

**File No. 10970
City of Cambridge
Request for Qualifications
Construction Management at Risk Services
Renovation of 689 Massachusetts Avenue**

General Information:

Awarding Authority: City of Cambridge
Project Title: Renovation of 689 Massachusetts Avenue
Submission Deadline: June 1, 2023 prior to 11:00 a.m.

Submit 1 original and one digital copy via Physical Electronic Media (e.g. thumb drive) of the Statement of Qualifications (“SOQ”) with all required forms, attachments, supporting documentation and information to:

Submit Statement of Qualifications to:

Statement of Qualifications being hand delivered or sent via courier (other than USPS) may be delivered to the Purchasing Department, 5 Bigelow Street, Cambridge, MA 02139 during normal business hours.

Statement of Qualifications being delivered via USPS may be mailed to City Hall 795 Massachusetts Ave., Cambridge MA 02139 Attn: Purchasing.

Statement of Qualifications not hand delivered to the Purchasing Department may be dropped off to a grey locked drop box labeled “Purchasing” located at the rear entrance of City Hall. The box will be checked at the scheduled submission deadline.

Package(s) shall be labeled on the outside with the following information: “RFQ for Construction Management at Risk Services,” **Renovation of 689 Massachusetts Avenue** with CM at Risk firm’s name, business address, contact name, telephone number, and email address.

The CITY OF CAMBRIDGE’s RFQ Informational Meeting will be held on May 18, 2023, 10:00 a.m. at 689 Massachusetts Avenue

Conceptual Estimated Construction Cost: **\$ 8 - 9 Million Dollars**

Estimated Construction Duration: **18 – 24 months**

CM AT RISK RFQ INTEREST FORM

***Instructions:** If your firm is interested in responding to this RFQ for Prequalification of CM at Risk firms for this Project then you shall fill out this CM at Risk RFQ Interest Form and submit it to the City of Cambridge by e-mail to purchasing@cambridgema.gov as soon as possible and **BEFORE** you submit your response to the RFQ. However, the Statement of Qualifications ("SOQ") with all required forms, attachments, supporting documentation and information submitted **in response to this RFQ, cannot be emailed**. Your firm's SOQ shall be either hand delivered or mailed to the City and be received by the Purchasing Agent by the time and date set forth in the RFQ.*

Awarding Authority: **City of Cambridge**

Project Title: **Renovation of 689 Massachusetts Avenue**

E-mail this CM at Risk RFQ Interest Form to purchasing@cambridgema.gov.

By submitting this CM at Risk RFQ Interest Form the below identified firm is expressing its interest in the above-referenced public building project and is requesting that it be added to the list of firms that will receive any addenda to the RFQ on the Project. Addendum will be emailed to everyone who filled out this form and will be posted on the City's website: ww.cambridgema.gov, Online Services, Purchasing Bid List, Construction, File 10970

Firm Name: _____

Address: _____

Telephone: _____

Fax number: _____

Email address: _____

By: _____

(Signature of Authorized Representative)

(Print Name/Title)

Date: _____

**CITY OF CAMBRIDGE
REQUEST FOR QUALIFICATIONS (RFQ)
FOR CONSTRUCTION MANAGEMENT SERVICES
Renovation of 689 Massachusetts Avenue**

SECTION I: SCOPE OF SERVICES

1. Overview

Firms interested in providing Public Construction Manager at Risk Services (CM at Risk) for the Project are invited to submit a Statement of Qualifications (SOQ) to the City of Cambridge (City) Purchasing Department. This CM at Risk services procurement is conducted pursuant to M.G.L. Chapter 149A, contained in Chapter 193 of the Acts of 2004. This Request for Qualifications (RFQ) is the first phase of a two-phase procurement process as set forth in MGL Chapter 149A. The City is prequalifying firms interested in providing public CM at Risk services for the project through this RFQ process. The City will evaluate submitted SOQs based upon the identified evaluation criteria and will select those respondents it deems qualified.

Only those respondents deemed qualified will be invited to submit a Proposal in response to a detailed Request for Proposals (RFP) which will be issued in the second phase of the procurement process. The project delivery method for construction will be public CM at Risk with a Guaranteed Maximum Price (GMP) under M.G.L. Chapter 149A.

2. Project Description:

The 689 Massachusetts Avenue project is a 35,500 s.f. Building designed by William E. Chamberlain and Clarence H. Blackhall constructed in 1904. The building is limestone clad, a three-story tall beaux-arts style building structure plus a basement. The building use prior to the City of Cambridge purchase was a bank and law offices on the first floor, office spaces on the second and third floor, one half of the basement was also office space. There is also a small penthouse above the roof.

In the spring of 2023 the City painted and carpeted the third floor, the eastern half of the first floor, and the office level in the basement. This work is being performed and completed in the early summer of 2023. These areas shall have city workers occupying the basement and first floor levels, the third floor is a tenant of the City. Phasing will be an essential component of this project.

The City's architect is Cambridge Seven Associates (C7A). C7A has many consultants working and reporting directly to them. The City will engage a Commissioning Agent for this project. A Limited Hazardous Building Materials Inspection was performed by Fuss and O'Neil in March of 2023 and is available in this RFQ.

The project design is intended to be a net-zero emissions (All electric) building and will target LEED Gold. The project may include a solar photovoltaic array and electric vehicle charging station(s).

C7A is presently in the Schematic Design Phase for the interior renovations which shall include replacement of all heat pumps and control systems. There shall be interior selective demolition in all spaces including the recently carpeted and painted areas on the third, first and basement levels. The intent is to get the CMaR under contract early in the design to aid in coordinating phasing of the recently painted and carpeted occupied spaces. The CMaR shall be responsible for performing building renovations of the entire building with portions of the building occupied. The City expects to revise electrical systems as required, the HVAC renovations will occur on occupied and unoccupied sections of the building. The scope of work shall include interior building modifications, a new building security system, ADA upgrades, replacement of the third floor Fire Protection

System that is presently a dry system being converted to a wet system with an added fire pump. Modifications to the existing Fire Protection system in the other portions of the building shall be to suit the redesign of the floor layouts. There shall be demolition of an existing stair from the second to third floor with an infill of the area creating additional third floor square footage. The project shall include a complete roof replacement and some exterior restoration. Elevator replacement and or modifications shall be part of the scope of work. The project shall include many other trade bidders required to complete the interior and exterior renovations. It is presently anticipated that there may be minimal sitework modifications.

The City of Cambridge has staff employed as an Owners Project Manager (OPM) who will be the direct contact for the CMaR firm after execution of the contract. The City's OPM and staff shall be interfacing between the architect and CMaR firm during pre-construction services and shall be on site monitoring site work and construction from the start through final project completion of each phase.

3. Sustainability and Environmental Elements

On its major construction projects, the City of Cambridge seeks to lead by example in reducing and minimizing greenhouse gas emissions and other environmental impacts of its facilities. The City has set a municipal standard of achieving at a minimum a LEED Gold rating for all major municipal building projects. Therefore, the CM at Risk selected firm shall include staff members who are experts with managing, tracking and submitting all LEED documentation. It should be noted that the Commonwealth's Stretch Energy Code is in effect in Cambridge. The City has required a NET ZERO EMISSION design goal to be included in the basis of design for this project.

4. Project Schedule:

- Construction Manager at Risk RFQ available **May 11, 2023**
- RFQ Informational site walk through **May 18, 2023 10:00 am, 689 Massachusetts Avenue, Cambridge MA**
- Questions from CM@R firms due by **May 25, 2023 at 12:00 pm**
- RFQ submissions due **prior to 11:00 am on June 1, 2023**
- Review and short list Construction Manager at Risk RFQ, **Early June 2023**
- Issue Request for Proposal to prequalified Construction Manager at Risk firms **June 15, 2023**
- Interview prequalified Construction Manager at Risk firms that submitted proposals **July 24 – July 28, 2023**
- Select Construction Manager at Risk firm **July 2023**
- City and CM at Risk Firm enter into a Pre-construction Services Contract **August 2023**
- Preparation of Construction Documents **April 2023 - December 2023**
- Early construction packages, **TBD**
- Trade Bids, **TBD**
- **Establish GMP – January 2024**
- Construction period - **January 2024 – March 2025**
- Substantial Completion – **June 2025**

5. Construction Manager at Risk Two-Part Selection Process

The CM selection process is a two-part process as set forth in M.G.L. c. 149A, contained in Chapter 193 of the Acts of 2004.

Part 1 of the Selection Process is the Request for Qualifications (RFQ) phase, when each interested firm's qualifications submission is reviewed against a pre-set group of criteria. Only firms selected during the prequalifying RFQ phase will be permitted to participate in RFP phase.

For the RFQ, interested firms shall submit a Statement of Qualifications (SOQ) by the deadline set for submission. The Selection Committee appointed by the City Manager will review and evaluate each SOQ. The City anticipates concluding

the RFQ evaluation process within 30 days from the SOQ deadline

Construction Manager at Risk Prequalification Committee:

- Owen O’Riordan – Deputy City Manager - Chair
- David Kale - Assistant City Manager of Fiscal Affairs and Public Investments
- Elizabeth Unger – Purchasing Agent
- Owners Project Manager – Brendon Roy
- Nicholas Stoutt - DPW Assistant Commissioner for Architectural Services
- Architect – Justin Crane

Only firms determined to be qualified by the Prequalification Committee will be invited and permitted to submit a response to a Request for Proposal (RFP). Firms that are not selected as qualified will not be asked to submit a response to the RFP. Only firms who respond to the RFQ will be eligible to be considered for the RFP.

After the SOQ deadline, the City shall make available a list of the names of the firms submitting SOQs. The Selection Committee will review and evaluate the SOQs, information obtained from references, information obtained from other governmental agencies and entities, and such other information as may be obtained. The City, at its sole discretion, may request additional information to clarify or supplement the information obtained.

