

**The Pine Bluff/Jefferson County Library System
Pine Bluff, Arkansas**



***REQUEST FOR QUALIFICATIONS (RFQ) #2018-2 for
LEGAL COUNSEL SERVICES***

Attendant to

**Construction of a
NEW MAIN LIBRARY and
Renovations and Addition to the
WATSON CHAPEL BRANCH LIBRARY**

Pine Bluff/Jefferson County Library System
Request for Qualifications 2018-2
Request for Legal Counsel Services
Construction of a New Main Library and
Renovations and Addition to Watson Chapel Branch Library
6 February 2018

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RFQ #2018-2 Document: Introductory Letter

6 February 2018

BY: The Pine Bluff/Jefferson County Library System

RE: **Request for Qualifications (RFQ) #2018-2
Legal Counsel Services**

TO: Interested Offerors

The Pine Bluff/Jefferson County Library System, Pine Bluff, Arkansas 71601, is requesting statements of qualification responses from qualified parties for Legal Counsel Services (Counsel) for the construction of a new Main Library, 6th Avenue and Main Street, Pine Bluff, Arkansas, 71601, and the renovation of and addition to the Watson Chapel Branch Library, 4120 South Camden Road, Watson Chapel, Arkansas 71603.

Responders must be experienced and knowledgeable in the scopes of work and the attendant contracts for these types of construction projects and areas related to these types of projects.

To be considered, all statements of qualification must be received in a **sealed envelope/packaging** not later than 4:00 P.M. local time, **February 21, 2018** at the Pine Bluff Public Library located at:

Main Level, Pine Bluff Civic Center
200 East 8th Avenue
Pine Bluff, AR 71601

Statements of qualification may be mailed using the U.S. Postal Service or a functional equivalent to:

Pine Bluff/Jefferson County Library System
Attn: Bobbie Morgan
200 East 8th Avenue
Pine Bluff, AR 71601

(**Note:** Responders may wish to use certified mail, return receipt requested, or its functional equivalent for such submissions.)

To be considered, the sealed envelope/packaging shall contain the

Pine Bluff/Jefferson County Library System
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information set forth in the RFQ Packet in the following manner:

One [1] original statement of qualifications and other required RFQ submittal documentation, plus a complete statement of qualifications in electronic form (i.e., CDs or thumb drive) containing all the information provided in the submitted original proposal statement of qualifications. The original statement of qualifications must bear the original signature of a party authorized to sign such a document.

The RFQ is not a public opening; no information will be read aloud; all envelopes and RFQ packaging shall be labeled with RFQ number, title, and opening date as set forth and required in the formal RFQ Packet.

To obtain the RFQ Packet which details the requirements of the statement of qualifications submittal, interested parties may contact Bobbie Morgan, Director, Pine Bluff/Jefferson County Library System by telephone, (870)-534-4615; by email, <bmorgan@pineblufflibrary.org>; or, on-line, at <www.pineblufflibrary.org>.

The Pine Bluff/Jefferson County Library System, Pine Bluff, Arkansas, does not discriminate based on race, creed, color, or national origin and encourages proposals from handicapped, minority, and female-owned and operated business.

Ms. Bobbie Morgan, Director
Pine Bluff/Jefferson County Library System

Project Description

In November 2016 the voters of the City of Pine Bluff passed a millage increase to fund the building of a new main Library and the renovation expansion of the Library's Watson Chapel branch. The total current estimated budget, construction cost only (excludes all other costs), for the new main Library is nine million seven hundred thousand (\$9,700,000) dollars. The total current estimated budget, construction cost only (excludes all other costs), for the Watson Chapel Branch is five hundred thousand (\$500,000) dollars.

As of the date of this RFQ, the Pine Bluff/Jefferson County Library System has contracted with the architectural team of Polk Stanley Wilcox, Little Rock, Arkansas [lead architect firm] and Reed Architectural Firm of Pine Bluff, Arkansas [associate architect firm] to provide professional design services for all phases of design through construction observation, along with this architectural team's engineering and other consultants. Also, as of the date of this RFQ, the architect-engineering-consultant team has begun pre-design/programming with the Library and the community of Pine Bluff.

Listed below are general over-views of what the projects are most likely to be. The specific scopes and programs for the two projects will be further defined after community meetings and detailed reviews with the staff and managers of the Main Library and the Watson Chapel Branch.

