

REQUEST FOR PROPOSAL, RFP NO. 2357
GENERAL CONTRACTING SERVICES FOR
THE RENOVATION OF THE METROPOLITAN
AT
7620 OLD GEORGETOWN ROAD
BETHESDA, MD 20814

December 21, 2022



Pre-Proposal Meeting: January 4, 2023 at 2:00 PM

To Join Online:

Meeting URL: meet.google.com/ogc-azjh-qcw

To Join by Phone:

Call-In Number: +1 818-213-2752

Meeting Pin: 605 494 492#

Proposal Due Date: February 20, 2023 at 2:00 PM

ELECTRONIC SUBMITTAL: PURCHASING@HOCMC.ORG

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*****BID SECURITY REQUIRED*****

**REQUEST FOR PROPOSAL No. 2357
GENERAL CONTRACTING SERVICES FOR
THE RENOVATION OF THE METROPOLITAN**

The Housing Opportunities Commission of Montgomery County, Maryland (hereafter referred to as HOC) is soliciting proposals from General Contractors who are licensed and insured to conduct business within the State of Maryland. General Contractors shall provide single source construction for the renovation of The Metropolitan Apartments (“The Metropolitan”), which was constructed in 1997. It is a 14-story, 308-unit high-rise apartment building located at 7620 Old Georgetown Road, Bethesda. The Metropolitan currently provides ninety-two (92) affordable units and two hundred sixteen (216) market rate units. The Metropolitan also has ground-floor retail space which is currently 100% leased.

The two hundred sixteen (216) Market rate units had some minor renovations completed in 2013, but are in need of more significant renovations to remain competitive with other market rate units today. The ninety-two (92) affordable units have not had any renovations.

The Metropolitan is built above Montgomery County owned Metropolitan Public Parking Garage 49 and the legal title is structured as an air rights condominium. The Metropolitan has its own parking garage, which provides one hundred sixty-four (164) parking spaces, and six (6) Americans with Disabilities Act (ADA) designated spaces for residents.

Please see the bid set and specifications prepared by Miner Feinstein Architects, dated November 04, 2022 for additional information and detailed scope of work. All work shall comply with the conditions set forth in this document and as contained within the project details, specifications, and any attachments contained herein. This Contract requires the Contractor to furnish all labor, materials and permits necessary to complete the project as specified herein.

Property Amenities Rooftop pool with lounge seating and stunning views, community room, fitness center, business center, onsite storage, 24-hour concierge, one-story parking garage, courtyard, and balconies available in select apartment homes.

Neighborhood Amenities Moments from the shops and entertainment of Bethesda Row, one block from Bethesda Metro Station, and numerous on-site retail shops, including Bethesda Metro Hair (barber shop), &Pizza, Chipotle, Geste Wine and Food, Kohler, and Next Phase Fitness Studio.



Renovations will be financed through a LIHTC re-syndication of The Metropolitan and must meet all DHCD LIHTC Program requirements. To review Maryland's Qualified Allocation Plan and Multi-family Rental Financing Program Guide, which govern the State's LIHTC Program, please visit:

<https://dhcd.maryland.gov/HousingDevelopment/Pages/MFLibrary.aspx#gap>

HOC is projecting to achieve National Green Building Standard (NGBS) Silver certification.

A pre-proposal meeting and conference will be held virtually on **January 4, 2023 at 2:00 p.m.** The URL to join the online meeting is meet.google.com/ogc-azjh-qcw. A headset is recommended or you may use your computer's microphone and speaker. You can also join the meeting by phone. The Call-In number is +1 818-213-2752 and Meeting Pin is 605 494 492#. While attendance at the pre-proposal conference is optional and not a requirement to submitting a proposal, respondents who intend to submit a proposal are strongly encouraged to attend. If you require any aids or services to fully participate in this meeting, please call 240-627-9786 or 711 (TTY).