The Prequalification Committee shall rate the respondents based on the composite ratings. The Prequalification Committee shall endeavor to identify at least three CM at Risk firms which it deems qualified. The City reserves its rights to select up to five firms to qualify. If the Prequalification Committee does not rate at least three CM’s as qualified, it will either repeat the RFQ process or procure the project under the provisions of M.G.L. c. 149, §44A-44J. The City shall complete the Phase 1 process by written notice to all firm’s advising them as to whether they were prequalified or not, and those CM at Risk firms deemed qualified will be invited to participate in Phase 2, starting with the Request for Proposal (RFP).

Part 2 of the Selection Process is the Request for Proposal phase, only the 3-5 firms who qualified in the RFQ phase will be asked to submit a response to the RFP.

A Selection Committee will evaluate the proposals on the evaluation criteria listed in the RFP, rank the proposals based on the composite ratings, and finally negotiate with the highest ranked CM at Risk firm.

In the event negotiations with the highest ranked firm will not result in a contract acceptable to the City, negotiations will be terminated, and negotiations will commence with the next highest ranked firm. The process will continue until the City is able to reach an acceptable contract with one of the prequalified CM at Risk firms.

The initial award of Contract to the selected CM at Risk firm will be for Pre-Construction Services. While it is the goal of this procurement process to work with the selected CM at Risk firm through the Pre-Construction phase, to establish a Guaranteed Maximum Price (GMP), and commence construction with the selected CM, the City is not obligated to establish a GMP with the selected CM. The City has the right to terminate the Contract for Pre-Construction Services, and either award another Pre-Construction Services contract to another CM firm from the RFP phase, or opt to bid the construction contract using M.G.L. Chapter 149.

The demolition and removal of the hazardous material and the GMP for each Phase will be contract Amendments to the contract for Pre-Construction Services.

Also, the City reserves the right at any time to cease the CM at Risk procurement process and revert to a traditional general public bid process under M. G. L. Chapter 149.

6. Treatment of Information submitted to City of Cambridge

The City shall have no obligation to treat any information submitted in or in connection with a SOQ as proprietary or confidential, with the **exception** of the audited financial statement which is deemed confidential. The City’s obligation with respect to protection and disclosure of such information shall at all times be subject to applicable laws, including the

Massachusetts Public Records law. The audited financial statement shall remain confidential and shall not be a public record to the fullest extent permissible under the law. The City shall have the right to use all or portions of the SOQ and accompanying information, as it considers necessary or desirable in connection with the Project.

7. Communication between City of Cambridge and Respondents

Unauthorized communications or contact between CM firms, their employees, agents or other related entities interested in submitting SOQs and the City of Cambridge, the architect C7A and their consultants, or any other person or entity participating on the Selection Committee with regard to this project are prohibited except for inquiries made in writing (via email) to the City of Cambridge Purchasing Agent Elizabeth Unger; Purchasing@cambridgema.gov. All addenda, questions and inquiries shall be made through the City of Cambridge Purchasing Department.

Any issues brought to the City's attention at the RFQ Informational Meeting which the City determines require additional clarification will be addressed by issuing a written addendum. Oral and other clarifications will be without legal effect. **All such addenda will be considered part of this RFQ, and the respondent shall be required to acknowledge receipt of all addenda on the RFQ Proposal.** Addenda are emailed to all respondents who requested the RFQ and also posted on the City's Website: www.cambridgema.gov, Online Services, Purchasing Bid List, Construction, File 10970. It shall be the sole responsibility of the Respondent to ascertain the existence of any and all addenda issued by City. It is the responsibility of each respondent to communicate all necessary email addresses. Failure to acknowledge all addenda and failure to sign all required forms will invalidate a submitted SOQ.

8. Status of Request for Qualifications

This Request for Qualifications is solely a request for information. It does not represent an offer, nor does it confer any rights on any respondent. The City shall not be responsible under any circumstances for any costs incurred by any respondents to this RFQ. The City reserves its right to modify, suspend or cancel this procurement at any time at its sole discretion.

9. Scope of Services for Construction Management

The Construction Manager shall be responsible for complete construction management services for all phases of the project for a guaranteed maximum price. A detailed scope of services will be included in the Request for Proposals (RFP). The following is an outline of services anticipated:

Pre-Construction Phase

The Construction Manager shall be responsible for complete construction management services for all phases of the project until a GMP is attained. Prior to the start of each phase the City at its sole discretion will determine whether it will proceed to the next phase or terminate Construction Manager at Risk services on the project. Trade Contractor scopes shall be solicited under MGL c 149A. A detailed scope of services will be included in the Request for Proposals (RFP). The following is an outline of services anticipated.

- Review and recommend revisions, if appropriate, to the project master schedule, construction budget and permitting plan developed by the City.
- Attend and, if requested by the City, schedule and lead periodic project meetings and special meetings for the exchange of information concerning the project, and review of design progress, permits and approvals.
- Review the construction documents to make recommendations to the City with respect to value engineering, constructability, price, availability of materials and equipment, scheduling, methods and sequence of construction.

Review documents with regard to coordinating abatement and demolition scope within the requirements of the trade contractor cost limits.

- The CM at Risk shall assign a professional project scheduler or in-house scheduler capable of developing critical path method (CPM) schedule that identifies all design activities, permits requirements and all other activities required to produce a preliminary construction schedule.
- Develop, in coordination with the City, a system for tracking project costs and cash flow.
- In consultation with the City and the Architect develop a construction phasing plan. Identify temporary construction and mitigation measures necessary to implement the phasing plan. The phasing plan shall indicate sequence of operations which impact the public way; the means of debris disposal, truck access to and from the site; loading and storage of materials on site; traffic impacts, noise and dust control, and other site-specific items identified by the City and the Architect.

Estimating & Bidding Phase

Perform detailed cost estimates and value engineering analyses at Schematic Design, Design Development, and the Construction Documents phases of the project. The CM shall work with the Architect to reconcile any differences. The CM shall summarize in writing the results of the cost estimate reconciliation meetings which shall include at a minimum:

- Areas where cost estimates varied due to insufficient or contradictory information in the design documents
- Quantities which varied and reasons for the variance between the CMaR and the Architects cost estimates
- Material substitutions or recommendations which would either reduce costs, improve the durability or operability of the building
- Recommendations on systems or system elements that might be altered to improve the building and/or reduce construction or operating costs

The City may require additional cost estimates to confirm budget due to modifications made as a result of design changes made as a result of meetings with the City and the Architect.

Develop subcontractor interest in the project and furnish to the City and Architect for their information a list of possible subcontractors and suppliers from who bids will be requested for major portions of the work. All such solicitations shall be documented.

Develop the scope of work and prepare bid packages in concert with the Architect for each trade to bid and participate in the prequalification and qualification of each of the Trade Contractors as defined by law. Review these packages carefully and thoroughly with the City.

Construction Phase

- Obtain and pay for all required construction related permits.
- Furnish bonds and insurance as required by the contract documents.
- Provide and maintain construction site offices for CM at Risk and City on site staff Provide all site management and administration.
- Manage and coordinate all Trade Contractors and subcontractors and others engaged in the performance of the work.
- Meet the Women Business Enterprise, Minority Business Enterprise participation goals, and City of Cambridge residency requirements for the Project.
- Implement procedures and standards for reviewing and processing requests for information, clarifications and interpretations of the contract documents; shop drawings, samples, and all other submittals, contract

schedule adjustments, change order proposals, proposals for substitutions, payment applications, as-built drawings, and maintenance of logs, etc.

- Continuously supervise, document, and observe all work in progress so as to ensure that the work is proceeding in accordance with the construction contract documents.
- Attend and, if requested by City, schedule and lead regular project and construction progress meetings, and conduct regular meetings at the site with each subcontractor. All meetings shall be held at a location and time convenient to the City's Owner's Project Manager.
- Develop, submit and implement a change order control system, and demonstrate how it works effectively.
- Establish, submit and implement a Quality Control program including monitoring the quality programs of all subcontractors.
- Develop, submit and implement a project wide safety program, including monitoring and enforcement of the program for Trade and subcontractors.
- Monitor closely the progress of construction of each subcontractor, prepare a construction schedule report at least monthly and, if and as necessary, prepare and submit recovery schedules.
- Provide a project-dedicated scheduler to develop, maintain and update the detailed CPM schedule.
- Furnish monthly reports concerning the progress of the work which address: construction schedule update, status of the construction contingency budget, status of subcontractor buy-outs, status of testing and inspection activities, status of shop drawings and submittals, status of change orders, status of MBE/WBE participation, other matters relating to the progress of work as directed by City
- Determine when each subcontractor's work is substantially complete and prepare a list of incomplete work and work which does not conform to the requirements of the construction documents.
- Maintain complete and accurate records, including; correspondence, meeting notes and minutes, shop drawings and submittals, construction documents including change orders, clarifications and interpretations of the construction documents issued by the project designer, progress reports including observations of testing performed, as-built drawings, and all other project related documents including but not limited to those utilizing a PMAS/Prolog (or equivalent) system.

Post- Construction Phase

In accordance with the project specifications, develop and implement procedures for orderly completion of punch list items, operational start up, testing and commissioning of systems and equipment. Prepare and deliver warranties, O&M manuals, as built drawings, and administer closeout of the project. Ensure performance of all warranty obligations, resolution of all claims, and other post-construction requirements.

SECTION II: GENERAL TERMS AND CONDITIONS

The contract for this project will be between the City of Cambridge and the CM at Risk firm. The project is administered by the City Manager's Office. The City has an Owners Project Manager in place for this project. This person shall be the immediate point of contact for the CM at Risk firm after the contract for CM at Risk services is executed.

A proposal will remain in effect for a period of 90 calendar days from the deadline for submission of the proposals or until it is formally withdrawn, a contract is executed or this RFQ is canceled, whichever occurs first. The City reserves the right to reject any and all proposals in whole or in part.

The City will have the option to cancel the contract provided that written notice is given 30 days prior to the effective termination date.

Any changes or additions to CM at Risk key personnel named in the application must be submitted in writing and approved by the City. The City will consider any change to staffing submitted in the RFQ or the RFP as a reason not to enter into contract with the CM at Risk. The CM at Risk shall be diligent with the staffing proposed so as not to impact the project at any point in time after the contract is executed.