New Main Library, 6th Avenue and Main Street in Pine Bluff:

The land for the site of this main Library has been purchased and is at the corner of 6th Avenue and Main Street in Pine Bluff. The proposed building is estimated to be approximately 35,000 square feet, and has a total net construction-only estimated budget of \$9,700,000. The current Pine Bluff Main Library is housed in the Pine Bluff Civic Center, which was built *circa* 1963. There are no preliminary design drawings or information developed for this project as of the date of this document.

Renovated/Expanded Watson Chapel Branch:

The Watson Chapel Branch Library is located at 4120 South Camden Road in Pine Bluff. A total net construction-only estimated amount of \$500,000 has been budgeted to build a 2,000-square foot addition for a youth area, re-shingle the existing roof, upgrade the existing building by repainting and re-carpeting the interiors, adding a new security system, and adding new computers. There are no preliminary design drawings or information developed for this project as of the date of this document.

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Legal Advertisement

**Pine Bluff/Jefferson County Library System, Pine Bluff, Arkansas
REQUEST for QUALIFICATIONS [RFQ] #2018-2
LEGAL COUNSEL SERVICES for
Construction of A New Main Library and Renovation of One Branch**

The Pine Bluff/Jefferson County Library System, Pine Bluff, Arkansas 71601, is requesting statements of qualification responses from qualified parties for Legal Counsel Services (Counsel) for the construction of a new Main Library, 6th Avenue and Main Street, Pine Bluff, Arkansas, 71601, and the renovation of the Watson Chapel Branch Library, 4120 South Camden Road, Watson Chapel, Arkansas 71603.

Responders must be experienced and knowledgeable in scopes of work and the attendant contracts for these types of construction projects and areas related to these types of projects.

To be considered, all statements of qualification must be received in a **sealed envelope/packaging** not later than 4:00 P.M. local time, **February 21, 2018** at the Pine Bluff Public Library located at:

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Attn: Bobbie Morgan
200 East 8th Avenue
Pine Bluff, AR 71601

(Note: Responders may wish to use certified mail, return receipt requested, or its functional equivalent for such submissions.)

To be considered, the sealed envelope/packaging shall contain the information set forth in the RFQ Packet in the following manner:

One [1] original statement of qualifications and other required RFQ submittal documentation, plus a complete statement of qualifications in electronic form (i.e., CDs or thumb drive) containing all the

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information provided in the submitted original proposal statement of qualifications. The original statement of qualifications must bear the original signature of a party authorized to sign such a document.

The RFQ is not a public opening; no information will be read aloud; all envelopes and RFQ packaging shall be labeled with RFQ number, title, and opening date as set forth and required in the formal RFQ Packet.

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The Pine Bluff/Jefferson County Library System, Pine Bluff, Arkansas, does not discriminate based on race, creed, color, or national origin and encourages proposals from handicapped, minority, and female-owned and operated business.

Ms. Bobbie Morgan, Director
Pine Bluff/Jefferson County Library System

SECTION 1: STANDARD INSTRUCTIONS, TERMS AND CONDITIONS

Any special terms and conditions included in the Request for Qualifications override these standard terms and conditions. The standard terms and conditions and any special terms and conditions become part of any contract entered into if any or all parts of the proposal are accepted by the Pine Bluff/Jefferson County Library System.

DEFINITION OF TERMS

RFQ shall mean Request for Qualifications.

The words “firm”, “offeror”, “responder”, “proposer”, “company”, “contractor”, “construction manager [CM]”, “construction manager at risk [CMAR]”, may be used interchangeably in this document.

The words “Legal Counsel”, “Legal Counsel Services”, and “Counsel” may be used interchangeably in this document.

The words “architect”, “architect team”, “architect-engineer team”, “architect-engineer-consultant team”, and “design team” may be used interchangeably in this document.

The terms “Library”, “Library System”, or “Owner” are used interchangeably and refer to the Pine Bluff/Jefferson County Library System

SUBMISSION OF PROPOSAL

Proposals must be submitted to the Library using the forms included on or before the date and time specified for proposal opening. Each proposal should be placed in a separate envelope and sealed. Completely and properly identify on the outside of the envelope the proposal number, proposal title, and proposal opening date/time. Late proposals will not be considered under any circumstances.

Failure to sign the proposal may result in disqualification. The person signing the proposal should show title or authority to bind his/her firm in a contract; the signature must be in ink. The proposal must be completed in ink or typed.

