

**ADVERTISEMENT AND NOTICE OF INVITATION
REQUEST FOR PROPOSAL (RFP)
DENVER MUSEUM OF NATURE & SCIENCE (OWNER)
EDUCATION AND COLLECTIONS FACILITY (ECF)**

**BECA (Building Envelope Commissioning Agency)
Thermal, Moisture Protection and Roofing System Commissioning Services**

Date of Issuance: November 16, 2011

This Solicitation for Proposals is issued by the Denver Museum of Nature & Science (Owner) pursuant to the authority vested in the Owner by the City and County of Denver. Proposals will be received and evaluated by the Owner, only from firms as determined by the Owner. This solicitation is issued by the Denver Museum of Nature & Science. As its best interests may appear, the Denver Museum of Nature & Science reserves the right to reject any or all submittals, modify the terms and conditions of this selection process and/or waive informalities in any submission.

SECTION 1: PROJECT OVERVIEW

1.1. GENERAL STATEMENT OF WORK: The Denver Museum of Nature & Science (Owner) seeks a firm to provide complete Building Envelope Commissioning Agency (BECA) for thermal, moisture protection and roofing system commissioning services for the Education and Collections Facility (ECF) Project. It is the intent that the Commissioning Agent will join the Owner and the Design team, led by klipp Architecture, and the Contractor, GH Phipps Construction. For the purposes of submitting your response, assume that this Project will be a 5-level, approximately 140,000 square foot building addition that will provide approximately 60,000 gross square feet in two levels below grade to house collections and collections management functions. The three above-grade levels of approximately 40,000 gross square feet also has additional square footage dedicated to mechanical space. The Project will be housing 1.4 million artifacts for the Museum and the thermal and moisture protection will need to be at a level that exceeds typical building systems. The Project is planned for Leadership in Environmental and Energy Design (LEED®) Platinum.

1.2 GENERAL DESCRIPTION OF MUSEUM: The Denver Museum of Nature & Science is the Rocky Mountain region's leading resource for informal science education. A variety of exhibitions, programs, and activities help Museum visitors experience the natural wonders of Colorado, Earth, and the Universe.

The Denver Museum of Nature & Science has been awarded the highest honor a museum can receive—accreditation by the American Association of Museums. Accreditation certifies that a museum operates according to standards set forth by the museum profession, manages its collections responsibly, and provides quality service to the public. Of the more than 16,000 museums nationwide, only some 750 are accredited.

For more than 100 years, the Denver Museum of Nature & Science has grown along with Denver, expanding many times to meet the increasing needs of the community. The Museum intends to be a thriving institution

for generations to come. Thanks to Denver voters, the Museum will receive approximately \$50 million in Better Denver Bond funding to improve its 100-year-old building, ultimately bringing better traveling exhibitions, education programs, and opportunities to the community.

\$30 million of the funds will be used to build a new science education center that will enable the Museum to deliver science to the community in modern, comfortable spaces. Beneath the science education center will be a new underground storage area to house the 1.4 million objects in the museum's collections. As many of the collections pieces are irreplaceable, the ability to plan, design and construct a *waterproof below grade facility* is a key element of this project. This ECF addition is to be located on the south side of the existing Museum building. As the Museum is built within the confines of Denver City Park, a high priority of the Museum is to preserve existing green space. The final GMP for the project is 43.5 million dollars.

1.3 SHORTLIST SELECTED FIRMS:

Through the RFP selection process, it is the Owner's intent to select the top-ranked Commissioning firm to join the team based on qualifications, staff, project approach, cost for services, and a demonstrated commitment to the Project. The Owner will base its ranking of the firms responding to the solicitation on both objective and subjective analysis of responses received from the firms.

The costs to participate in this selection process shall be considered a cost of doing business and will not be reimbursable.

SECTION 2: PROJECT REQUIREMENTS

2.1 City and County of Denver: All Respondents must comply with City and County Rules and Regulations as they relate to DMNS administered Bond Projects. It is responder's responsibility to be certain that they comply with all city regulations.