The City encourages minority firms to apply, and if subcontractors are used, encourages the use of minority subcontractors. The City's Office of Equity and Inclusion can provide assistance to firms wishing to identify minority subcontractors.

SECTION III: RFQ SUBMISSION REQUIREMENTS

1. General Requirements

The respondent shall submit all of the information and documentation listed below. Selection of the respondents for Phase One, the prequalification process will be based on the submitted information and materials, information on prior project performance, information obtained from references, including the City, information obtained from governmental agencies and entities, and such other information as may be available.

Do not include superfluous material. Respondents shall include the CM at Risk Statement of Qualifications Response Form attached below and signed by an authorized representative, and all of the forms and materials required for Schedules A through M. **Respondents shall give complete and accurate answers to all questions and provide all of the information requested. Respondents shall not alter the text of the forms or schedules in any way: any such alteration will be grounds for disqualification. Making a materially false statement in this submission is grounds for rejecting a Statement of Qualifications submission and may subject the respondent to other civil or criminal penalties.**

- A. **Qualifications Application:** Respondent shall complete the CM at Risk Qualifications Application **Schedule "A"** below to the SOQ. Joint ventures shall provide information about each of the joint venture partners.
- B. **Executive Summary:** Respondent shall attach **Schedule "B"** below to the SOQ a cover letter or executive summary detailing the key elements and factors that differentiate the respondent firm from other firms. Joint ventures shall provide information about the nature of the joint venture including the approximate percentage participation by each joint venture partner and division of responsibility among the joint venture partners. This letter/executive summary should not exceed 6 pages. In addition to differentiating the respondent from its competitors, the Executive Summary should describe your experience with the following questions:
- Construction experience in Cambridge
 - Working in / on congested urban sites
 - Working in a contaminated site / landfill
 - Projects of similar size, scope, and/or complexity
 - Construction Manager at Risk procurement process used
 - Chapter 149 and/or Chapter 149A
 - Describe your worksite safety plan, and in particular, how you will protect residents and abutters from construction hazards.
 - Briefly describe your construction mitigation plan, and in particular, how you will mitigate construction impacts on the surrounding neighborhood. Include any Cambridge projects your firm has been responsible to erect.
 - Briefly describe how you manage design or scope changes during construction. In particular, how you will insure the City gets adequate and timely cost and schedule information to make informed choices about possible changes.
 - This construction project will be designed to meet the City's LEED requirements, and currently is being designed to meet LEED Gold standards. State your experience with sustainable design criteria such as LEED for projects similar in scope. Point out specific strategies you have employed in the past to ensure that sustainable design goals, as measured by the points score sheet associated with these programs, are achieved in the finished project?
 - Demonstrate your experience satisfying the City of Cambridge residency, MBE/WBE requirements or other Massachusetts cities or towns, and document your success.
- C. **Management Personnel and Project Organizational Chart:** Respondent shall complete **Schedule "C" below** to the SOQ and shall attach *both*: **i) an organizational chart and ii) a resume for each person who will have any management responsibility**, direct or indirect, for the Project, including but not limited to project executives, project managers, field superintendents and field engineers. Joint ventures shall identify the company that employs each individual listed.

- D. Similar Project Experience:** Respondent shall complete **Schedule “D”** below to the SOQ, listing similar projects for the last ten (10) years. The first part of Schedule D requests information for similar projects that used the construction manager at risk delivery method and the second part of Schedule D requests information on similar projects in general. For each project, respondent shall include the name of the project, location, description of project, description of respondent firm’s scope of work, original contract sum, final contract sum (with explanation), date completed and the name, organization, address and telephone contact information for the owner and project architect for each such project. For the purpose of this RFQ, “similar projects” shall mean projects where the construction cost for the project was for an amount similar to the estimated construction cost of this Project (**\$9-11 million**); the project was one of similar complexity; the project was of a similar type or scope; and the project was the approximate size of this Project or larger. Joint ventures shall complete a Schedule D for each **Individual** joint venture partner.
- E. Terminations and Legal Proceedings:** Respondent shall complete **Schedule “E”** below to the SOQ. Schedule E requires two separate listings: the first part requires a complete listing of each and every project on which the respondent firm was terminated or failed to complete the work within the past seven (7) years; and the second part requires a complete listing of any conviction or fines incurred by the respondent firm or any of its principals for violations of any state or federal law within the past seven (7) years and a complete list of any and all legal proceeding, administrative proceeding and arbitrations whether currently pending or concluded within the past seven (7) years that involved a construction project or a construction contract in which the respondent firm was a named party. Joint ventures shall complete a Schedule E for each individual joint venture partner. The city deems the seven (7) year period to be relevant information.
- F. Safety Record:** Respondent shall provide with **Schedule “F”** below to the SOQ their insurance carrier Workers’ Compensation Experience Modifier for the past three years. Joint ventures shall also complete a Schedule F.
- G. MBE/WBE and EEO Workforce Compliance Record:** Respondent shall complete **Schedule “G”** below to the SOQ providing information on the firm’s compliance record with respect to Minority Business Enterprise and Women’s Business Enterprise participation goals and workforce inclusion goals for each and every project completed within the past five (5) years that had contractual MBE/WBE participation goals or minority and women workforce goals. In addition, respondent shall attach documentation provided by the project owner or independent project manager supporting the actual participation and inclusion amounts it reports on Schedule G. Joint ventures shall also complete a Schedule G.
- H. Audited Financial Statement:** Respondent shall attach to **Schedule “H”** below to the SOQ a completed copy of its audited financial statement for the 2 most recent fiscal years. Joint ventures shall also complete a Schedule H.
- I. Letter from Surety Company Evidencing Bonding:** Respondent shall attach **Schedule “I”** below to the SOQ a letter from a surety company that is licensed to do business in the Commonwealth and whose name appears on United States Treasury Department Circular 570 on the surety company’s letterhead (or a letter from a surety agent with attorney in fact authority and an original power of attorney accompanying the letter) confirming that it will provide respondent firm with payment and performance bonds for this project as set forth in the General Information section above. This letter can either reference the joint venture’s bonding or submit separate letters for each individual joint venture partner.
- J. Examples of Project Management Reports and Operating Philosophy:** Respondent shall attach **Schedule “J”** below to the SOQ specific examples (no more than 3) of Project Management Reports that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A. In addition, respondent **may**, at its option, include a brief statement of its operating philosophy. If information on respondents operating philosophy is contained in its Executive Summary attached at Schedule B the information should not be repeated at Schedule J, but can be referenced.
- K. Examples of Prior Experience on Sustainable construction and Green Communities criteria:** Respondent shall complete **Schedule “K”** below to the SOQ listing prior project experience involving sustainable construction and LEED project experience. Joint ventures shall complete a Schedule K.
- L. Certificate of Eligibility and Update Statement:** Respondent shall attach **Schedule “L”** below to the SOQ **both: i) a**

current Certificate of Eligibility (issued by DCAMM, showing respondent is certified in General Building Construction with appropriate single project limits and aggregate limits as set forth above, **and ii**) a completed Update Statement. Joint ventures which are not yet DCAMM certified as a joint venture shall submit a Certificate of Eligibility and Update Statement.

- M. Lists of Projects in Progress, Completed Projects and Certification Page from Most Recent DCAMM Application for Certification:** Respondent shall attach **Schedule "M"** below to the SOQ with a copy of those portions of Respondent's most recent application for DCAMM certification that contains the listings of Respondents Projects in Progress and its Completed Projects. Specifically, Respondent shall submit copies of 1) **Schedule F; Projects in Progress;** 2) **Schedule G; Completed Projects;** and, 3) a copy of the signed and dated final page, **Schedule J; Certification,** showing the date the application for certification was submitted to DCAMM all copied from their most recent Application for Prime/General Contractor Certificate of Eligibility submitted to DCAMM Certification Office.

2. Evaluation Criteria for Selection

The respondent shall submit all of the information and documentation listed in this RFQ. Selection of the respondent for Phase One, the prequalification process will be based **solely** on the submitted information and materials, information on prior project performance, information obtained from references, information obtained from governmental agencies and entities, and such other information as may be obtained. Respondents shall include the CM at Risk Statement of Qualifications Response Form and all of the materials required for Schedules A through K. Respondents shall give complete and accurate answers to all questions and provide all of the information requested. Altering the text of the forms or schedules in any way or making a materially false statement in this submission is grounds for rejecting a Statement of Qualifications submission and may subject the respondent to other civil or criminal penalties.

A. Minimum Requirements, Certification, Bonding and Capacity

- **Required Construction Manager at Risk Experience**

To be considered responsive, within the past 5 years the Submitter shall have successfully completed three to five complicated phased occupied renovation projects in the range of **\$9-11 million**, that are either Chapter 149, Chapter 149A, Massachusetts School Building Authority, Massachusetts State College Building Authority or public safety facility of a similar scope and complexity.

- **Bonding Capacity**

The respondent shall provide evidence of bonding capability for this Project (as set forth in the General Information section above). The evidence of bonding capability shall be in the form of a letter from the surety company (or a surety agent with attorney in fact authority and an original power of attorney accompanying the letter). The surety company shall be a surety licensed to do business in the Commonwealth of Massachusetts and whose name appears on the United States Treasury Department Circular 570.

- **DCAMM Certification - Copy Form CQ7**

The respondent shall provide a copy of a current Certificate of Eligibility (Form CQ7) issued by DCAMM showing respondent is DCAMM certified in General Building Construction with a single project limit in an amount equal to, or greater than, the estimated construction cost for this Project (as set forth in the General Information section above).

To submit a proposal in response to this RFQ, a Respondent, whether an individual firm or a joint venture, shall be certified in General Building Construction by DCAMM for a single project limit in the amount of the Estimated Construction Cost set forth above for the Project or greater and shall also be within the aggregate limits of its DCAMM Certificate of Eligibility (Form CQ7), and a copy of the Respondent's current DCAMM Certificate of Eligibility shall be included in the SOQ.

