all bid and quotes. But Appendix G is requesting is a Management Fee of a fixed percentage. Please clarify if the City is requesting a coefficient based on the RS Means Construction Task Catalog or a flat fee percentage based on subcontractor quotes?

Please find revised Appendix G. The city will use a multiplying factor based on estimated costs.

20. Appendix F – Proposal Form, is requesting a to what appears to be an Award Criteria based on the Management Fee in Appendix G (see question 2), what is the dollar amount supposed to base on?

Please find revised Appendix F. The vendor shall multiply their adjustment factory by \$2,000,000.00 (this is an estimate)

21. If a dollar amount is to be entered on Appendix F - Proposal Form, page 12, paragraph 9 states the city estimates the volume of work to be performed under the JOC program will range Between \$2Million and \$3 Million annually, so if contractor bids a management fee of 20%, would the dollar amount to be entered on the proposal from be $20\% \times \$3 \text{ Million} = \$3,600,000.00$?

Please find revised Appendix F. The vendor shall multiply their adjustment factory by \$2,000,000.00 (this is an estimate)

22. Please provide an example as how the Appendix G proposed Management Fee (%) would be filled out for a 20% fee if it is intended to be a flat fee based on three subcontractor quotes.

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Please find revised Appendix G. The city will use a multiplying factor based on estimated costs.

23. Appendix I – Intergovernmental Agreement, with the agreement there is a Licensing Fee that the vendor agrees to pay the City of Aurora, is the contractor supposed to enter the fee or will the City of Aurora enter the that they wish to receive?

This will be discussed upon award. This will be the fee charged to any entity using the City of Aurora, IL Job Order Contracting program.

24. Please clarify what addition of the RS Means catalog is to be used for pricing? Is the facilities addition the catalog to be utilized?

Yes, the RS Means Facilities Construction Task Catalog should be used for submitting cost proposals and would be evaluated each year to ensure it is up to date.

25. Is the JOC contractor to pay for their own annual licensing fee for the use of RS Means?

The awarded vendor will be responsible for their own licensing fee for the use of the RS Means Facilities Construction Task Catalog.

26. Would the RS Means “Facilities “Construction Task Catalog be acceptable if RS Means is utilized?

Yes, the RS Means Facilities Construction Task Catalog should be used for submitting cost proposals or the correct RS Means related to the scope of the project.

27. Is the JOC contractor required to provide the City with an annual RS Means license?

Yes.

28. Please confirm that the City is looking for an actual JOC contractor and not a program manager?

See response to answer #2

29. Please clarify, is pricing for task orders to be generated from the RS Means Construction Task Catalog or from subcontractors quotes with a set mark-up from the JOC contractor.

Yes, the RS Means Facilities Construction Task Catalog should be used for submitting cost proposals.

30. Is the intent of the city to use 3 quotes for items that are not represented in the RS Means Construction Task Catalog and be used for a Non-Pre-Priced line item?

Yes.

31. Do all the contractors have to be union?

Per the Aurora City Code, any project in excess of \$25,000 must participate in active apprenticeship and training participate in active apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training to be considered a responsible Proposer.

32. Contract Term clarification.

Initial contract will be from award through December 31, 2021 with optional three (3) 1 year extensions upon mutual consent between the City and the vendor.

33. Under Program Execution, Appendix A, page 9, #18: What is the licensing fee?

This will be the fee charged to any entity using the City of Aurora, IL Job Order Contracting program.

End of Addendum #2

CITY OF AURORA, ILLINOIS
REQUEST FOR PROPOSAL 20-16

**Job Order Contracting Vendor Services
for the City of Aurora**

APPENDIX F - PROPOSAL FORM (R)

Proposal Due Date & Time: 2:00 PM. Central Time, Wednesday, April 15, 2020

To: **City of Aurora
City Clerk
44 E Downer Place
Aurora, Illinois 60507**

The following offer is hereby made to the City of Aurora, Aurora, Illinois, hereafter called the Owner.

Submitted By: _____

- I. The undersigned Vendor proposes and agrees, after having examined the specifications, quantities and other RFP documents, to irrevocably offer to furnish the materials, equipment and services in compliance with all terms, conditions, specifications and amendments (if applicable) contained in the bid solicitation documents. The items in this Request for Proposal, including, but not limited to, all required certificates, are fully incorporated herein as a material and necessary part of the Proposal.
- A. The Vendor shall also include with their proposal any necessary literature, samples, etc., as required within the Request for Proposal, Proposal Specifications and Statement of Work.
- B. For purposes of this offer, the terms Offeror, Proposer, Respondent, and Vendor are used interchangeably.
- II. In submitting this Offer, the Vendor acknowledges:
- A. All proposal documents have been examined: Proposal Specifications, Statement of Work, and the following addenda:

No._____, No._____, No._____, (Vendor to acknowledge addenda here.)