2.2 Standards and Best Practices: The Project, as directed by the Owner's staff, will utilize standards and best practices supported by professional organizations, primarily the American Association of Museums and the Society for the Preservation of Natural History Collections.

2.3 Local Presence: All firms participating in this Project must be licensed in the State of Colorado and have a production office located within 50 miles of the Denver Museum of Nature & Science. A firm not already so located must establish such a local office if awarded this Project, or associate itself with a firm so located. Such associations must be clearly identified within this RFP response. Costs associated with establishing a local presence must be the contractor's costs or included within the fee proposal and will not be considered a reimbursable expense. This local presence is necessary to facilitate day-to-day communications and coordination and to insure timely response to investigate and resolve issues.

2.4 Colorado Open Records Act: Documents submitted pursuant to this RFP will be subject to the Colorado Open Records Act, C.R.S. §§ 24-72-201, et. seq. Information clearly marked as confidential and proprietary will be kept confidential by Museum, unless otherwise provided by law. The Colorado Open Records Act provides that "Trade secrets, privileged information, and confidential commercial, financial, geological, or geophysical data furnished by any person" to a state agency will not be produced in response to an open records request. Museum will notify the Submitter if a request is made for such information, so that the Submitter may take any action it deems necessary to defend the request. The Submitter, not the Museum, shall be the entity responsible for defending against Colorado Open Records Act disclosures for any records claimed by the Submitted to be confidential and proprietary.

2.5 Verification of Information: Proposers are hereby notified that the DMNS will rely on the accuracy and completeness of all information provided in making its selection. As such, Proposers are urged to carefully review all information provided to ensure the clarity, accuracy and completeness of such information. DMNS reserves the right to make any inquiries or other follow up it deems necessary and appropriate to verify the information provided.

2.6 Discrimination in Employment: In connection with the performance of work on this Project, the selected BECA agrees not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, gender, gender variance, age, military status, sexual orientation, marital status, or physical or mental disability; and the BECA further agrees to insert the foregoing provision in all subcontracts.

2.7 Applicable Laws: This selection process and the performance of any selected Proposer shall be subject to, governed by and construed in accordance with the laws of the State of Colorado and the Charter, Revised Municipal Code, Rules, Regulations, written policies and Executive Orders of the City and County of Denver, as the same may be amended from time to time.

2.8 Background Checks: The Owner requires all consultants working at the Museum to undergo background checks. The selected firm will work with the respective Museum Project Managers and Security through this process.

2.9 Insurance Requirements: Insurance amounts may be adjusted to reflect the scope and risk of potential projects. The Contractor agrees to secure and deliver to the DMNS Project Manager at or before the time of execution of this Agreement, and to keep in force at all times during the term of the Agreement, evidence of business auto liability covering liability arising out of any auto (including owned, hired, and non-owned autos) with the following limits and coverages:

1. Minimum limits: \$1,000,000 combined single limit
2. Coverages:
 - a. Coverage at least as broad as ISO form CA 0001
 - b. Symbol 1, coverage for any auto. If no autos are owned, Symbols 8 & 9, (Hired and Non-owned) auto liability.
3. If this contract involves the transport of hazardous cargo such as fuel, solvents or other hazardous materials may occur, then Broadened Pollution Endorsement, per ISO form CA 9948 or equivalent and MCS 90 are required.
4. Waiver of subrogation and rights of recovery in favor of the Denver Museum of Nature and Science, its officers, officials and employees.

The contractor shall maintain Commercial General Liability insurance covering all operations by or on behalf of the contractor on an occurrence basis against claims for personal injury, bodily injury, death, and property damage (including loss of use). Such insurance will have these limits and coverage:

1. Minimum limits: \$1,000,000 each occurrence
 - \$3,000,000 excess or umbrella coverage
 - \$2,000,000 general aggregate limit
 - \$1,000,000 products-completed operations aggregate limit
 - \$1,000,000 personal and advertising injury
 - \$1,000,000 professional liability coverage
 - \$50,000 fire damage legal, any one fire (\$300,000 if a City facility is leased)

2. Coverage:
 - a. Coverage at least as broad as that provided by ISO form CG 0001 or equivalent.
 - b. City, its officers, officials and employees as additional insureds, per ISO form G2026 or its equivalent.
 - c. Coverage for defense costs of additional insureds outside the limits of insurance, per CG 0001 or equivalent.
 - d. Contractual Liability.
 - e. Waiver of Subrogation and Rights of Recovery, per ISO form CG2404 or equivalent.