ASSIGNMENTS

Neither this contract nor any interest therein nor claim thereunder shall be assigned or transferred by Counsel except as expressly authorized in writing by the Library and no contract shall be made by Counsel with any other party for furnishing

any of the work or services herein contracted for without the written approval of the Library.

CONTRACT AGREEMENT

The contract between the Library and Counsel shall consist of (1) the Request for Qualifications (RFQ) and any amendments thereto, and (2) the offer submitted by Counsel in response to the RFQ. In the event of a conflict in language between the two documents referenced above, the provisions and requirements set forth and/or referenced in the RFQ shall govern. However, the Library reserves the right to clarify any contractual relationship in writing with the concurrence of Counsel, and such written clarification shall govern in case of conflict with the applicable requirements stated in the RFQ or Counsel's offer. In all other matters not affected by the written clarification, if any, the RFQ shall govern.

The Library without further clarification cautions Counsel. The successful proposer will receive written notification of intent to award containing clarification of any approved modifications.

CONTRACT CHANGES

In no event, shall any understanding or agreement, contract modification, change order, or other matter which constitutes a deviation from the terms of this contract between Counsel and any person other than the Director of the Library, be effective or binding upon the Pine Bluff/Jefferson County Library System.

CONTRACT GUIDELINES

Responders should note that a contract does not become effective until it is awarded by the Library Board of Trustees.

DISCRIMINATION

In the event a contract is entered into pursuant to this RFQ, the offeror shall not discriminate against any qualified employee or qualified applicant for employment because of race, sex, color, creed, national origin, age, ancestry, or sexual orientation. Offeror must include in any and all subcontracts a provision similar to the preceding.

NON-COLLUSIVE AFFIDAVIT

By submitting a proposal, the offeror represents and warrants that such proposal is genuine and is neither collusive nor made in the interest of any person not named, and that the offeror has neither induced nor solicited any other party to

place a sham proposal nor directly or indirectly caused another party to refrain from or be unable to present a proposal.

PENALTY FOR COLLUSION

If at any time, it shall be found that the person, firm, or corporation to whom a contract has been awarded has, in presenting any proposal, colluded with any other party or parties, then the contract so awarded shall be null and void and Counsel shall be liable to the Library for any and all loss and damage of whatever nature which the City or Library may suffer. Given such a finding, the Library at its sole discretion may seek a new Counsel.

PROPOSAL EVALUATION

The Pine Bluff/Jefferson County Library System will negotiate, as appropriate, with the apparent acceptable proposer(s). The proposal(s) deemed to be the most practical and advantageous will receive major consideration. The proposed costs will weigh heavily in award of any resulting contract but will not necessarily be the determining factor. Apparent successful proposer(s) may be asked to participate in a pre-award meeting with the Library representatives to discuss and clarify contract requirements as pertains to performance expectations, response time, and other aspects of services, as appropriate. Agreements resulting from this meeting will be written into the resulting contract and will be subject to normal contract enforcement.

PROPRIETARY INFORMATION

All information submitted in response to this RFQ is public and will be available to interested parties after an award is made by the Pine Bluff/Jefferson County Library System. The proposer should not include as a part of the response to the RFQ any information which the proposer believes to be a trade secret or other privileged or confidential data. If the proposer wishes to include such material with a proposal, then the material should be supplied under separate cover and identified as confidential. The Pine Bluff/Jefferson County Library System will endeavor to keep that information confidential, separate, and apart from the proposal subject to the provisions of the Arkansas Freedom of Information Act.

REJECTION OF PROPOSALS

The Pine Bluff/Jefferson County Library System may reject any and all proposals and shall reject a proposal of any party who has been unfaithful and/or delinquent in any former firm relationship with the Library. The Library reserves the right to waive any irregularities or formalities in any solicitation or proposal response. The Library shall be the sole judge as to which proposal is best and in

determining that fact, may consider the business integrity, financial resources, experience, facilities, and/or capacity for performing the work.

RESERVATIONS

This RFQ does not commit the Library to award a contract, to pay any costs incurred in the preparation of a proposal in response to this request, or to procure or contract for services or supplies. The Library reserves the right to accept, or reject, in part or its entirety, any proposal received as a result of this RFQ, if it is in the best interest of the Library to do so.

STATEMENT OF EXPERIENCE AND QUALIFICATIONS

The offeror may be required, upon request, to prove to the satisfaction of the Library that the offeror has the skill, experience, and the necessary facilities and financial resources to perform the contract in a satisfactory manner and within the required time. If the evidence of competency requested is not satisfactory, the proposal of such offeror may be rejected.