Vendor Compensation:

The undersigned agrees to provide Job Order Contracting Services as described in the RFP and all associated Appendices and Addenda, including cost of insurance for the Base Contract, for the Multiplying Factor submitted in the vendor's Price Proposal (Appendix G). The vendor shall multiply their adjustment factory by \$2,000,000.00 (this is an estimate) and insert below:

_____ Dollars and _____ Cents
(In Writing)

Total in Figures \$_____

CITY OF AURORA, ILLINOIS
REQUEST FOR PROPOSAL 20-16
**Job Order Contracting Vendor Services
for the City of Aurora**

The contractor shall provide all labor and other resources necessary to provide the supplies, equipment and/or services in strict accordance with the specifications defined in this RFP for the amounts specified on this Proposal Form, inclusive of overhead, profit and any other costs.

All prices shall be shown as delivered Aurora Destination, Prepaid and Allowed. Do not add state, federal or local taxes. Municipalities are exempt. Exemption Certification Permit No. Illinois E9996-0842-07. **No additional charges over base price will be accepted without written approval of the Purchasing Director.**

The City of Aurora reserves the right at any time and for any reason to cancel this Request for Proposal, to accept or reject any or all Proposals or portion thereof, or accept an alternate proposal. The City reserves the right to waive any immaterial defect in any proposal, or technicality, informality or irregularity in the proposals received, and to disregard all nonconforming or conditional proposals or counter-proposals. Unless otherwise specified by the proposer or the City, the City reserves the right to hold the best proposals for ninety (90) days from the opening date set forth above. The City may seek clarification from any proposer at any time and failure to respond promptly is cause for rejection. The City further reserves the right to award the RFP to the lowest responsible proposer whose offer best responds in quality, fitness and capacity to the requirements of the proposed work or usage and therefore is in the best interest of the City.

SUBMITTED BY

COMPANY _____

ADDRESS _____

CITY, STATE, ZIP _____

PREPARER'S NAME _____

Please Type

AUTHORIZED SIGNATURE _____

Title

EMAIL _____

PHONE # (____) _____ FAX # (____) _____ DATE _____

CITY OF AURORA, ILLINOIS
REQUEST FOR PROPOSAL 20-16
**Job Order Contracting Vendor Services
for the City of Aurora**

“AFFIDAVIT: I (We) hereby certify and affirm that my (our) proposal was prepared independently on this work, that it contains no fees or amounts other than for the legitimate execution of the work as specified, and that it includes no understandings or agreements in restraint of trade.”

(If an Individual)

Signature of Proposer _____ (SEAL)

Business Address _____

(If a Co-partnership)

Firm name _____ (SEAL)

Signed by _____ (SEAL)

Business Address _____

Insert Names
and Addresses
of all Members
of the Firm _____

(If a Corporation)

Corporate Name _____

Signed by _____, President

Business Address _____

Insert (President) _____

CORPORATE Names
Names of (Secretary) _____ of

(Secretary) _____

Officers (Treasurer) _____

ATTEST: _____

Secretary

(Note: Proposers should not add any conditions or qualifying statements to this RFP for the proposal may be declared irregular as being not responsive to the Request for Proposals.)

CITY OF AURORA, ILLINOIS
REQUEST FOR PROPOSAL 20-16
**Job Order Contracting Vendor Services
for the City of Aurora**

APPENDIX G - PRICE PROPOSAL (R)

The City of Aurora desires to enter into an agreement with a contractor for job order contracting services. The initial contract period will from award through December 31, 2021 with three (3) one-year extensions options, based upon mutual agreement between the contractor and the City of Aurora. The Contractor shall perform all Work required, necessary, proper for, or incidental to, completing the Work called for in each individual Work Order Request issued under this Job Order Contract. The City requires a minimum of three bids/quotes from the Contractor on each individual work order request and must provide a purchase order for the vendor to begin work. All bids/quotes must be based upon the RS Means Facilities Task Catalog and Technical Specifications incorporated to each project order herein.

The Vendor will be compensated by the Multiplying Factor and line items within the RS Means Facilities Construction Task Catalog and applied to all projects executed through the JOC Program. Respondents are to propose this Multiplying Factor based on their estimated costs to staff and operate the JOC Program for the City of Aurora and the estimated volume and value of projects provided in the 2020 Planned Project List. The City of Aurora currently estimates the volume of work to be performed under the JOC program will range between \$2 million and \$3 million annually.

The Multiplying Factor is independent of and in addition to any fees for project work the JOC vendor may perform in response to project requests. The fee will be applied to all projects conducted under the JOC program, including those with external public entities.

The vendor must provide their proposed multiplying factor below for the Initial Contract period and each Optional Period. These factors shall be valid and create the power of acceptance in the City of Aurora until 180 days from contract award or until acceptance by the City. Authorized signature is required at the bottom of this page.

1. **Contract Period:** Award to December 31, 2021 with optional three (3) 1 year extensions upon mutual agreement between the contractor and the City of Aurora, IL. Multiplying Factor will be applied to all approved Work Order Requests against the Contract for the life of the contract including all option terms.

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(Specify to four (4) decimal places)

CONTACT:

FIRM NAME

ADDRESS

CITY, STATE AND ZIP CODE

SIGNATURE AUTHORIZED REPRESENTATIVE / DATE

PRINT NAME / TITLE

FOR CLARIFICATION OF THIS PROPOSAL:

NAME

PHONE NUMBER

FAX NUMBER

E-MAIL ADDRESS