The Contractor agrees to secure and deliver to the DMNS Facility Director at or before the time of execution of this Agreement, and to keep in force at all times during the term of the Agreement, workers' compensation insurance (including occupational disease hazards) with an authorized insurance company or through an authorized self-insurance plan approved by the State of Colorado.

The contractor will maintain All States coverage or Colorado workers' compensation and employer's liability insurance.

1. Minimum Limits:
 - a. Workers' Compensation - statutory limit
 - b. Employer's Liability:
 - i. \$100,000
 - ii. \$500,000
 - iii. \$100,000
2. Coverages:
 - a. All States Coverage or Colorado listed as a covered state for the Workers' Compensation
 - b. Waiver of Subrogation and Rights of Recovery against the Denver Museum of Nature and Science, its officers, officials and employees.

2.10 Disclosure of Project Interest Letter: In accordance with the Council on Environmental Quality Regulations § 1506.5 (c), all Proposers submitting a proposal shall execute the attached disclosure statement, (Attachment E) specifying that they have no financial or other interest in the outcome of the project.

2.11 Disclosure of Principals: Pursuant to D.R.M.C. §20-69, any proposal for professional services on a Project which will exceed Twenty-five Thousand Dollars (\$25,000.00) must be accompanied by a Bidder/Contractor/Vendor/Proposer Disclosure (a form of which is included in the Attachments to this RFP as Attachment F. The Bidder/Contractor/Vendor/Proposer Disclosure Form shall set forth the following information:

1. The name of any officer, director, owner or principal of the business entity, including identity of any shareholder who owns or controls 5% or more of the business entity, and either 1) the names of his or her spouse, and children under eighteen (18) years of age; or 2) a statement that he or she or his or her spouse, or children, if any, under the age of eighteen have or have not made a contribution, as defined in D.R.M.C. §15-32, or contribution in kind, as defined in D.R.M.C. §15-32, to any candidate, as defined in D.R.M.C. §15-32, during the last five (5) years and identifying by name himself or herself or any spouse or child under the age of eighteen who has made such a contribution or contribution in-kind to a candidate.
2. The names of any sub-consultants or suppliers whose share of the Project work is estimated to exceed \$100,000.00.

3. The names of any unions with which the Proposer has a collective bargaining agreement.

It shall be the responsibility of each such Proposer to verify that such information previously submitted to the City is still current as of the date of the proposal and is in fact on file with the City Clerk. Failure to provide the required information with the proposal or update the information prior to submission of the proposal shall render the proposal non-responsive.

2.12 Pre-Proposal Meeting: Proposers are urged to attend the pre-proposal meeting scheduled for this Project, which shall take place on November 21, 2011 at 1:30 pm at the Denver Museum of Nature & Science, 2001 Colorado Boulevard, Denver, Colorado.

2.13 Addenda: As its best interests may require, the DMNS may issue addenda to this RFP. Such addenda shall be posted on the DMNS website at www.dmns.org/rfp. The Proposer shall be conclusively presumed to have read and shall further be responsible for the contents of all addenda, posted decisions, and other information relevant to the proposal posted by the DMNS on the DMNS website.

SECTION 3: SELECTION PROCESS

3.1 Responses: All proposers are responsible for reviewing the requirements within this RFP and complying with the requirements established.

- 3.1.1 Responses to this RFP must be received no later than 1:00 p.m. Denver Time on Wednesday, December 7, 2011. Provide six (6) Printed Proposal copies and one (1) electronic copy on CD ROM.