WITHDRAWAL OF PROPOSAL

A proposal may be withdrawn without prejudice before the expiration of the time during which proposals may be submitted by submitting a written request for its withdrawal to the Director of the Pine Bluff/Jefferson County Library System at the address set forth for the submission for statements of qualification.

CAUTION TO PROPOSERS:

1. With respect to this RFQ, during the time between the opening of the RFQ and the awarding of the contract any contact between the offeror and the Library shall be initiated only by the Library. Specifically, the Director of the Library or her designee shall initiate all such contact(s).

2. Offerors must submit one [1] original proposal statement of qualifications and other required RFQ submittal documentation, plus a complete statement of qualifications in electronic form (i.e., CD or thumb drive) containing all the information provided in the submitted original proposal statement of qualifications. The original document of the proposal statement shall be signed in ink by competent authority.

Failure to submit the required number of copies with the RFQ may be cause for rejection. If the Library requests additional copies of the RFQ, they must be delivered within twenty-four (24) hours of request.

3. The Pine Bluff/Jefferson County Library System reserves the right to award a contract or reject a RFQ, if the Library at its sole discretion determines it is in the best interests of the Library to do so. RFQs will be rejected for one or more reasons including but not limited to the following:

- a. Failure of the offeror to submit its RFQ(s) on or before the deadline established by the issuing office
- b. Failure to sign an Official RFQ Document
- c. Failure to provide pricing and fee documentation required by the RFQ
- d. Any wording by the offeror in its response to this RFQ, or in subsequent correspondence, which conflicts with or takes exception to a requirement in the RFQ
- e. Failure of any proposed goods or services to meet or exceed the specifications
- f. Communication between the offeror and Library employees, except as provided for in paragraph one (1.) of this section, regarding RFQ items prior to RFQ award.

SECTION 2: SPECIAL INSTRUCTIONS AND TERMS

INSURANCE REQUIREMENT

After proposals are opened and negotiations completed, the successful firm(s) must provide proof of insurance within five (5) business days from date of request by the Library. Insurance must provide sufficient liability protection for all claims, whether direct or indirect, resulting from contractual operations. Failure to submit an insurance certificate by the time provided, may be cause for proposal disqualification.

The Pine Bluff/Jefferson County Library System must be named as additional insured, and the certificate must contain a clause that the insurer will not cancel or change the insurance without first giving the Library a minimum of 30-days prior written notice. (The Library reserves the right to lower/raise these coverages if doing so, at the sole discretion of the Library, is in the Library's best interests.)

1. Malpractice Policy with limits listed
2. General Liability

General Aggregate	\$2,000,000
Each Occurrence	\$1,000,000
3. Professional Liability

Each Occurrence	\$1,000,000
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RESPONSE EVALUATION (100%)

The Library will negotiate, as appropriate, with the apparent acceptable offeror. The response(s) deemed to be the most practical and advantageous will receive major consideration. The apparent successful firm may be asked to participate in a pre-award meeting with Library representatives to discuss and clarify contract requirements including but not limited to performance expectations, response time, and other aspects of services as appropriate. The resulting agreements, terms, or conditions will be written into the resulting contract and will be subject to normal contract enforcement. **The Library will utilize but not be limited to the following criteria in reviewing the proposer's submission:**

1. Overall responsiveness to the RFQ
2. Firm's specialized experience and technical competence for the required work
3. Staffing capacity and capability of firm to perform required work

4. Past record of performance with respect to control of costs, quality of work, and ability to meet schedules and deadlines
5. The firm's proximity to and familiarity with the Library
6. References

ORAL AND/OR WRITTEN PRESENTATIONS (additional 50%)

If requested, offeror shall make oral/written presentations to explain more fully offeror's response to the RFQ. These presentations and demonstrations, if requested, will be held subsequent to the opening of the responses to provide an opportunity for offeror to clarify offeror's response. The Library may also make inquiries of other customers for whom offeror has provided presentations.

The Director of the Library will coordinate the time and location for presentations. If an offeror refuses to honor such a request, such refusal may result in the rejection of that offeror's response.

SELECTION PROCESS (highest percentage Response Evaluation + highest percentage Oral Interview)

The Review Committee shall evaluate all statements of qualifications and other submittals and proceed with the selection process in accordance with Arkansas Statue 19-11-801:805.