A joint venture team shall be certified in General Building Construction by DCAMM for a single project limit in the amount of the Project Estimated Construction Cost or greater and shall also be within the aggregate limits of its

DCAMM Certificate of Eligibility, a copy of which shall be included in the SOQ at the time it submits its RFQ.

If a respondent to the RFQ is a proposed joint venture (“JV”) that is newly formed or is not currently certified, then:

- each party to the proposed joint venture shall be individually certified by DCAMM and shall submit a copy of its DCAMM Certificate of Eligibility with its SOQ;
- the JV respondent shall state in the SOQ that it will seek Certification from DCAMM as a joint venture in the category of General Building Construction for the required limits, and state that it understands and agrees that if JV respondent is selected to participate in the RFP phase it will be required to submit a DCAMM Certificate of Eligibility for the joint venture with its response to the RFP;
- at least one of the parties to the joint venture shall be certified by DCAMM in the category of General Building Construction for a single project limit of in the amount of the Estimated Construction Cost for the Project and shall be within the aggregate limits of its Certificate of Eligibility at the time the SOQ is submitted; and
- the JV respondent shall provide evidence satisfactory to DCAMM of bonding capacity, in the form set forth above and satisfactory to DCAMM, for the proposed joint venture in the amount of the Estimated Construction Cost for the Project.

In the second phase of the selection process, the RFP phase, a JV respondent that has been selected in the RFQ process will be required to have obtained a DCAMM Certificate of Eligibility for the joint venture and shall submit its Certificate of Eligibility for the joint venture meeting the above requirements with its proposal in response to the RFP.

- **DCAMM Update Statement – Use Form CQ3**

A complete and signed update statement shall be submitted as part of the SOQ. For the City’s analysis of the Aggregate Work Limit for this RFQ. The Estimated Construction Cost for the project as set forth above will be used with a construction duration for the Project as set forth above. The City will compare the above numbers with the respondent’s current annualized value of all incomplete work. The firm’s ability to meet the City’s schedule based on existing workload will be an evaluation criterion.

- **DCAMM Certification – Copy Form CQ7**

The respondent shall provide a copy of a current Certificate of Eligibility (Form CQ7) issued by DCAMM showing respondent is DCAMM certified in General Building Construction with a single project limit in an amount equal to, or greater than, the estimated construction cost for this Project (as set forth in the General Information section above).

- **Firms meeting the minimum experience criteria set forth above, submitting a completed RFQ with Schedules, required attachments, and letter evidencing bonding capacity will be evaluated on the following criteria:**

- Prior Similar Project Experience:
- Management Team and Organization for the Project:
- Financial Status:
- Litigation and Performance/Termination History:
- Safety Record:
- History of Compliance with local hiring, MBE/WBE participation, and workforce goals:
- Quality of References:
- Experience with sustainable construction and demonstrated knowledge of LEED building standards:

The City will solicit proposals from all prequalified firms. As provided by law, the City's decision on prequalification shall be final and binding and shall not be subject to appeal except on grounds of fraud or collusion.

STATEMENT OF QUALIFICATIONS SUBMISSION CHECKLIST
for Prequalification of CM at Risk Firms

PLEASE NOTE THAT INCOMPLETE OR LATE STATEMENTS OF QUALIFICATION FOR CM at RISK PREQUALIFICATION WILL NOT BE CONSIDERED. THEREFORE, BEFORE SUBMITTING YOUR FIRM'S RESPONSE TO THIS RFQ PLEASE REVIEW THE FOLLOWING:

- Respondent completed the SOQ Form and all schedules and attachments in their entirety.
- Respondent has completed *Schedules A through M* and attached required documentation (i.e., resumes of all management personnel, organizational chart, commitment letter from bonding company, letter evidencing workers comp. experience modifier, letter from owner documenting prior project MBE/WBE participation; sample firm project management reports, etc.).
- Respondent has submitted Audited Financial Statement for 2 most recent years. Please only include one (1) copy in a sealed envelope.
- Respondent submission package includes one original and one electronic copy (Physical Electronic Media) of its SOQ application stapled **NO BINDER OF ANY SORT**
- Respondent has provided current contact information for its firm and all of its project contacts/references.
- Respondent addressed the *SOQ* envelope correctly (i.e. to reference the Project and other required information set forth herein).

CM at Risk Statement of Qualifications Form (SOQ)

Firm Name: _____

Mailing Address: _____

Telephone Number: _____

Contact Person: _____

Title: _____

Email: _____

Firm acknowledges Addenda numbered _____ (list all)

- A. **Qualifications Application:** Respondent shall complete the CM at Risk Qualifications Application **Schedule "A"** below to the SOQ. Joint ventures shall provide information about each of the joint venture partners.
- B. **Executive Summary:** Respondent shall attach as **Schedule "B"** a cover letter or executive summary detailing the key elements and factors that differentiate the respondent firm from other firms. This letter/executive summary should not exceed 6 pages. Joint ventures shall provide information about the nature of the joint venture including the approximate percentage participation by each joint venture partner and the division of responsibility among the joint venture partners.
- C. **Management Personnel and Project Organizational Chart:** Respondent shall complete **Schedule "C" below** to the SOQ and shall attach *both: i) an organizational chart and ii) a resume for each person who will have any management responsibility*, direct or indirect, for the Project, including but not limited to project executives, project managers, field superintendents and field engineers. Joint ventures shall identify the company that employs each individual listed.
- D. **Similar Project Experience:** Respondent shall complete **Schedule "D"** below to the SOQ, listing similar projects for the last ten (10) years. The first part of Schedule D requests information for similar projects that used the construction manager at risk delivery method and the second part of Schedule D requests information on similar projects in general. For each project, respondent shall include the name of the project, location, description of project, description of respondent firm's scope of work, original contract sum, final contract sum (with explanation), date completed and the name, organization, address and telephone contact information for the owner and project architect for each such project. For the purpose of this RFQ, "similar projects" shall mean projects where the construction cost for the project was for an amount similar to the estimated construction cost of this Project (\$9-11 million); the project was one of similar complexity; the project was of a similar type or scope; and the project was the approximate size of this Project or larger. Joint ventures shall complete a Schedule D for each **Individual** joint venture partner.
- E. **Terminations and Legal Proceedings:** Respondent shall complete **Schedule "E"** below to the SOQ. Schedule E requires two separate listings: the first part requires a complete listing of each and every project on which the respondent firm was terminated or failed to complete the work within the past seven (7) years; and the second part requires a complete listing of any conviction or fines incurred by the respondent firm or any of its principals for violations of any state or federal law within the past seven (7) years and a complete list of any and all legal proceeding, administrative proceeding and arbitrations whether currently pending or concluded within the past seven (7) years that involved a construction project or a construction contract in which the respondent firm was a named party. Joint ventures shall complete a Schedule E for each individual joint venture partner. The city deems the seven (7) year period to be relevant information.

- F. **Safety Record:** Respondent shall provide with **Schedule “F”** below to the SOQ their insurance carrier Workers’ Compensation Experience Modifier for the past three years. Joint ventures shall also complete a Schedule F.

Year	Workers Comp. Experience Modifier
2023	_____
2024	_____
2025	_____

- G. **MBE/WBE and EEO Workforce Compliance Record:** Respondent shall complete **Schedule “G”** below to the SOQ providing information on the firm’s compliance record with respect to Minority Business Enterprise and Women’s Business Enterprise participation goals and workforce inclusion goals for each and every project completed within the past five (5) years that had contractual MBE/WBE participation goals or minority and women workforce goals. In addition, respondent shall attach documentation provided by the project owner or independent project manager supporting the actual participation and inclusion amounts it reports on Schedule G. Joint ventures shall also complete a Schedule G.
- H. **Audited Financial Statement:** Respondent shall attach to **Schedule “H”** below to the SOQ a completed copy of its audited financial statement for the 2 most recent fiscal years. Joint ventures shall also complete a Schedule H.
- I. **Letter from Surety Company Evidencing Bonding:** Respondent shall attach **Schedule “I”** below to the SOQ a letter from a surety company that is licensed to do business in the Commonwealth and whose name appears on United States Treasury Department Circular 570 on the surety company’s letterhead (or a letter from a surety agent with attorney in fact authority and an original power of attorney accompanying the letter) confirming that it will provide respondent firm with payment and performance bonds on the Project in an amount equal to or greater than 100 per cent of the estimated construction cost of the Project. This letter can either reference the joint venture’s bonding or submit separate letters for each individual joint venture partner.
- J. **Examples of Project Management Reports and Operating Philosophy:** Respondent shall attach **Schedule “J”** below to the SOQ specific examples (no more than 3) of Project Management Reports that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A. In addition, respondent **may**, at its option, include a brief statement of its operating philosophy. If information on respondents operating philosophy is contained in its Executive Summary attached at Schedule B the information should not be repeated at Schedule J, but can be referenced.
- K. **Examples of Prior Experience on Sustainable construction and Green Communities criteria:** Respondent shall complete **Schedule “K”** below to the SOQ listing prior project experience involving sustainable construction and LEED project experience. Joint ventures shall complete a Schedule K.
- L. **Certificate of Eligibility and Update Statement:** Respondent shall attach **Schedule “L”** below to the SOQ **both: i)** a current Certificate of Eligibility (issued by DCAMM, showing respondent is certified in General Building Construction with appropriate single project limits and aggregate limits as set forth above, **and ii)** a completed Update Statement. Joint ventures which are not yet DCAMM certified as a joint venture shall submit a Certificate of Eligibility and Update Statement.
- M. **Lists of Projects in Progress, Completed Projects and Certification Page from Most Recent DCAMM Application for Certification:** Respondent shall attach **Schedule “M”** below to the SOQ with a copy of those portions of Respondent’s most recent application for DCAMM certification that contains the listings of Respondents Projects in Progress and its Completed Projects. Specifically, Respondent shall submit copies of 1) **Schedule F; Projects in Progress;** 2) **Schedule G; Completed Projects;** and, 3) a copy of the signed and dated final page, **Schedule J; Certification,** showing the date the application for certification was submitted to DCAMM all copied from their most recent Application for Prime/General Contractor Certificate of Eligibility submitted to DCAMM Certification Office.