Deliver Proposals to the security guard at the Staff & Volunteer Entrance on the north side of the Museum, behind the flagpole. Address proposals to:
Denver Museum of Nature and Science
Attn: Ms. Peggy Day, Project Manager
2001 Colorado Blvd.
Denver, CO 80205-5798

SECTION 4: TENTATIVE OVERVIEW MILESTONE SELECTION:

- 4.1 The attached milestone schedule outlines the major activities required in preparing a proposal response:

Issue RFP	November 16, 2011
Pre-Proposal Meeting	November 21, 2011, 1:30 pm
Questions Submittal Deadline	November 30, 2011
RFP Responses Due to Owner	December 7, 2011
Announce Shortlist firms to Interview	December 13, 2011
Interviews	December 16, 2011
Announce Selected Firm	December 20, 2011
Execute Contract	January 6-13, 2012
Notice-to-Proceed	January 23, 2012

SECTION 5: SCOPE OF SERVICES

The Owner is looking for a firm or firms to provide Commissioning services for thermal, moisture protection and roofing systems. The firm(s) must be capable of providing all required services for the ECF Project in a format described below.

Systems to be Commissioned

- A. Sections of work to be commissioned include, but are not limited to all materials, assemblies, and systems of the Building Envelope that correspond to vapor retarder of the Gallery and Collection Storage Spaces (wall and ceiling assembly), roof assemblies and hot fluid applied waterproofing systems.

Commissioning Team

1. Owner (**PM**) and his/her consultants
2. General Contractor (**GC or Contractor**)
3. Designer and design engineers (particularly the architect and engineers – **A/E**)
4. Building Envelope Commissioning Agency (**BECA**)
5. Test Technician (**TT**) (as either trade quality control or BECA)
6. Building Envelope subcontractor and their sub-subcontractors (**BESC**)
7. Specialty subcontractors (as designated by the General Contractor to complete the scope of work outlined in the project documents and manual.
8. Any other installing subcontractors or suppliers of materials or systems.

Building Systems Commissioning Process

- A. The BECA will coordinate all activities of the building envelope commissioning process and with the General Contractor's overall schedule. Also, the BECA shall coordinate all submittals such that each appropriate commissioning team member timely receives necessary documents for their use.
- B. BESC and Specialty Subcontractors: The commissioning responsibilities are applicable to each of the BESC and specialty sub-trades. Each of the aforesaid trades will participate, for the Construction and Acceptance phases, as follows:
 1. Contractors and/or their subcontractors shall:
 - a. In each purchase order or subcontract written, include requirements for submittal data, commissioning documentation.
 - b. Attend commissioning scoping meeting(s) and other meetings necessary to facilitate the commissioning process.
 - c. Provide the BECA with Technical Data Sheets and shop drawing submittals of commissioned systems.
 - 1) The General Contractor, will determine if these submittals meet the requirements and requirements of the Contract Documents.
 - 2) Once the GC accepts (and stamps) these submittals, he will then forward these documents to the BECA, Designer and the Owner for their review.
 - d. Address current Designer and Owner punch list items before functional testing. Air, water and thermal testing shall be completed with discrepancies and problems remedied before functional testing of the respective air, water or thermal related building envelope/assemblies.
 - e. Provide manufacturer's certified technicians to be present at the functional performance

tests. Ensure that they are available and present during the agreed upon schedules and for sufficient duration to complete the necessary tests, adjustments and problem solving.

Meetings

- A. Scoping Meeting: The BECA shall schedule, plan and conduct a commissioning scoping meeting with the entire commissioning team in attendance. These meetings will be coordinated within the General Contractor's overall schedule. Meeting minutes will be distributed to all parties by the BECA.
- B. Miscellaneous Meetings: Other meetings will be planned and conducted by the BECA as construction progresses. These meetings will cover coordination, deficiency resolution and planning issues with particular contractors and their subcontractors. The BECA TT will plan these meetings and will minimize unnecessary time being spent by contractors and subcontractors. These meetings will be held as frequently as one per week or at least monthly.