Complete solicitation documents are available on the website:

<https://www.hocmc.org/do-business-with-us/current-bids-proposal.html>

All questions must be submitted in writing. The deadline for submitting questions is **January 25, 2023 by 12:00 PM.**

Proposals will be received by the HOC Procurement Office electronically to Purchasing@hocmc.org by **2:00 PM on February 20, 2023.** Delivery of Proposals by fax or mail is not acceptable. Proposals received after the due date and time will not be considered. Proposals will only be accepted from those General Contractors that can establish, to the satisfaction of HOC, the reliability and responsibility of the persons or entities proposed to furnish and perform the Work described in the Proposal Documents and provide satisfactory evidence of, and references for, completion of projects **in the capacity as a General Contractor of similar scope which is defined as construction of high-rise commercial buildings in the Baltimore-Washington Metropolitan area within the last Five (5) years which have targeted and/or achieved the attainment of certifications evidencing construction to standards above code minimum (e.g. LEED, Energy Star).**

The Proposal shall be accompanied by a certified check or bank draft, payable to the HOC, or a satisfactory Bid Bond executed by the Respondent and a Surety that is acceptable to the Federal Government, in an amount equal to not less than Five Percent (5%) of the Proposal. Failure to comply with this requirement may cause the Proposal to be considered non-responsive, and subject to rejection.

The Contract will be awarded to the Responsive and Responsible Respondent offering the best combination of qualifications and price, who meets the **Qualification Requirements outlined in Part I Section G.** No Respondent may withdraw or alter their Proposal within ninety (90) days after the Proposal due date.

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY, MARYLAND

December 21, 2022

Leidi Reyes
Procurement Officer

**REQUEST FOR PROPOSAL, RFP NO. 2357
GENERAL CONTRACTING SERVICES FOR THE
RENOVATION OF THE METROPOLITAN**

I. GENERAL

A. INTRODUCTION

The Housing Opportunities Commission of Montgomery County, Maryland (“HOC” or the “Commission”) is the public housing, development and finance agency of Montgomery County, Maryland. HOC develops, owns and/or manages a wide range of rental housing in Montgomery County including public, affordable, market-rate, supportive and senior housing.

All work in connection with this Request for Proposal (RFP) shall comply with the project details contained herein, and the scope of work, finish schedules and bid set prepared by Miner Feinstein Architects, dated November 04, 2022 (collectively hereinafter referred to as the “Construction Bid Documents”). Additional project information is contained in the General Requirements section below. The information provided in this RFP will be incorporated into the contract as part of the specifications for the project.

The work will require compliance with certain regulatory requirements. In particular, Davis-Bacon prevailing wages will apply to the contract awarded and Contractors will be responsible for monitoring and incorporating the latest Davis-Bacon Wage Decisions, which can be found at <https://beta.sam.gov/>

While relocation of residents during the work will primarily be HOC’s concern, Respondents should be aware that tenants qualify for URA treatment and benefits. To the extent those requirements are applicable to Respondents, they should be taken into consideration.

Section 504 of the Rehabilitation Act of 1973 also applies to the work. All renovations must take into consideration application of the law that applies to modifications of the units to make them accessible to the extent required.

B. PROPERTY DESCRIPTION

The Metropolitan was constructed in 1997 It is a 14-story, 308-unit high-rise apartment building located at 7620 Old Georgetown Road, Bethesda. The Metropolitan currently provides ninety-two (92) affordable units and two hundred sixteen (216) market rate units. The Metropolitan also has ground-floor retail space which is currently 100% leased.

The two hundred sixteen (216) Market rate units had some minor renovations completed in 2013, but are in need of more significant renovations to remain competitive with other market rate units today. The ninety-two (92) affordable units have not had any renovations.

The Metropolitan is built above a Montgomery County owned Metropolitan Public Parking Garage 49 and legal title is structured as an air rights condominium. The Metropolitan has its own parking garage, which provides one hundred sixty-four (164) parking spaces, and six (6) Americans with Disabilities Act (ADA) designated spaces for residents.