Failure to accurately and completely provide the information requested may result in the disqualification of a respondent.

This form shall be signed by an officer of the firm or an individual so authorized by an officer of the firm who has personal knowledge regarding the information contained herein and submitted with the SOQ.

To the City of Cambridge:

The undersigned declares that he or she has carefully examined all the documents contained in the Construction Manager at Risk Request for Qualifications (RFQ) solicitation for the **City of Cambridge Project Number 10970, Renovation of 689 Massachusetts Avenue,** and certifies to the best of his/her knowledge, that this Statement of Qualifications fully complies with all of the requirements of the RFQ and all addenda and clarifications issued in regard to the RFQ. The undersigned further certifies that he or she (or, if he or she is the authorized representative of a company, the company) is the only person interested in this Statement of Qualifications and any subsequent proposal; that it is made without any connection with any other person making any submission for the same work; that no person acting for, or employed by, the Commonwealth of Massachusetts is directly or indirectly interested in this Statement of Qualifications or any subsequent proposal, or in any contract which may be made under it, or in expected profits to arise therefrom; that the undersigned Respondent has not influenced or attempted to influence any other person or corporation to file a Statement of Qualifications or subsequent proposal or to refrain from doing so or to influence the terms of the Statement of Qualifications or any subsequent proposal of any other person or corporation; and that this submission is made in good faith without collusion or connection with any other person applying for the same work.

The undersigned further certifies under pains and penalties of perjury that the undersigned is not debarred from doing public construction work in the Commonwealth of Massachusetts under the provisions of section twenty nine F of chapter twenty nine, or any other applicable debarment provision of any other chapter of the General Laws or any rule or regulation promulgated there under, and further is not debarred from doing public construction work under any law, rule or regulation of the federal government.

The undersigned states that he or she has carefully examined all of the information provided and representations made in this Statement of Qualifications and the documents submitted with the SOQ including all schedules, forms and materials, and certifies to the best of his/her knowledge, that this Statement of Qualifications in its entirety is complete, true and accurate.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY:

Signature: _____
(Signature of Authorized Representative)

Name: _____

Title: _____

Firm Name: _____

Date: _____

Schedule A - CM at RISK QUALIFICATIONS APPLICATION

Firm Name: _____

1. BUSINESS INFORMATION

Type of business entity (corporation, partnership, joint venture, etc.): _____

Number of years in business under current business name: _____

List all other business names firm has operated under and the time frames for each:

If firm is a corporation, provide the following information:

State of incorporation: _____ Date of Incorporation: _____

Name of President: _____

Name of Vice President: _____

Name of Secretary or Clerk: _____

Name of Treasurer: _____

If firm is a partnership or joint venture provide the following information:

Type of partnership/joint venture: _____ Date of organization: _____

Name of each partner or venturer: _____

Is partnership or joint venture registered in Massachusetts? _____

For each general partner or venturer that is a corporation, provide the following information (use additional sheets if necessary):

Name of corporation: _____
State of incorporation: _____
President: _____
Secretary or Clerk: _____
Treasurer: _____

Name of corporation: _____
State of incorporation: _____
President: _____
Secretary or Clerk: _____
Treasurer: _____

Has any officer of the firm or individual with an ownership interest declared bankruptcy? _____
If yes, state the details on an attachment to this application.

If firm is individually owned provide the following information:

Name of Owner: _____

Date of organization: _____

Owner's Residence Address: _____

Names under which firm does business _____

Business Address: _____

If selected firm is an individual doing business under a different name then they shall furnish evidence of any required DBA filings.



1. LICENSURE AND PERFORMANCE INFORMATION

List all jurisdictions and trade categories in which the firm is legally licensed or otherwise qualified to do business and for each jurisdiction provide registration and license numbers where applicable:

If the firm customarily provides scopes of work with its own forces please identify the types/areas of work below:

2. REFERENCES

Provide three trade references below include name of reference, current contact person, telephone number and address:

Provide two bank references below, include name of reference, current contact person, telephone number and address:

Schedule B - EXECUTIVE SUMMARY

Respondent shall attach Executive Summary here

Not to Exceed 6 Pages

Schedule C - MANAGEMENT PERSONNEL

Firm Name: _____

Respondent shall provide the information requested below for each and every person who will have **any direct or indirect management responsibility for the Project**, including but not limited to project executives, project managers, field superintendents and field engineers. Respondents shall **attach a copy of the resume for each person listed**. Respondents **shall also attach an Organizational Chart** for the Project to this Schedule C. (Note: The City will require review and approval before ANY changes are made in major staff roles or responsibilities.)

NAME	TITLE	ROLE/JOB RESPONSIBILITIES ON THIS PROJECT	# OF YEARS W/FIRM	EDUCATION & EXPERIENCE	COMPLETED PROJECTS (if resume lists all completed projects this section can reference resume)

Schedule D - SIMILAR PROJECT INFORMATION

Firm Name: _____

Respondent is required to complete all three parts, Parts A, B and C of Schedule D. List below all similar projects the firm has completed during the last ten (10) years. For the purpose of this CM at Risk project “similar projects” shall mean projects where the respondent was the Construction Manager (Part A) or General Contractor (Part B) and shall mean projects where the construction cost for the project was for an amount similar to the amount of the estimated construction cost of this Project; the project was one of similar complexity; the project was of similar type or scope; and the project was the approximate size of this Project or larger. On Part C list the Contact information for the owner and designer for each and every project listed on Part A or Part B. Attach additional sheets if necessary.

Part A. CM PROJECTS – List only projects on which the firm was the Construction Manager in this section.

PROJECT NAME & LOCATION Indicate if in Cambridge	PROJECT OWNER	PROJECT DESCRIPTION Indicate if historic gut rehab, comm. office space, public/community spaces, etc.	DESCRIPTION OF SERVICES PROVIDED Indicate if CH 149/149A, MSCBA, MSBA, or other	ORIGINAL AND FINAL CONTRACT AMOUNT WITH EXPLANATION	PROJECT START AND COMPLETION DATE

Schedule D - SIMILAR PROJECT INFORMATION (continued)

Firm Name: _____

Part B. GENERAL CONTRACTOR PROJECTS – List only projects on which the firm was the General Contractor or Prime Contractor and was not the Construction Manager in this section.

PROJECT NAME & LOCATION Indicate if Cambridge	PROJECT OWNER	PROJECT DESCRIPTION Historic gut, Community Space, office space, etc.	DESCRIPTION OF SERVICES PROVIDED By FIRM	ORIGINAL AND FINAL CONTRACT AMOUNT WITH EXPLANATION	PROJECT START AND COMPLETION DATE

Schedule D – SIMILAR PROJECT INFORMATION (continued)

Firm Name: _____

Part C. PROJECT CONTACTS – Respondent shall list below contact information for the owner and designer on each of the projects listed on Schedule D Part A and Part B above. ***Be certain to confirm the contact information is current.***

	COMPANY NAME	CONTACT PERSON/ADDRESS	TELEPHONE#
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		

Schedule E - TERMINATIONS and LEGAL PROCEEDINGS

Firm Name: _____

Respondent is required to complete both parts A and B of Schedule E. On Part A of Schedule E respondents are required to list each and every project on which the firm was terminated or failed to complete the work within the past seven (7) years. On Part B of Schedule E respondents are required to list each and every conviction or fine incurred by the respondent firm or any of its principals for violations of any state or federal law within the past seven (7) years; **and**, a complete list of any and all legal proceeding, administrative proceeding and arbitrations whether currently pending or concluded within the past seven (7) years that involved a construction project or a construction contract in which the respondent firm was a named party. Attach additional sheets if necessary.

Part A. TERMINATIONS AND INCOMPLETE PROJECTS

PROJECT NAME & LOCATION	PROJECT OWNER	SCOPE OF WORK PERFORMED	PROJECT START & END DATES	ESTIMATED CONTRACT AMOUNT	% COMPLETE	REASON FOR FAILURE TO COMPLETE OR TERMINATION

Schedule E - TERMINATIONS and LEGAL PROCEEDINGS (continued)

Firm Name: _____

Part B. LEGAL PROCEEDING, CONVICTIONS and FINES

PROJECT NAME, LOCATION & OWNER	DESCRIPTION OF CONVICTIONS, FINES and LEGAL PROCEEDING (include caption of case, parties, location of proceeding, description of the dispute or enforcement action, dates action commenced and concluded and status and/or outcome)

Schedule F – SAFETY RECORD

Respondents shall list their workers compensation experience modifiers for the past three years in the space provided on the Statement of Qualifications form and **shall also attach here documentation from their insurance carrier** of their Worker's Compensation Experience Modifier for the past three years.

Schedule G – MBE/WBE and WORKFORCE COMPLIANCE RECORD

Firm Name: _____

Respondent is required to list below each and every project completed within the last five (5) years that had contractual MBE/WBE participation goals or minority and women (EEO) workforce or community residence goals. For each project with goals list the contractually required MBE, WBE and EEO workforce participation goals and the actual MBE, WBE and workforce participation achieved on the project. **Respondents shall attach documentation from the project owner or and independent project manager supporting the amount of actual MBE/WBE participation reported.** In addition, if the goals were not met, explain why and indicate whether any sanctions or penalties were imposed. Attach additional sheets if necessary.

PROJECT NAME, LOCATION & AWARDED AUTHORITY	CONTRACT VALUE	MBE GOAL	ACTUAL MBE PARTICIPATION	WBE GOAL	ACTUAL WBE PARTICIPATION	WORK-FORCE GOALS	ACTUAL WORK-FORCE PARTICIPATION	IF GOALS NOT MET EXPLAIN WHY	SANCTION OR PENALTY AND AMOUNT

SCHEDULE H

Schedule H – AUDITED FINANCIAL STATEMENT

Respondent shall attach audited financial statements for the two most recent fiscal years here.