Reporting

- A. The BECA will forward reports in a format included in the project manual or in a format mutually agreeable to the Owner and the Architect, to the Owner to be forwarded to the other members of the commissioning team as construction and commissioning progresses.
- B. The BECA will regularly communicate with all members of the commissioning team, keeping them apprised of commissioning progress and scheduling changes through memos, progress reports, etc.
- C. Testing or review approvals and non-conformance and deficiency reports are made regularly with the review and testing as described in later sections.
- D. The BECA will prepare a final commissioning summary report that includes all acquired documentation, inspection pictures, logs, minutes, reports, deficiency lists, communications, findings, unresolved issues, etc. compiled in appendices and provided with the summary report. .

Pre-Functional Test Checklists

- A. The PM has the sole approval authority regarding content of any pre-functional and functional checklist. PM, at his/her discretion, may request input from the GC, BECA, TT and A/E regarding checklists content; therefore, the GC, BECA, TT and A/E will cooperate with the PM to produce detailed and comprehensive checklists.

Functional Performance Testing

- A. Objectives and Scope: The objective of functional performance testing is to demonstrate that each building envelope/assemblies system is functioning according to the documented design intent of the Contract Documents. Functional testing facilitates bringing the material assembly from a state of substantial completion to full operation. Additionally, during the testing process, areas of deficient performance are identified and corrected, improving the operation and functioning of the building envelope/assemblies.
- B. Development of Test Procedures: Before test procedures are written, the BECA will request all documentation and a current list of change orders affecting building envelope/assemblies, including an updated points list, and parameters. The TT or BECA shall develop specific test procedures and forms to verify and document proper operation of each piece of building

envelope/assemblies. Each subcontractor or vendor responsible to execute a test shall provide assistance to the BECA in developing the procedures review (answering questions about, assemblies and sequences, etc.). Prior to execution, the TT or BECA will provide a copy of the test procedures to the General Contractor subcontractor(s) who will review the tests for feasibility, building envelope/assemblies, and warranty protection.

C. Test Methods:

1. Functional performance testing and verification may be achieved by manual testing (persons manipulate the equipment and observe performance). The BECA may substitute specified methods or require an additional method to be executed, other than what was specified. The BECA will determine which method is most appropriate for tests that do not have a method specified.
2. Simulated Conditions: Simulating conditions (not by an overwritten value) shall be allowed, though timing the testing to experience actual conditions is encouraged wherever practical.
3. Sampling: Multiple identical pieces of assemblies may be functionally tested using a sampling strategy. Significant application differences and significant sequence of functional differences in otherwise identical materials or assemblies invalidates their common identity. A small size or capacity difference, alone, does not constitute a difference. It is noted that no sampling by contractors and their subcontractors is allowed in pre-functional checklist execution.

The Commissioning Firm will lead the commissioning effort for the entire team. The Commissioning Firm shall identify a single internal person who will be responsible for coordination of all aspects of the commissioning process. This individual will be required to distribute and accumulate information necessary to/for other members of the Commissioning Team.

SECTION 6: RFP RESPONSE FORMAT

6.1 Please review the following information and prepare a comprehensive proposal response that includes all items within this section. Please follow this outline for your response so it will be easy for the Owner to track and evaluate all responses. Do not submit standard marketing responses. Direct all questions to Ms. Peggy Day by e-mail at peggy.day@dmns.org, and please do not make contact with any individuals relevant to this project including the Owner or the Design Team.

Deadline to Submit Questions (only accepted by e-mail to Peggy Day) is Wednesday, November 30, 2011 at 5 pm MST.

RFP Response Format:

Cover Letter (1 page transmittal letter)

Executive Summary

Tab 1 - Project Approach: (Limit to 6 pages)

- a. Provide a short summary of why this Project is important to your company, listing up to three (3) key specific reasons why your firm should be selected.

- b. Provide a written narrative prepared by the individuals of your proposed project team for the project. To properly respond, each individual must read this entire RFP document and understand the intent of the agreement. *(Proposed staff must respond-no marketing responses please)*. Limit each person's response to 1 page.
- c. Provide an outline description of your methodologies employed in providing your services.