Renovation of three hundred eight (308) units will be phased, with each phase (three (3) vertical stacks) consisting of minimum thirty-six (36) units. HOC will vacate all units during each phase for the duration of the construction of that phase. The other units will remain occupied and tenants will be using the parking garage and common areas of the property.

Tenant relocation and tenant property storage will be managed by HOC and related expenses will be paid by HOC outside of the GC contract.

HOC plans on providing storage space which the equivalent of up to 4 garage parking spaces. Additionally, HOC is not providing parking spaces for General Contractor or subcontractors during the renovation so the Garage 49 will be available for paid parking.

C. PRE-PROPOSAL MEETING AND BID DOCUMENTS

A pre-proposal meeting and conference will be held virtually on **January 4, 2023 at 2:00 p.m.** The URL to join the online meeting is meet.google.com/ogc-azjh-qcw. A headset is recommended or you may use your computer's microphone and speaker. You can also join the meeting by phone. The Call-In number is +1 818-213-2752 and Meeting Pin is 605 494 492#.

The purpose of the pre-proposal conference is to give potential respondents an opportunity to ask questions and to obtain clarification about any aspect of this Request for Proposal. While attendance at the pre-proposal conference is optional and not a prerequisite to submitting a proposal, respondents who intend to submit a proposal are encouraged to attend. Please download and review the solicitation prior to the meeting. Any changes resulting from this conference will be issued in a written addendum to the solicitation.

The complete solicitation documents are available for download at HOC's website under RFP #2357: <http://www.hocmc.org/do-business-with-us/current-bids-proposals.html>

D. QUESTIONS

All questions regarding the project and supporting documentations must be submitted to HOC's Procurement Office, in writing via email to Purchasing@hocmc.org. The deadline for submitting any and all questions is January 25, 2023 at 12:00 PM. Responses to questions received in writing will be posted on HOC's website in the form of an addendum. Your email subject line should read "RFP No. 2357 – General Contracting Services for the Renovation of the Metropolitan"

E. DUE DATE

Proposals will be received by HOC's Procurement Office electronically to Purchasing@hocmc.org, at 2:00 PM, on February 20, 2023. Delivery of proposals by fax or mail will not be accepted. Proposals received after the due date and time will not be considered. Proposals should only be submitted to the email address referenced above and indicate in the subject line "RFP No. 2357 – General Contracting Services for the Renovation of the Metropolitan."

F. ADDENDUM

1. In the event this solicitation is amended, all terms and conditions which are not modified remain unchanged.
2. Respondents shall acknowledge receipt of any Addendum to this solicitation by signing and returning the Addendum with their proposal. Failure to acknowledge receipt of any Addendum will result in the rejection of Respondent's proposal if the Addendum contained information that substantively changed HOC's requirements.

G. MINIMUM QUALIFICATIONS

1. The Proposal shall be accompanied by a certified check or bank draft, payable to the HOC, or a satisfactory Bid Bond executed by the Respondent and a Surety that is acceptable to the Federal Government, in an amount equal to Five Percent (5%) of the Proposal. Failure to comply with this requirement may cause the Proposal to be considered non-responsive, and subject to rejection.
2. The successful Respondent will be required to furnish and pay for satisfactory Performance and Payment Bonds for One Hundred Percent (100%) of the Contract value prior to the award of the contract.

The Qualification Information listed above shall be submitted with the Contractor's Proposal. Failure to provide all required documentation with packet submission may be deemed an incomplete submission and subject to disqualification.

HOC reserves the right, at its sole discretion, to accept or reject any and all proposals received as a result of this RFP; to waive minor irregularities; and to conduct discussions with all responsible Respondents, in any manner necessary, to serve the best interest of HOC. HOC reserves the right to request additional information from any or all Respondents if necessary to clarify that, which is contained in the submissions.

While it is the present intention of HOC to carry out the development of the property as identified in this RFP as soon as practicable, nothing contained in this RFP shall be construed as a warranty or commitment on the part of HOC to be obligated to develop all or any portion of the property. HOC shall not be liable for any costs, damages, injuries, or liabilities caused to or suffered or incurred by the Respondent, its successor or assigns in connection with, or as a result of HOC's inability to meet deadlines or any preliminary schedules.