SCHEDULE I

Schedule I – LETTER EVIDENCING BONDING CAPACITY

Respondent shall attach here a letter from a surety company (or from an agent meeting the criteria set forth above) evidencing that the surety will provide respondent with payment and performance bonds for the Project in an amount equal to or greater than 100% of the estimated construction cost of the Project. The surety company shall meet the requirements set forth above.

SCHEDULE J

Schedule J – EXAMPLES OF PROJECT MANAGEMENT REPORTS and BRIEF STATEMENT OF OPERATING PHILOSOPHY

Respondent shall attach here specific examples (no more than 3) of **Project Management Reports** that were prepared by respondent on one or more of the Construction Manager projects listed on Schedule D, Part A above. In addition, respondent **may**, at their option, include a brief statement of its operating philosophy.

If information on respondents operating philosophy is contained in its Executive Summary attached at Schedule B the information should not be repeated here, but can be referenced.

SCHEDULE K

Schedule K – PROJECTS WITH SUSTAINABLE DESIGN and/or LEED COMPLIANCE

Firm Name: _____

Respondent is required to complete both parts, Parts A and B of Schedule L. List below all similar projects the firm has completed which involved sustainable design and/or LEED certified buildings. On Part B list the Contact information for the owner and designer for each and every project listed on Part A. Attach additional sheets if necessary.

Part A. List Projects Involving Sustainable Design and/or LEED Certified Buildings.

PROJECT NAME & LOCATION	PROJECT OWNER	PROJECT DESCRIPTION INCLUDING DESCRIPTION OF SUSTAINABLE DESIGN OR LEED CERTIFICATION	DESCRIPTION OF SERVICES PROVIDED BY FIRM	ORIGINAL AND FINAL CONTRACT AMOUNT WITH EXPLANATION	PROJECT START AND COMPLETION DATE

Schedule K – PROJECTS WITH SUSTAINABLE DESIGN and/or LEED COMPLIANCE

Firm Name: _____

Part B. PROJECT CONTACTS – Respondent shall list below contact information for the owner and designer on each of the projects listed on Schedule L Part A above. Be certain to confirm the contact information is current – direct lines or email address. Please verify if your contact is still with their company, or provide their personal contact information.

PROJECT NAME & LOCATION	COMPANY NAME	CONTACT PERSON/ADDRESS	TELEPHONE#
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		
	OWNER		
	DESIGNER		

SCHEDULE L

Schedule L – CERTIFICATE OF ELIGIBILITY AND UPDATE STATEMENT

Respondent shall attach here two documents:

- 1) a copy of its current **DCAMM Certificate of Eligibility** (Form CQ7) meeting the requirements set forth above in this RFQ; **and**
- 2) a completed and signed **DCAMM Update Statement** (Form CQ3)

PRIME/GENERAL UPDATE STATEMENTS ARE NOT PUBLIC RECORDS AND ARE NOT OPEN TO PUBLIC INSPECTION (M.G.L. C.149, §44D)

TO ALL BIDDERS AND AWARDING AUTHORITIES

A COMPLETED AND SIGNED PRIME/GENERAL CONTRACTOR UPDATE STATEMENT MUST BE SUBMITTED WITH EVERY PRIME/GENERAL BID FOR A CONTRACT PURSUANT TO M.G.L. c.149, §44A AND M.G.L. c. 149A. ANY PRIME/GENERAL BID SUBMITTED WITHOUT AN APPROPRIATE UPDATE STATEMENT IS INVALID AND MUST BE REJECTED.

Caution: This form is to be used for submitting Prime/General Contract bids. It is not to be used for submitting Filed Sub-Bids or Trade Sub-Bids.

AWARDING AUTHORITIES

If the Awarding Authority determines that the bidder does not demonstrably possess the skill, ability and integrity necessary to perform the work on the project, it must reject the bid.

BIDDER'S AFFIDAVIT

I swear under the pains and penalties of perjury that I am duly authorized by the bidder named below to sign and submit this Prime/General Contractor Update Statement on behalf of the bidder named below, that I have read this Prime/General Contractor Update Statement, and that all of the information provided by the bidder in this Prime/General Contractor Update Statement is true, accurate, and complete as of the bid date.

Bid Date

Print Name of Prime/General Contractor

Project Number
(or name if no number)

Business Address

Awarding Authority

Telephone Number

SIGNATURE⇒

Bidder's Authorized Representative

INSTRUCTIONS

INSTRUCTIONS TO BIDDERS

- This form must be completed and submitted by all Prime/General contractors bidding on projects pursuant to M.G.L. c. 149, §44A and M.G.L. c. 149A.
- You must give complete and accurate answers to all questions and provide all of the information requested. MAKING A MATERIALLY FALSE STATEMENT IN THIS UPDATE STATEMENT IS GROUNDS FOR REJECTING YOUR BID AND FOR DEBARRING YOU FROM ALL PUBLIC CONTRACTING.
- **This Update Statement must include all requested information that was not previously reported on the Application used for your firm's most recently issued (not extended or amended) Prime/General Contractor Certificate of Eligibility. The Update Statement must cover the entire period since the date of your Application, NOT since the date of your Certification.**
- You must use this official form of Update Statement. Copies of this form may be obtained from the awarding authority and from the Asset Management Web Site: www.mass.gov/dcam .
- If additional space is needed, please copy the appropriate page of this Update Statement and attach it as an additional sheet.
- See the section entitled "Bidding Limits" in the *Instructions to Awarding Authorities* for important information concerning your bidding limits.

INSTRUCTIONS TO AWARDING AUTHORITIES

Determination of Bidder Qualifications

- It is the awarding authority's responsibility to determine who is the lowest eligible and responsible bidder. You must consider all of the information in the low bidder's Update Statement in making this determination. Remember: this information was not available to the Division of Capital Asset Management and Maintenance at the time of certification.
- The bidder's performance on the projects listed in Parts 1 and 2 must be part of your review. Contact the project references.
- AWARDING AUTHORITIES ARE STRONGLY ENCOURAGED TO REVIEW THE LOW BIDDER'S

ENTIRE CERTIFICATION FILE AT THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE. Telephone (617) 727-9320 for an appointment.

Bidding Limits

Single Project Limit: The total amount of the bid, including all alternates, may not exceed the bidder's Single Project Limit.

Aggregate Work Limit: The annual value of the work to be performed on the contract for which the bid is submitted, when added to the annual cost to complete the bidder's other currently held contracts, may not exceed the bidder's Aggregate Work Limit. Use the following procedure to determine whether the low bidder is within its Aggregate Work Limit:

Step 1 Review Update Statement Question #2 to make sure that all requested information is provided and that the bidder has accurately calculated and totaled the annualized value of all incomplete work on its currently held contracts (column 9).

Step 2 Determine the annual dollar value of the work to be performed on your project. This is done as follows:

(i) If the project is to be completed in less than 12 months, the annual dollar value of the work is equal to the full amount of the bid.

(ii) If the project will take more than 12 months to complete, calculate the number of years given to complete the project by dividing the total number of months in the project schedule by 12 (calculate to 3 decimal places), then divide the amount of the bid by the calculated number of years to find the annual dollar value of the work.

Step 3 Add the annualized value of all of the bidder's incomplete contract work (the

total of column 9 on page 5) to the annual dollar value of the work to be performed on your project. **The total may not exceed the bidder's Aggregate Work Limit.**

Correction of Errors and Omissions in Update Statements

Matters of Form: An awarding authority shall not reject a contractor's bid because there are mistakes or omissions of form in the Update Statement submitted with the bid, provided the contractor promptly

corrects those mistakes or omissions upon request of the awarding authority. [810 CMR 8.05(1)].

Correction of Other Defects: An awarding authority may, in its discretion, give a contractor notice of defects, other than mistakes or omissions of form, in the contractor's Update Statement, and an opportunity to correct such defects, provided the correction of such defects is not prejudicial to fair competition. An awarding authority may reject a corrected Update Statement if it contains unfavorable information about the contractor that was omitted from the Update Statement filed with the contractor's bid. [810 CMR 8.05(2)].

PART 1 - COMPLETED PROJECTS

LIST ALL PUBLIC AND PRIVATE *BUILDING* PROJECTS YOUR FIRM HAS COMPLETED SINCE THE DATE OF APPLICATION FOR YOUR MOST RECENTLY ISSUED (NOT EXTENDED OR AMENDED) DCAM CERTIFICATE OF ELIGIBILITY. YOU MUST REPORT ALL REQUESTED INFORMATION NOT PREVIOUSLY REPORTED ON THAT DCAM APPLICATION*.

PROJECT TITLE & LOCATION	WORK CATEGORY	CONTRACT PRICE	START DATE	DATE COMPLETED

Attach additional sheets if necessary

* If your firm has been terminated from a project prior to completion of the work or has failed or refused to complete its work under any contract, full details and an explanation must be provided. See Part 3 of this Update Statement.

PROVIDE THE FOLLOWING REFERENCE INFORMATION FOR EACH COMPLETED PROJECT LISTED ON THE PREVIOUS PAGE.

PROJECT TITLE	COMPANY NAME	CONTACT PERSON	TELEPHONE
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone

Is your company or any individual who owns, manages or controls your company affiliated with any owner, designer or general contractor named above, either through a business or family relationship? YES NO

Are any of the contact persons named above affiliated with your company or any individual who owns, manages or control your company, either through a business or family relationship? YES NO

If you have answered YES to either question, explain. _____

PART 2 - CURRENTLY HELD CONTRACTS

LIST ALL PUBLIC AND PRIVATE BUILDING AND NON-BUILDING *CONSTRUCTION* PROJECTS YOUR FIRM HAS UNDER CONTRACT ON THIS DATE REGARDLESS OF WHEN OR WHETHER THE WORK COMMENCED.