Solely for the convenience of offerors, Headings pertaining to Arkansas Statue 19-11-801:805 are set forth below:

Arkansas Statute 19-11-801:805

**Title 19 - Public Finance
Chapter 11 - Purchasing and Contracts
Subchapter 8 - Procurement of Professional Services**

- [§ 19-11-801 - Policy -- Definitions.](#)
- [§ 19-11-802 - Annual statements of qualifications and performance data -- Restrictions on competitive bidding.](#)
- [§ 19-11-803 - Evaluation of qualifications.](#)
- [§ 19-11-804 - Selection.](#)
- [§ 19-11-805 - Negotiation of contracts.](#)
- [§ 19-11-806 - \[Repealed.\]](#)
- [§ 19-11-807 - Design-build construction.](#)

Subsequent to these steps the Library shall then negotiate a contract with the highest qualified firm for the services to be rendered at compensation which the Review Committee, or its designees, determines is fair and reasonable to the Library. The contract contemplated by this document is not final and binding unless and until it is approved by the Board of Trustees of the Pine Bluff/Jefferson County Library System.

AWARD

Subsequent to receipt and evaluation of proposals, the Library will promptly notify the selected offeror with a notice of acceptance. The selected offeror will be required to assume responsibility for all services offered in its proposal. **The selected offeror will be considered the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the contract.**

REQUEST FOR QUALIFICATION TIMELINE

- | | |
|--------------------------------|--|
| 1. Public Advertisement | 6-8 February 2018 |
| 2. Addendum (if necessary) | 14 February 2018 (final inquiries);
4:00P.M. Local Time;
Issue: 16 February 2018 |
| 3. Deadline for RFQ Submittal | 21 February 2018 4:00 P.M.
Local Time |
| 4. Evaluation Committee Review | 21 February 2018 |
| 5. Oral Interviews | 26 February 2018 |
| 6. RFQ Selection | 26 February 2018 |
| 7. Notification of Decision | 28 February 2018 |

All dates are subject to change at the sole discretion of the Library.

SECTION 3: PURPOSE AND SCOPE OF SERVICES

PURPOSE

It is the intent of the Pine Bluff/Jefferson County Library System to enter into a contract with a qualifying firm for Legal Counsel services in conjunction with the Library's projects for the new Main Library at 6th Avenue and Main Street in Pine Bluff and renovating and expanding the existing Watson Chapel Branch, 4120 Camden Road, Pine Bluff.

The Library will employ a Legal Counsel firm, experienced and knowledgeable in the scopes of work and the attendant contracts for these types of construction projects and areas related to these types of projects, to provide timely legal counsel to the Library regarding these matters as may be necessary and prudent. Negotiation skills are valued components of the Knowledge, Skills, and Abilities inherently required by this RFQ. Selected counsel will be expected to employ these negotiations skills on behalf of the Library.

Counsel shall work in close relationship with the Library and the Library's contracted lead architect firm, Polk Stanley Wilcox Architects, Little Rock, Arkansas and contracted local associate architect, Reed Architectural Firm, Pine Bluff, Arkansas, until both projects are fully completed.

The projects' design, construction, and management will be an open process at all times. The Library may attend any and all meetings and have access to any and all of Counsel's records pertaining to the projects.

INQUIRIES

Instructions for preparation and submission of proposals are contained in this package. Questions regarding this RFQ shall be directed **in writing [email acceptable]** to:

Bobbie Morgan, Director
The Pine Bluff/Jefferson County Library System
bmorgan@pineblufflibrary.org
870-534-4615

or

Bobbie Morgan, Director
The Pine Bluff/Jefferson County Library System
200 East 8th Avenue
Pine Bluff, AR 71601

Final date for inquires and other concerns shall be 14 February 2018, submitted no later than 4:00 P.M Local Time. Offerors must submit all requested information in offerors' proposals in accordance with all the instructions contained in this RFQ.

Offerors Note: **Verbal inquiries without written follow-up [email acceptable] will not be acknowledged, considered, or answered.**

QUALIFICATIONS

The qualified offeror shall meet the following criteria and provide the following information:

1. Demonstrate the offeror is a current member in good standing of the Arkansas Bar Association and the County Bar Association in the county in which the primary business location of the firm is situated.

All credentials of the offeror must be current and meet all the applicable Laws-Effective at the time this RFQ proposal is submitted. The acceptable Legal Counsel must have sufficient staffing to handle all expressed and implied functions to satisfactorily complete the work specified herein.