3. Subcontracting Plan

The proposal must contain a Subcontracting Plan. The Subcontracting Plan must include the following information for each subcontractor to be used: (1) name and address; (2) the type of work or service to be provided; (3) the percentage of work to be completed; and (4) MFD designation (if applicable), including the name of the certifying agency, the certificate number, and proof of certification (e.g., a certification letter or copy of the certificate from the certifying agency).

Failure to comply with this minimum requirement will result in the proposal being considered as non-responsive and will therefore be excluded from consideration.

4. Submissions will only be accepted from Respondents who provide satisfactory evidence of, and references for, completion **of projects of similar scope**, with tenants in place and with single contract values of at least Thirty-Five Million Dollars (\$35,000,000.00) that have been completed within the past five (5) years.
5. Respondent's references shall demonstrate successful experience with multi-family residential renovation (rehabilitation) of similar size and vintage projects with tenants in place in Montgomery County, Maryland or in the surrounding Baltimore-Washington Metropolitan area. Contractors should include the following minimum criteria:
 - a. Contractor must demonstrate experience with major utility upgrades and major mechanical systems: Full electrical system upgrade, plumbing systems, fire alarm, and monitoring systems.
 - b. Contractor must demonstrate experience with projects of similar scope, age and scale (number of dwelling units) with residents in place.
 - c. Contractor must show strong track record of completed projects over the past five years involving affordable housing financing programs including, but not limited to Low Income Housing Tax Credits, HUD financing, Davis Bacon and Related Acts
6. In order to demonstrate the financial capacity and stability to undertake the work, Respondents must submit their current financial statements. The contract will require the successful Respondent to procure a One Hundred Percent (100%) Payment and Performance Bond.
7. Respondents **must provide HUD Previous Participation clearance (Form 2530 approval).**

Failure to provide all required documentation with packet submission will be deemed an incomplete submission and subject to disqualification. All documents must be submitted in order as outlined in the RFP below.

HOC reserves the right at its sole discretion, to recommend the award of a contract related to this RFP based upon the written proposals to be received by HOC without prior discussion or negotiation with respect to those proposals. HOC reserves the right, at its sole discretion, to accept or reject any and all proposals received as a result of this RFP; to waive minor irregularities; and to conduct discussions with all responsible Respondents, in any manner necessary, to serve the best interest of HOC. HOC reserves the right to request additional information from any or all Respondents if necessary to clarify that which is contained in the submissions.

While it is the present intention of HOC to carry out the development of this property as identified in this RFP as soon as practicable, nothing contained in this RFP shall be construed as a warranty or commitment on the part of HOC to be obligated to develop all or any portion of the property. HOC shall not be liable for any costs, damages, injuries, or liabilities caused

to or suffered or incurred by the Respondent, its successor or assigns in connection with, or as a result of HOC's inability to meet deadlines or any preliminary schedules.

H. Rights Reserved

HOC reserves the right to:

- a. Make more than one award;
- b. Reject any or all submissions as non-compliant;
- c. Consider past experience with a Respondent as part of its evaluation process (including, without limitation, reducing points due to prior poor performance);
- d. Reject any submission from a Respondent with prior experience with HOC that was unsatisfactory, at HOC's sole discretion;
- e. Request further information from the Respondent at any time during the process, either in writing or orally;
- f. Perform background checks on Respondents;
- g. Request a best and final proposal;
- h. Waive any informality (other than a submission after the due date);
- i. Modify this solicitation, including an extension of the deadline for submission, at any time prior to the solicitation due date and time; and/or
- j. Cancel the Solicitation.

I. Discloser

All information shared by HOC pursuant to this RFP shall be held in strict confidence. HOC is subject to the Public Information Act, Md. Code Ann., Gen. Prov. §§ 4-101 – 4-601 (the "Act"). This RFP, Respondent's response to this RFP, any resulting contract, and any and all other communications with HOC shall be subject to disclosure, unless an exception prevents disclosure of such information.