Tab 2 - Staff and Key Personnel (Limit to 4 pages)

- a. Submit an organizational chart and identify who will be the primary contact for the project at your Firm.
- b. Provide detailed resumes and references for the proposed Key Staff members.

Tab 3 - Project Costs & Bidding Strategies (No page limit)

- a. Provide a not-to-exceed cost estimate, broken out in adequate detail for the Owner's review, for the scope of services outlined in this proposal. Provide a list of clarifications used in developing the detailed cost estimate.
- b. Provide hourly rates for personnel that would perform work on this project.

Tab 4 - Insurance (Limit to 1 page)

- a. Provide a copy of your standard General Liability insurance certificate which complies with the requirements stated for this Project.

Tab 5 - Owner and Agreement (No page limit)

- a. The selected BECA must fulfill all the requirements, obligations and responsibilities as outlined within **Attachment D**, and as modified by the Owner for this Project. DMNS is not prepared to make changes that substantially modify the roles and responsibilities of the parties to the contract. DMNS will, however, consider BECA's specific recommended changes that clarify the intent of the Agreement. The Owner will not consider changes that have not been specifically identified in your proposal response. A general statement suggesting that, if selected, you reserve the right to discuss contract issues at a later date may be grounds for disqualification. Provide narrative detailing specific issues, if any, that your firm has with the agreement. If the Owner and BECA are unable to execute an agreement in a reasonable time, Owner may at its sole discretion award the project to another submitter.
- b. Provide a corporate statement demonstrating your organization's commitment to provide the highest level of resources and skills required throughout Project. The statement must be from and signed by an officer of the company and/or authorized to commit the staff and resources necessary to assure fulfillment of the scope of services.

Tab 6 – Attachments E and F

Section 7: PROPOSAL EVALUATION/SELECTION

Each member of the Selection Committee will review and rate the proposals. The Selection Committee will then identify the most qualified firms, and schedule interviews with selected firms.

The Committee will evaluate and rank all interviewing firms and submit its recommendations to the Project Manager.

In addition to the submittal requirements listed above, the Consultant will be evaluated and scored on the following criteria:

1. Qualifications/experience of firm on similar projects and the firm's proposed team in the professional areas listed in this RFP.
2. Qualifications of key Personnel in the professional areas listed in this RFP.
3. Approach to the work.
4. Utilization, commitment, and management of project team; scheduling of time and budget.
5. Ability to communicate - Proposal completeness. Ability to provide all of the necessary coordination to complete the project including coordination with various public agencies, utilities, and citizen groups using a community outreach process.
6. After the selection and notification of the highest rated Proposer, the Museum and Proposer will engage in an Agreement for work specified under this RFP. The Owner reserves the right to waive any formalities and to select the Firm they feel is best suited to join the Owner's team for this Project.

SECTION 8: OWNER'S RIGHTS/SELECTION COMMITTEE

Proposals will be received and evaluated by the Owner, only from firms as determined by the Owner. The Owner's RFP Review and Selection Committee shall be comprised of:

Ms. Peggy Day- Project Manager, DMNS
Ms. Elaine Harkins- Facility Director, DMNS
Mr. Dave Noel, V.P. Operations, DMNS
Ms. Maria Cole- Project Architect, klipp Architects
Mr. Mike Palumbo- Principal, Project One Integrated Services
Mr. Bruce Schneider – Senior Superintendant, GH Phipps Construction

The selection committee may be modified at any time at the Owner's discretion.

SECTION 8: RFP ATTACHMENTS

The following are a list of attachments included with this RFP:

- Attachment A – Questions and Response Form (to be used for questions during the preparation of the RFP response)
- Attachment B – The specifications prepared by klipp, dated June 27, 2011.
- Attachment C – Construction Schedule provided by GH Phipps with a data date of August 22, 2011
- Attachment D – Agreement between DMNS and BECA
- Attachment E – Disclosure of Principals form
- Attachment F – Bidder/Contractor/Vendor/Proposer Disclosure form

-END OF RFP-