2. This RFQ requires an offeror with a minimum of the aforementioned licensures with emphasis and demonstrated strong achievement levels in the legal areas attendant to the construction, expansion, and addition contemplated by the Library as set forth elsewhere in this document.
3. The selected Legal Counselor offeror shall have the resources, staffing, and expertise in legal disciplines applied to the planning, design, and construction processes. In addition, the offeror must have legal qualifications and experience for all relevant legal functions inclusive of but not limited to, time management, cost containment, scope of work, and other comprehensive project controls to manage all legal issues of these construction projects. The Legal Counsel will be a stakeholder and coordinator of the Library's legal affairs in performance of this contract while representing and communicating what is in the best interest of the Library.

4. Personnel associated with offeror's firm expected to participate in this scope of work shall be certified, trained, and hold appropriate licensures for the specified discipline.
5. Offeror should describe the nature of offeror's practice and experience in construction contract matters and negotiations. As to these matters, offeror should detail offeror's track record, court, jury trial, and appellate experience, with particular detail regarding those key attorneys whom offeror anticipates being involved in such matters on behalf the Library
6. Offeror should submit a résumé of offeror and any other employees whom offeror anticipates being involved in this enterprise. Each résumé should be limited to one page and include only those experiences and qualifications relevant to the subject matter of this RFQ
7. For all persons whose résumés are submitted, please include lists of their current hourly billing rates as well as any anticipated expenses
8. Describe offeror's practice in timekeeping on an hourly basis, e.g., minimum charge, segments of time billed—tenths of an hour or one quarter of an hour
9. Please state if offeror accepts engagements on bases other than hourly and if so, briefly describe each of them
10. Please list and give current rates for charges other than those based on time billed to clients, e.g., facsimiles, copying, computer research, secretarial overtime, and so on
11. Please include the name, titles, addresses, and phone numbers of at least three (3) client references. References should be limited to clients who have retained offeror to represent them in construction contract matters
12. To the extent they can be foreseen from the information in this RFQ, please indicate any actual or potential conflicts of interest that might arise from offeror's representation of the Library in one or more of the matters listed
13. Offeror's submission should include the name(s), title, and phone number of the Point of Contact with respect to this RFQ.

SECTION 4: RESPONSE SUBMITTAL REQUIREMENTS

All proposers shall provide complete written responses to each of the following requests. Your proposal should address each of these items in the same order presented in lists below:

Format – Proposals must be received bound, tabbed and categorized with dividers in the order below. All responses should be direct, concise, complete, and unambiguous. Any alternative to any of the specifications must be completed in the same aforementioned manner. NOTE: Omitting any of the following specified information to be submitted may result in the proposer’s RFQ response being disqualified.

A. General - Attachments

1. Section 5 of this RFQ: Signature Form
2. Section 6 of this RFQ: Non-Discrimination Statement
3. Section 7 of this RFQ: Counsel Certification Statement
4. Licensures
5. Proof of Insurability
6. Bonding limit

B. Firm’s proximity to Project Sites and familiarity with the Pine Bluff/Jefferson County Library System:

1. Provide information regarding your firm’s proximity and familiarity with the two project sites as well as the Pine Bluff/Jefferson County Library System. Also, address the availability of your firm for participation in possible community meetings to discuss projects from development through final completion
2. Detail any previous business you have conducted for or with the Library System within the last FIVE years
3. Explain why the Library System would benefit from selecting your firm for these services.

C. Human Resource

1. Provide any information per City of Pine Bluff Ordinance #6491 regarding efforts of the offeror’s good faith effort(s) to hire local firms and labor.

NOTE: Pine Bluff Ordinance #6491 is styled:

“An ordinance requiring that all city contracts contain a provision

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requiring Counsel to make good faith efforts to hire local firms to help perform the contract work and further requiring Counsel document its efforts for inspection by the city”.

The complete ordinance as supplied to the Library by Pine Bluff City Clerk Loretta Whitfield, may be viewed on the Library’s website, (www.pineblufflibrary.org), or obtained from the Clerk’s office, (870)-730-2006.

D. Confidential Financial Information – Proposer’s OPTION:

Should proposer desire to submit financial information that proposer deems or designates as confidential, such financial information must be included in a separate envelope and marked confidential.