J. Minority Participation

HOC is committed to providing Minority/Female/Disabled ("MFD") firms an opportunity to compete in its purchasing environment and encourages all MFD firms to respond to this solicitation directly or through subcontracting opportunities. HOC promotes the use of MFD firms in all its procurement opportunities and encourages all vendors to subcontract with organizations with an MFD designation.

Contractors submitting a response to this solicitation must meet the following MFD requirements: at least twenty-nine percent (29%) of its contracts for subcontract work and/or supplies (based on total contract value) must be with MFD firms that have been certified by a federal or locally recognized certification program.

Failure to comply with this minimum requirement will result in the proposal being considered as non-responsive and will therefore be excluded from consideration.

Please note that when a certified MFD participates as a Prime Contractor, HOC may provide credit for the MFD participation requirement for self-performance. Proof of certification is required to be submitted with proposal.

K. SELECTION

HOC's selection committee will review the Respondents' qualifications.

No Respondent may alter their proposal after submission. Failure to provide all required documentation with packet submission may be deemed an incomplete submission and subject to disqualification.

Selection Criteria: Proposals will be evaluated based on a set of minimum qualifications including valid and proper licensing; insurance and bonding capacity; general experience and management of similar residential renovations involving affordable housing financing programs including, but not limited to Low Income Housing Tax Credits, HUD financing, Davis Bacon and Related Acts; contractor pricing. Price proposals should include detailed construction cost estimates for each CSI Section / Division. Price proposals should be based on Maryland DHCD Form 212 and 215, Detailed Cost Estimate, and should include estimated units, per unit prices, and total prices for each budget line item. Contractor's approach to the project with an estimated delivery schedule.

Failure to include detailed construction budget as described above may result in rejection of Proposals.

L. Proposal Submissions

1. The Proposal must be organized as follows:

Cover Letter

The cover letter should include the respondent's name, name and telephone number of the person authorized to make representation on behalf of the respondents, solicitation number and the project name.

Minimum Qualifications:

Tab 1: Licenses

Provide copies of the valid licenses that permit you to conduct business and perform the described scope of work within the State of Maryland.

Tab 2: Insurance

Provide a copy of your Certificate of Insurance confirming that your company's insurance coverage meets or exceeds the standard requirements listed under the "Insurance Requirements" section.

- a. Acknowledgment that HOC will be added as an additional insured if/upon award of contract.

Tab 3: Bonding Agent Letter

Provide a statement from your bonding company that reflects that your current individual and aggregate Payment and Performance bonding capacity meets this minimum requirement of the Property/Properties for which you are submitting:

Property Name	Minimum Bonding Capacity
The Metropolitan	\$35,000,000.00

Tab 4: Signed Addenda (if applicable)

Respondents shall acknowledge receipt of any Addenda to this solicitation by signing and returning the Addendum with their submittals. Failure to acknowledge receipt of any addendum may result in the rejection of the submittals.

Scoring Criteria & Additional Submission Requirements (Respondents will be awarded up-to 100-Points Total)

HOC’s Evaluation Committee will review the Respondents’ qualifications. Based on these criteria, the committee will choose those Respondents deemed “qualified” for the individual projects. In addition to the minimum qualification requirements, each Respondent must submit the following:

Tab 5: AIA A305 – Contractor’s Qualification Statement

(10-Points) AIA A305 - Contractor’s Qualification Statement. Provide a completed copy of this document (however, **do not complete section 5, “ Financing”**).