1	2	3	4	5	6	7	8	9
PROJECT TITLE & LOCATION	WORK CATEGORY	START AND END DATES	ON SCHEDULE (yes / no)	CONTRACT PRICE	% NOT COMPLETE	\$ VALUE OF WORK NOT COMPLETE (col. 5 X col. 6)	NO. OF YEARS REMAINING (see note below)	ANNUALIZED VALUE OF INCOMPLETE WORK (col. 7 ÷ col. 8) (divided by)

ANNUALIZED VALUE OF ALL INCOMPLETE CONTRACT WORK (Total of Column 9)

\$ _____

- Column 8
- If less than one year is left in the project schedule, write 1.
 - If more than 12 months are left in the project schedule, divide the number of months left in the project schedule by 12 (calculate to three decimal places).

PROVIDE THE FOLLOWING REFERENCE INFORMATION FOR EACH INCOMPLETE PROJECT LISTED ON THE PREVIOUS PAGE.

PROJECT TITLE	COMPANY NAME	CONTACT PERSON	TELEPHONE
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone
	OWNER: Owner	Contact Person	Telephone
	DESIGNER: Designer	Contact Person	Telephone
	GC: GC	Contact Person	Telephone

Is your company or any individual who owns, manages or controls your company affiliated with any owner, designer or general contractor named above either through a business or family relationship? YES NO

Are any of the contact persons named above affiliated with your company or any individual who owns, manages or control your company, either through a business or family relationship? YES NO

If you have answered YES to either question, explain. _____

PART 3 - PROJECT PERFORMANCE

For Parts 3 and 4, if you answer YES to any question, please provide on a separate page a complete explanation. Information you provide herein must supplement the Application for your most recently issued (not extended or amended) DCAM Certificate of Eligibility. You must report all requested information not previously reported on that DCAM Application for Prime/General Certificate of Eligibility. Include all details [project name(s) and location(s), names of all parties involved, relevant dates, etc.].

	YES	NO
1. Has your firm been terminated on any contract prior to completing a project or has any officer, partner or principal of your firm been an officer, partner or principal of another firm that was terminated or failed to complete a project?	<input type="checkbox"/>	<input type="checkbox"/>
2. Has your firm failed or refused either to perform or complete any of its work under any contract prior to substantial completion?	<input type="checkbox"/>	<input type="checkbox"/>
3. Has your firm failed or refused to complete any punch list work under any contract?	<input type="checkbox"/>	<input type="checkbox"/>
4. Has your firm filed for bankruptcy, or has any officer, principal or individual with a financial interest in your current firm been an officer, principal or individual with a financial interest in another firm that filed for bankruptcy?	<input type="checkbox"/>	<input type="checkbox"/>
5. Has your surety taken over or been asked to complete any of your work under any contract?	<input type="checkbox"/>	<input type="checkbox"/>
6. Has a payment or performance bond been invoked against your current firm, or has any officer, principal or individual with a financial interest in your current firm been an officer, principal or individual with a financial interest in another firm that had a payment or performance bond invoked?	<input type="checkbox"/>	<input type="checkbox"/>
7. Has your surety made payment to a materials supplier or other party under your payment bond on any contract?	<input type="checkbox"/>	<input type="checkbox"/>
8. Has any subcontractor filed a demand for direct payment with an awarding authority for a public project on any of your contracts?	<input type="checkbox"/>	<input type="checkbox"/>
9. Have any of your subcontractors or suppliers filed litigation to enforce a mechanic's lien against property in connection with work performed or materials supplied under any of your contracts?	<input type="checkbox"/>	<input type="checkbox"/>
10. Have there been any deaths of an employee or others occurring in connection with any of your projects?	<input type="checkbox"/>	<input type="checkbox"/>
11. Has any employee or other person suffered an injury in connection with any of your projects resulting in their inability to return to work for a period in excess of one year?	<input type="checkbox"/>	<input type="checkbox"/>

PART 4 - Legal or Administrative Proceedings; Compliance with Laws

Please answer the following questions. Information must supplement all judicial and administrative proceedings involving bidder’s firm, which were instituted or concluded (adversely or otherwise) since your firm’s Application for your most recently issued (not extended or amended) Certificate of Eligibility. You must report all requested information not previously reported on that DCAM Application for Prime/General Certificate of Eligibility.

The term “administrative proceeding” as used in this Prime/General Contractor Update Statement includes (i) any action taken or proceeding brought by a governmental agency, department or officer to enforce any law, regulation, code, legal, or contractual requirement, except for those brought in state or federal courts, or (ii) any action taken by a governmental agency, department or officer imposing penalties, fines or other sanctions for failure to comply with any such legal or contractual requirement.

The term “anyone with a financial interest in your firm” as used in this Section “I”, shall mean any person and/or entity with a 5% or greater ownership interest in the applicant’s firm.

If you answer YES to any question, on a separate page provide a complete explanation of each proceeding or action and any judgment, decision, fine or other sanction or result. Include all details (name of court or administrative agency, title of case or proceeding, case number, date action was commenced, date judgment or decision was entered, fines or penalties imposed, etc.).

	YES	NO
1. Have any civil, judicial or administrative proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to the procurement or performance of any construction contract, including but not limited to actions to obtain payment brought by subcontractors, suppliers or others?	<input type="checkbox"/>	<input type="checkbox"/>
2. Have any criminal proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to the procurement or performance of any construction contract including, but not limited to, any of the following offenses: fraud, graft, embezzlement, forgery, bribery, falsification or destruction of records, or receipt of stolen property?	<input type="checkbox"/>	<input type="checkbox"/>
3. Have any judicial or administrative proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to a violation of any state’s or federal procurement laws arising out of the submission of bids or proposals?	<input type="checkbox"/>	<input type="checkbox"/>
4. Have any judicial or administrative proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to a violation of M.G.L. Chapter 268A, the State Ethics Law?	<input type="checkbox"/>	<input type="checkbox"/>

PART 4 - Legal or Administrative Proceedings; Compliance with Laws (continued)

	YES	NO
5. Have any judicial or administrative proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to a violation of any state or federal law regulating hours of labor, unemployment compensation, minimum wages, prevailing wages, overtime pay, equal pay, child labor or worker's compensation?	<input type="checkbox"/>	<input type="checkbox"/>
6. Have any judicial or administrative proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to a violation of any state or federal law prohibiting discrimination in employment?	<input type="checkbox"/>	<input type="checkbox"/>
7. Have any judicial or administrative proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to a claim of repeated or aggravated violation of any state or federal law regulating labor relations?	<input type="checkbox"/>	<input type="checkbox"/>
8. Have any proceedings by a municipal, state, or federal agency been brought, concluded, or settled relating to decertification, debarment, or suspension of your firm or any principal or officer or anyone with a financial interest in your firm from public contracting?	<input type="checkbox"/>	<input type="checkbox"/>
9. Have any judicial or administrative proceedings involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled relating to a violation of state or federal law regulating the environment?	<input type="checkbox"/>	<input type="checkbox"/>
10. Has your firm been fined by OSHA or any other state or federal agency for violations of any laws or regulations related to occupational health or safety? Note: this information may be obtained from OSHA's Web Site at www.osha.gov	<input type="checkbox"/>	<input type="checkbox"/>
11. Has your firm been sanctioned for failure to achieve DBE/MBE/WBE goals, workforce goals, or failure to file certified payrolls on any public projects?	<input type="checkbox"/>	<input type="checkbox"/>
12. Other than previously reported in the above paragraphs of this Section I, have any administrative proceedings or investigations involving your firm or a principal or officer or anyone with a financial interest in your firm been brought, concluded, or settled by any local, state or federal agency relating to the procurement or performance of any construction contract?	<input type="checkbox"/>	<input type="checkbox"/>
13. Are there any other issues that you are aware which may affect your firm's responsibility and integrity as a building contractor?	<input type="checkbox"/>	<input type="checkbox"/>

PART 5 - SUPERVISORY PERSONNEL

List all supervisory personnel, such as project managers and superintendents, who will be assigned to the project if your firm is awarded the contract. **Attach the resume of each person listed below.**

NAME	TITLE OR FUNCTION

PART 6 - CHANGES IN BUSINESS ORGANIZATION OR FINANCIAL CONDITION

Have there been any changes in your firm’s business organization, financial condition or bonding capacity since the date your current Certificate of Eligibility was issued? Yes No

If YES, attach a separate page providing complete details.

PART 7 – LIST OF COMPLETED CONSTRUCTION PROJECTS SUBMITTED TO THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE.

Attach here a copy of the list of completed construction projects which was submitted with your firm’s DCAM Application for your most recently issued (not extended or amended) DCAM Certificate of Eligibility. The Attachment must include a complete copy of the entire Section G – “Completed Projects” and the final page – “Certification” (Section J) containing the signature and date that the Completed Projects list (Section G) was submitted to the Division of Capital Asset Management and Maintenance.

SCHEDULE M

Schedule M – COPIES OF THREE SECTIONS FROM THE MOST RECENT APPLICATION FOR CERTIFICATION SUBMITTED TO DCAMM

Firm Name: _____

Respondent shall attach here a copy of those **portions of Respondent’s most recent application for DCAMM certification** that contains the listings of Respondents **Projects in Progress** and its **Completed Projects**. Specifically, Respondent shall submit copies of **1) Section F. Projects in Progress, 2) Section G. Completed Projects** and **3) a** copy of the signed and dated final page, **Section J. Certification**, showing the date the application for certification was submitted to DCAMM all copied from their most recent Application for Prime/General Contractor Certificate of Eligibility submitted to DCAMM’s Certification Office.

SECTION IV: INSTRUCTIONS TO OFFERORS

1. One original and one electronic copy (Physical Electronic Media) of the proposal stapled at the top left corner, **NOT IN BINDERS OF ANY SORT** marked “**RFQ for Construction Management at Risk Services, Renovation of 689 Massachusetts Avenue**” must be received by Elizabeth Unger, Purchasing Agent, City of Cambridge, 795 Massachusetts Avenue, Cambridge **prior to 11:00 a.m., June 1, 2023**. Price will be negotiated after finalists have been selected.
2. A pre-proposal meeting and tour of the existing site and building will take place on **Thursday May 18, 2023, 10:00 a.m. at 689 Massachusetts Avenue**.
3. All requests for clarification or any questions about information contained in this RFQ must be submitted in writing and addressed to Elizabeth Unger, Purchasing Agent, City of Cambridge, City Hall, 795 Massachusetts Avenue, Cambridge, MA 02139. Requests for clarification or questions and responses will be sent to all proposers. All requests for information or questions should be emailed to purchasing@cambridgema.gov or delivered to the Office of the Purchasing Agent and must be received by **Thursday, May 25, 2023 before noon**. The name, address, telephone number and Email of the person to whom such additional information should be sent must be provided by the offeror.
4. Failure to answer any question, to complete any form or to provide the documentation required will be deemed non-responsive and result in an automatic rejection of the proposal unless the City determines that such failure constitutes a minor informality.