APPENDIX A

Extract from the RFQ for a Construction Manager Previously Published by the Library

ADDITIONAL INFORMATION PROVIDED TO OFFEROR:

The following information (under headings captioned “Contract Type...”; “Schedule”; and “Scopes of Service”) is extracted from an RFQ for Construction Management Services previously published by the Library and is included in this RFQ for the information of responders to this RFQ for Legal Counsel:

CONTRACT TYPE AND METHOD OF PAYMENT

The Library has published and is receiving responses to an RFQ for a Construction Manager and expects to enter into a contract with the selected submitter (no selection has been made as of the date of this RFQ). It is expected under this contract the Library shall enter into a “Guaranteed Maximum Price, at Risk” (GMPAR) payment contract. The Construction Manager shall be bound to complete the construction of the new Main Library in Pine Bluff and the renovation and expansion of the existing Watson Chapel Branch Library for the agreed upon Guaranteed Maximum Price (GMP).

Current anticipated budget: Total for all the “hard,” construction-costs only, for the work is currently estimated at \$10,200,000 (\$9,700,000 for the New Main Library plus \$500,000 for the renovation and expansion of the existing Watson Chapel Branch Library). This amount is for both projects combined and includes only “hard” construction costs. This current total anticipated budget excludes all other “soft” costs required to deliver the two projects.

SCHEDULE

The specific dates/timeline durations of the following Primary Phases of design and construction for each of the projects will be developed in collaboration with the Library and the architect team by the CMAR as the work progresses so that each of the projects is 100% completed, occupied and all funds are fully paid from the Owner’s account no later than April 6, 2020:

1. Design Development: from: First week of March to: First week of May 2018
2. Construction Documents from: First week of May to: Mid-August 2018
3. Bidding & Negotiation from: Mid-August to: Mid-September 2018
4. Construction Administration from: Mid-September 2018 to: End of December 2019
5. Complete & Occupy by: 14 February 2020

SCOPES OF SERVICE

The CMAR shall work closely with the architect team [including all design and engineering consultants] and the Library's project representative. The CMAR must accept a trusting relationship and confidence between the CMAR and the Library. The Construction Manager at Risk agrees to furnish the CMAR's best skill, best judgement, and cooperation with all project members in the furthering the interests of the Library and the project.

It is expected that all parties will proactively collaborate to establish and maintain a harmonious relationship between the CMAR, the Library and the Library's Architect-Engineer-Consultant Team.

The CMAR shall provide engineering reviews, business administration, and field supervision to perform the work in the best and most expeditious, economical manner consistent with the interest of the Pine Bluff/Jefferson County Library System and in strict conformity with the contract documents.

The CMAR firm will perform, at a minimum, the following:

1. **Pre-Construction CMAR Services** for the full preliminary design development of the project through 100% construction [pricing] documents and through 100% of bidding and negotiations. The selected CMAR Offeror will have full access to the design documents produced by the architect-engineer team at all phases.

2. **Construction CMAR Services** required to provide full oversight, overall coordination, and proper cost and schedule management of all aspects of the construction of the two projects to ensure successful completion within the Library's established and approved Guaranteed Maximum Price at Risk [GMPAR] and the Library's required Schedule.

It will be at the discretion of the Library, if the CMAR may bid on any trade packages. Consideration may be given when unique, special situations occur whereby the Pine Bluff/Jefferson County Library System elects to have the CM perform other work; if such circumstance occurs a contract amendment will be issued to the CM to define this change and the conditions thereof.

During the Pre-Construction/Design Phase, the CMAR will use the CMR's skills and knowledge of construction to develop schedules, prepare construction cost models/estimates, conduct value engineering [cost-savings] studies, study labor conditions, identify and address constructability issues, and advise on the sequencing of construction work for the project.

Value Engineering-Cost Savings: the CMAR will provide value engineering. Cost-savings efforts shall be derived from conversations, progress, scope and cost estimates, and analyses of the contract documents, to effect a continuous assessment of the marketplace for both pricing and ability to manufacture and deliver in a timely manner the goods and services necessary to maintain the project schedules. Value engineering efforts will be expected from design through the bidding and negotiations, and when applicable in the construction phase.

'First Cost' vs. 'Long Term Cost' Analysis: The Library will place a high priority on the comparative assessments of all materials and components of the projects' first costs, relative to the value and impact of these materials and components on the facilities' long-term performance, maintenance, and operational costs.