Tab 6: General Experience

(30-Points) General Experience: Respondent’s references shall demonstrate successful experience with the following:

- a. Contractor must demonstrate experience with major systems upgrades and utility/permitting coordination to include: electrical, plumbing, mechanical, life safety and monitoring systems.
- b. Contractor must demonstrate experience with the permitting, code compliance and inspection process that pertains to the scope of work noted in this solicitation.
- c. Contractor must demonstrate experience undertaking and completing multi-family renovations similar to the proposed project involving affordable housing financing programs, including, but not limited to Low Income Housing Tax Credits, HUD financing, and Davis Bacon and Related Acts.
- d. A minimum of two (2) project examples of rehabilitated properties with similar type, scope of work, and scale in which the dollar value is greater than Thirty-Five Million Dollars (\$35,000,000.00). Provide the owner and architect contact information for each supporting project provided.
- e. Contractors must demonstrate experience with completing multi-family renovations similar in scope of work, size and scale, with an emphasis on enhancing the sustainability and visual appeal of the development.

- f. Evidence of prior experience and ability to complete renovations on time, including a staffing plan.
- g. Narrative description of prior experience approaches to project and delivery schedules;
- h. Brochure and Supporting Materials: Please provide supporting materials, such as photographs, sample proposed project schedule, project documentation samples and other brochures to assist HOC in evaluating your firm.

Tab 7: Management and Operations

(15-Points) Management and Operations: Provide a brief narrative description of the following management and operation procedures:

- a. Staffing assignments, roles, and responsibilities (Include resumes)
- b. Communication / Owner update methods and frequency
- c. Quality Assurance / Quality Controls Prior to Punch Walks / Owner approvals
- d. Safety Protocol
- e. Continuing education / Employee training / Industry related designations and/or certifications
- f. In-house trade specialties (if applicable)
- g. Budget controls and Change Order reviews
- h. Prior experience approaches to project and delivery schedules, to include currently used technology and software
- i. COVID-19 Operation Plan

Tab 8: Pricing

(30-Points) Pricing: Price proposals should include detailed construction cost estimates for each CSI Section / Division. Price proposals should be based on Maryland DHCD Form 212 and 215, Detailed Cost Estimate, and should include estimated units, per unit prices, and total prices for each budget line item. Additionally, please complete the Exhibit I – Alternate and Value Engineering (VE) Lists.

Tab 9: Delivery Schedule

(5-Points) Contractor's approach to the project with an estimated delivery schedule including phasing plan (general outline for each phase (3 vertical stacks) consisting of minimum 36 units with preference given to Respondents able to complete the work.

Tab 10: Excess MFD Participation

(10-Points) MFD participation above the minimum requirement of 29% of contracts for subcontract work and/or supplies (based on total contract value). Range of scoring will be from 0 to 10 points. Respondents who meet the MFD subcontracting minimum requirement (i.e., 29%) will score zero (0) points. Respondents subcontracting 30 – 35% will receive 5 points, and respondents subcontracting 35% or above will receive 10 points.

However, in the event the General Contractor is a certified MFD firm and subcontracts above 35%, respondent will receive an additional 10 bonus points.

Note: HOC **cannot** score if the General Contractor has a partnership with certified MFD General Contractor to get 10 bonus points.

SCOPE OF WORK

I. GENERAL SCOPE OF WORK

The project entails the renovation of a high-rise apartment building in a dense suburban location in Montgomery County. The anticipated renovations will include some or all of the items listed below, to be decided on a unit-by-unit basis by HOC:

- a. Goals:
 - i. Update and upgrade The Metropolitan so that the apartment building remains attractive, marketable and competitive with newer comparable product.
 - ii. Increase the efficiency of the building to reduce operating costs to both HOC and residents.
 - iii. Maximize rental income of the market rate units and pricing still remains 10-20% below properties priced at the top of the market.