SECTION V: EVALUATION OF THE PROPOSALS

1. Proposals: Each offeror must submit a written proposal to this RFQ which includes full and clear descriptions of evaluation criteria outlined in Section VI. A Prequalification Committee will evaluate each proposal based on these evaluation criteria.
2. Price Proposal: Price should ***not*** be submitted with this RFQ.
3. References: References will be contacted to determine if the offeror is responsive and responsible. References will be asked about their overall impression of the offeror, quality of work performed, understanding of factors effecting implementation, and the timeliness of the product.
4. Interviews: The Selection Committee may interview no fewer than three finalists to determine if the offeror is responsive and responsible and meets the needs of the City. The City Manager reserves the right to interview all finalists if he so chooses, after the Selection Committee's deliberations.
5. Award of Contract: The City will award one contract to a responsive and responsible offeror. The City reserves the right to reject any and all proposals if it determines that it is in the best interest of the City to do so.

SECTION VI: EVALUATION CRITERIA

The purpose of information requested in this section is to assist the City in evaluating the offeror's overall qualifications, including its methodologies and technical abilities, and previous experience.

1. Prior Similar Project Experience:
2. Management Team and Organization for the Project:
3. Financial Status:
4. Litigation and Performance/Termination History:
5. Safety Record:
6. History of Compliance with local hiring, MBE/WBE participation, and workforce goals:
7. Quality of References:
8. Experience with sustainable construction and demonstrated knowledge of LEED building standards:

**CITY OF CAMBRIDGE
ANTI-COLLUSION/ TAX COMPLIANCE STATEMENT**

The undersigned certifies under penalty of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any person. As used in this certification, "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

As required by M.G.L. Chapter 62C, Section 49A, the undersigned further certifies under penalty of perjury that the bidder has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support".

Signature

Name and title of person signing proposal

Date

Name of business

Address

Return this form with your proposal

ORDINANCE NUMBER 1312

Final Publication Number 3155. First Publication in the Chronicle on December 13, 2007.

City of Cambridge

In the Year Two Thousand and Eight

AN ORDINANCE

In amendment to the Ordinance entitled “Municipal Code of the City of Cambridge”

Be it ordained that Cambridge Municipal Code Chapter 2.112 is hereby amended by adding a new Section 2.112.060 entitled “CORI Screening by Vendors of the City of Cambridge” as follows:

Adding after Section 2.112.050 the following new sections:

SECTION 2.112.060

CORI SCREENING BY VENDORS OF THE CITY OF CAMBRIDGE

Sections:

2.112.061 Purpose

2.112.062 Definitions

2.112.063 CORI-Related Standards of the City of Cambridge

2.112.064 Waiver

2.112.065 Applicability

2.112.061 Purpose

These sections are intended to ensure that the persons and businesses supplying goods and/or services to the City of Cambridge deploy fair policies relating to the screening and identification of persons with criminal backgrounds through the CORI system.

2.112.062 Definitions

Unless specifically indicated otherwise, these definitions shall apply and control.

Awarding Authority means the City of Cambridge Purchasing Agent or designee.

Vendor means any vendor, contractor, or supplier of goods and/or services to the City of Cambridge.

2.112.063 CORI-Related Standards of the City of Cambridge

The City of Cambridge employs CORI-related policies, practices and standards that are fair to all persons involved and seeks to do business with vendors that have substantially similar policies, practices and standards. The City of Cambridge will do business only with vendors who, when required by law to perform CORI checks, employ CORI-related policies, practices, and standards that are consistent with policies, practices and standards employed by the City of Cambridge. The awarding authority shall consider any vendor's deviation from policies, practices and standards employed by the City of Cambridge as grounds for rejection, rescission, revocation, or any other termination of the contract.

2.112.064 Waiver

The City Manager may grant a waiver to anyone who or which has submitted a request for waiver if it is objectively reasonable; and the City Manager, or a delegate, shall report promptly in writing to the City Council all action taken with respect to every request for a waiver and the reasons for the decision.

2.112.065 Applicability

If any provision of these sections imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, order, or policy then the provisions of these sections shall control.

In City Council January 28, 2008.

Passed to be ordained by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

City of Cambridge CORI Policy

1. Where Criminal Offender Record Information (CORI) checks are part of a general background check for employment or volunteer work, the following practices and procedures will generally be followed.
2. CORI checks will only be conducted as authorized by Criminal History Systems Board (CHSB). All applicants will be notified that a CORI check will be conducted. If requested, the applicant will be provided with a copy of the CORI policy.
3. An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by the CHSB.
4. Prior to initiating a CORI check, the City will review the qualifications of the applicant to determine if the applicant is otherwise qualified for the relevant position. The City will not conduct a CORI check on an applicant that is not otherwise qualified for the relevant position.
5. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determination of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.
6. If a criminal record is received from CHSB, the authorized individual will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.
7. If, in receiving a CORI report, the City receives information it is not authorized to receive (e.g. cases with dispositions such as not guilty or dismissal, in circumstances where the City is only authorized to receive convictions or case-pending information), the City will inform the applicant and provide the applicant with a copy of the report and a copy of CHSB's *Information Concerning the Process in Correcting a Criminal Record* so that the applicant may pursue correction with the CHSB.
8. If the City of Cambridge is planning to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the City's CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position and given an opportunity to dispute the accuracy and relevance of the CORI record.

9. Applicants challenging the accuracy of the criminal record shall be provided a copy of CHSB's *Information Concerning the Process in Correcting a Criminal Record*. If the CORI record provided does not exactly match the identification information provided by the applicant, the City of Cambridge will make a determination based on a comparison of the CORI record and documents provided by the applicant. The City of Cambridge may contact CHSB and request a detailed search consistent with CHSB policy.
10. If the City of Cambridge reasonably believes the record belongs to the applicant and is accurate, then the determination of suitability for the position will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:
 - (a) Relevance of the crime to the position sought;
 - (b) The nature of the work to be performed;
 - (c) Time since the conviction;
 - (d) Age of the candidate at the time of offense;
 - (e) Seriousness and specific circumstances of the offense;
 - (f) The number of offenses;
 - (g) Whether the applicant has pending charges;
 - (h) Any relevant evidence of rehabilitation or lack thereof;
 - (i) Any other relevant information, including information submitted by the candidate or requested by the City.
11. The Personnel Department will assist affected departments, in assessing the suitability of candidates in accordance with paragraph 10 a through i above, to ensure consistency, fairness, and protection of employment opportunities and the public interest.
12. The City of Cambridge will notify the applicant of the decision and the basis of the decision in a timely manner.
13. CORI information shall not be disseminated or shared with any unauthorized employees or other, but shall be maintained in confidence consistent with the obligations of law.

Revised May 5, 2007

CORI COMPLIANCE FORM

Persons and businesses supplying goods and/or services to the City of Cambridge (“Vendors”), who are required by law to perform CORI checks, are further required by Section 2.112.060 of the Cambridge Municipal Code to employ fair policies, practices and standards relating to the screening and identification of persons with criminal backgrounds through the CORI system. Such Vendors, when entering into contracts with the City of Cambridge, must affirm that their policies, practices and standards regarding CORI information are consistent with the policies, practices and standards employed by the City of Cambridge as set forth in the City of Cambridge CORI Policy (“CORI Policy”) attached hereto.

CERTIFICATION

The undersigned certifies under penalties of perjury that the Vendor employs CORI related policies, practices and standards that are consistent with the provisions of the attached CORI Policy. **All Vendors must check one of the three lines below.**

1. _____ CORI checks are not performed on any Applicants.

2. _____ CORI checks are performed on some or all Applicants. The Vendor, by affixing a signature below, affirms under penalties of perjury that its CORI policies, practices and standards are consistent with the policies, practices and standards set forth in the attached CORI Policy.

3. _____ CORI checks are performed on some or all Applicants. The Vendor’s CORI policies, practices and standards are not consistent with the attached CORI Policy. Please explain on a separate sheet of paper.

(Typed or printed name of person signing quotation, bid or Proposal)

Signature

(Name of Business)

NOTE:

The City Manager, in his sole discretion may grant a waiver to any Vendor on a contract by contract basis.

Instructions for Completing CORI Compliance Form:

A Vendor should not check Line 1 unless it performs NO CORI checks on ANY applicant. A Vendor who checks Line 2 certifies that the Vendor’s CORI policy conforms to the policies, practices and standards set forth in the City’s CORI Policy. A Vendor with a CORI policy that does NOT conform to the City’s CORI Policy must check Line 3 and explain the reasons for its nonconformance in writing. Vendors, who check Line 3, will not be permitted to enter into contracts with the City, absent a waiver by the City Manager.

This form must be submitted with your bid

CITY OF CAMBRIDGE

**DESIGNER'S/ENGINEER'S OR CONSTRUCTION MANAGER'S
TRUTH-IN-NEGOTIATIONS CERTIFICATE**

For Negotiated Fees

The undersigned hereby certifies under the penalties of perjury that the wage rates and other costs used to support its compensation are accurate, complete and current at the time of contracting.

The undersigned agrees that the original contract price and any additions to the contract may be adjusted within one year of completion of the contract to exclude any significant amounts if the City determines that the fee was increased by such amounts due to inaccurate, incomplete or noncurrent wage rates or other costs.

BY: _____

Name and Title: _____

Project: _____

Date: _____

Reference: M.G.L. c. 7, §38H (b)

Return this form with your proposal