During the Bidding & Negotiations [BN] Phase, The CMAR will deliver administrative works such as, but not limited to: developing all separate bidding trade packages; giving pre-bid notice and soliciting as many bids from well-qualified bidders as possible; receiving, tracking, calculating, organizing, and qualifying all bids for all trade packages. Throughout the BN Phase, the receipt, organizing, and qualifying of all bids by the CMAR will also be coordinated and shared collaboratively with the Library and the Architect-Engineer-Consultant Team.

During the Construction Phase, the CMAR will provide services and manage the project, inclusive of but not limited to:

1. The bidding, awarding, and management of trade contracts
2. All aspects of change order review, quality assurance, inspections, schedule monitoring-maintenance and cost management-control
3. Conducting regular, weekly jobsite meetings including the keeping and distribution of formal minutes/records of the meetings
4. Providing proactive [meaning thorough first reviews before sending to the Architect-Engineer Team] processing and distribution of shop drawings and samples review
5. Processing, issuing, tracking-monitoring, and expediting of requests for information [RFI's] to the Architect and Library
6. Proactive and thorough reviews for accuracy, complete documentation-backup, and timely processing of all Pay Requests to the Owner through the Architect
7. Collaborative and proactive coordination of resolutions and activities between Counsel, subcontractors, trades, suppliers, vendors, etc., the Architect-Engineer Team, and Owner's Project Team.

Pine Bluff/Jefferson County Library System
Request for Qualifications 2018-2
Request for Legal Counsel Services
Construction of a New Main Library and
Renovations and Addition to Watson Chapel Branch Library
6 February 2018

SECTION 5: SIGNATURE FORM

RFQ Opening Location: Pine Bluff Public Library
Library Board Room,
Pine Bluff Civic Center
200 East 8th Street,
Pine Bluff, Arkansas 71601

RFQ Opening Date & Time: 21 February 2018 at 4:01 P.M. local time

Name of Firm

Address _____ City _____ State _____ Zip Code _____

Telephone Number _____

Fax Number _____

Name and Title of Authorized Proposer:

(please print)

Email Address

Signature of Authorized Proposer:

ADDENDA:

The undersigned has received and examined the following addenda:

#1 date _____ #2 date _____ #3 date _____

Pine Bluff/Jefferson County Library System
Request for Qualifications 2018-2
Request for Legal Counsel Services
Construction of a New Main Library and
Renovations and Addition to Watson Chapel Branch Library
6 February 2018

If a Partnership, complete the following:

Name of Partners:

If a Corporation, complete the following:

Name and Address of President:

Name and Address of Treasurer:

(Signature) _____

(Title) _____

(Date) _____

(Seal)

SECTION 6: NON-DISCRIMINATION STATEMENT

The proposer certifies that:

- (1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin, or gender in connection with any bid submitted to the Pine Bluff/Jefferson County Library System or the performance of any contract resulting therefrom;
- (2) That it is and shall be the policy of the company to provide equal opportunity to all business persons seeking to contract or otherwise interested in contracting with this Company, including those companies owned and controlled by racial minorities, cultural minorities, and women;
- (3) That the failure of this company to satisfactorily discharge any of the promises on non-discrimination as made and set forth herein shall constitute a material breach of contract entitling the Pine Bluff/Jefferson County Library System to declare the contract in default and to exercise any and all applicable rights and remedies including but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

Signature

Title

NOTARY

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

My commission expires _____ 20 _____

SECTION 7: COUNSEL CERTIFICATION STATEMENT

The offeror certifies that:

- (1) In accordance with City of Pine Bluff Ordinance #6491, offeror in preparing the bid has made a good faith effort to hire local firms and labor to perform the work on this project and agrees to make relevant documentation as required by Ordinance #6491 available to competent authority for inspection when requested;
- (2) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin, or gender in connection with any bid submitted to the Pine Bluff/Jefferson County Library System or the performance of any contract resulting therefrom;
- (3) That it is and shall be the policy of the offeror to provide equal opportunity to all business persons seeking to contract or otherwise interested in contracting with the offeror, including those companies owned and controlled by racial minorities, cultural minorities, and women;
- (4) That the failure of the offeror to satisfactorily discharge any of the promises on non-discrimination as made and set forth herein shall constitute a material breach of contract entitling the Pine Bluff/Jefferson County Library System to declare the contract in default and to exercise any and all applicable rights and remedies including but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

Signature

Title

NOTARY

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

My commission expires _____ 20 _____

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END OF PINE BLUFF/JEFFERSON COUNTY LIBRARY SYSTEM

REQUEST FOR QUALIFICATIONS #2018-2