- b. Renovation Scope of Work:
 - i. Replacement or upgrading of aging finishes, fixtures, equipment or systems and site conditions that are nearing the end of their useful life or show signs of excessive wear, deterioration, are in need of repair, or are obsolete or inefficient.
 - 1. Unit Interiors:
 - a. Our current direction is full equipment replacement
 - b. Kitchen and bath renovations including cabinets & pulls, appliances, countertops, sinks, fixtures, toilets, vanities, tiling and flooring
 - c. Replacement of apartment unit entry and interior doors and hardware; replacement of toilet accessories; replacement of all flooring, wall base, and finishes
 - d. Accessibility improvements, where necessary
 - e. Reconfigurations of interiors in order to achieve Fair Housing Act compliance
 - 2. Common Areas:
 - a. First floor lobbies and 13th floor (main roof/penthouse) community room, fitness room, toilet rooms to be completely reconfigured and upgraded, including full HVAC system replacement
 - b. Reconfiguration of building service spaces to provide amenity spaces such as bicycle storage and pet amenity area
 - c. Replacement of all building mechanical system equipment is currently in the scope of work
 - d. Replacement of all building domestic water system/piping
 - e. Inspection and repair as necessary of existing-to-remain electrical systems, plumbing, and low voltage systems
 - f. Elevator equipment and cab upgrades

- g. Refinishing of all building corridors, replacement of all corridor fixtures
 - h. Replacement/update of building fire alarm system
3. Building Exterior and Site Work:
 - a. Replacement of sealants at entire exterior
 - b. Roof replacement is partial (through a majority of roof area) Replacement is only of flat roofing, no sloped roofing
 - c. Potential replacement of sliding glass balcony doors at each apartment unit (windows are otherwise existing to remain in current scope of work). Alternation/replacement of windows as necessary to achieve emergency escape requirements
 - d. Detergent and washing of all exterior masonry
 - e. Cleaning, painting, and partial replacement of exterior masonry lintels
 - f. Addition of building entry canopy
 4. Sustainability and/or energy efficient improvements such as a cogeneration system and solar panel installation.
 5. Rooftop swimming pool work:
 - a. Replacement of swimming pool deck roofing; paving; railings; swimming pool lining; railings; pumps; filters; and equipment; addition of pool stair; ADA lift
 6. Potential replacement of all building windows

After construction, the building and housing units may be expected to achieve National Green Building Standard (NGBS) Silver certification. **Work to be performed will be completed under the International Existing Building Code (IEBC) and all applicable Montgomery County construction codes.**

Before commencement of any work, the selected Contractor must furnish HOC with payment and performance bond documents and certificates for HOC's required insurance at no additional cost to HOC.

The Contractor shall provide all labor, materials, equipment, transportation and trade permits necessary to perform the work under IEBC and all Montgomery County Construction Codes as set forth in the Request for Proposal.

The contractor shall provide a plan for the safety and protection of all resident personal property during the renovation (including insurance coverage, storage, property list, etc.).

Upon issuance of the construction documents and before commencing work, the Contractor shall visit the site to verify field conditions. Should variations arise between the field conditions and the construction documents, the Contractor must notify HOC's Project Manager, in writing, of any discrepancies immediately.

1. Any changes or additional work done without the prior written consent of the Project Manager shall be at the Contractors' risk.
2. HOC reserves the right to add to or delete any work specified in this contract.

3. HOC reserves the right to recommend, review and approve subcontractors.
4. The Contractor shall coordinate all work with the HOC Construction Manager.

II. **GENERAL REQUIREMENTS**

1. **Code Compliance and Inspections**

The Contractor shall ensure that all work is performed in accordance with IEBC as well as State and Montgomery County codes that apply to Contractor's Scope of Work. Any work not in accordance with codes shall be corrected by the Contractor at no additional cost to HOC.

The Contractor shall schedule all necessary inspections required by state and local codes, with the appropriate code enforcement staff and notify the HOC Construction Manager of inspection results in writing within seventy-two (72) hours of receiving such reports.

2. **Typical Contract Documents**

HOC utilizes AIA Construction Contract forms and General Conditions with supplemental conditions applicable to HOC projects. HOC intends to use ***AIA Forms A102 – 2007 (formerly AIA Form A111 – 1997) Standard Form of Agreement Between Owner and Contractor where the basis of payment is the Cost of Work Plus a Fee with a Guaranteed Maximum Price and A201 – 2007 (which replaces AIA Form A201 – 1997) General Conditions of the Contract for Construction.***

Additional contract documents required by HOC include, but are not limited to the following:

- a. Contractor's Clarifications and Exclusions
- b. Scope of Work (List of Architectural Drawings and Specifications)
- c. State of Maryland Department of Labor, Licensing and Regulation's "Instructions for the Contractor"
- d. HOC Works Program Requirements
- e. HUD Certification Regarding Debarment and Suspension (HUD Form 2992)
- f. Labor Standards Provisions: HUD 5370-Federal labor Standards or HUD 5370-General Conditions for Construction Contracts-Public Housing Programs
- g. HOC Supplementary General Conditions
- h. HOC Amendments to Standard Form of Agreement between Owner and Contractor
- i. All requisitions will be submitted on AIA Forms G702 and G703
- j. All Change Orders must be submitted on AIA G701
- k. Lien Releases required on AIA Document G706A
- l. HOC Contractor/ Subcontractor Criminal Screening Requirements

- m. Insurance Requirements (General Liability, Workers Compensation, Automobile, etc.)
- n. CPM Project Schedule
- o. Proof of sufficient Payment and Performance Bonds
- p. Current evidence of Insurance
- q. List of Contractor's Project Team Personnel
- r. Phasing Plan
- s. Maryland DHCD Form 212 and 215, Summary and Detailed Cost Estimate & 16 division format
- t. Major Subcontractor List
- u. This RFP together with all Addendums

3. Permits

- a. The Contractor or his subcontractors shall obtain all required trade permits for the work to be performed. Copies of all permits will be provided to the HOC Construction Manager. HOC to provide Building Permit only.
- b. All required permit fees are to be included in the contract price.

4. Uniforms

- a. All Contractor personnel must wear distinctive uniform clothing while working in or on any HOC property. The uniform must have the Contractor's name easily identifiable and affixed to the uniform. If uniforms are not available for Contractor personnel an identification badge (ID) will be acceptable. All uniforms and ID badges are subject to HOC prior approval.

5. Warranty

- a. All work shall be performed in a professional and safe manner according to OSHA safety standards as well as all manufacturers' specifications.
- b. Upon completion of work, contractor shall provide three (3) bound copies and one (1) electronic copy of all manufacturer warranties and operating manuals on materials and equipment to the HOC Construction Manager. In addition, the contractor shall provide a minimum of one (1) year warranty on all parts, materials and work performed.
- c. The contractor shall coordinate and attend a one (1) year walk-through of the project with the Architect, HOC construction Manager and the Property Manager to review any open warranty items as well as to identify any issues needing to be addressed as part of the warranty.
- d. All materials shall be new, as per specifications, and are to be installed according to the manufacturers' instructions.
- e. All work found unacceptable to HOC's representatives (Construction Manager, Project Manager and Architect) shall be corrected by the Contractor at no additional cost to HOC.

6. Section 3 Policy / HOC Works Policy

All contracts and Purchase Orders executed between HOC and Contractors are subject to either Section 3 or HOC Works, based on the funding source of the contract. The funding source for this work requires Contractor participation in the following program:

1. The work to be performed under this contract is subject to the requirements of **HOC Works Policy** as set forth in **Exhibit A**. Contractors must complete an **HOC Works Opportunities Plan, Exhibit B**, for this project and submit it as part of its response to this RFP.
2. HOC Works covered contracts are those that are funded by money connected to any source other than HUD.

Any questions relating to HOC Works can be directed to Elliot Rule in HOC's Compliance Office at Elliot.Rule@hocmc.org or HOC.Works@hocmc.org.

7. Background Checks

The contractor is required to comply with HOC's security procedures and the HOC Contractor Background Screening Requirements (see **Exhibit C**), and as follows:

1. At the conclusion of the Contract Award Meeting, prior to any work beginning as well as upon any changes, the Contractor shall submit a list of its employees who will be working on this project to the Contract Administrator.
2. Copies of the completed background checks shall be made available to HOC upon request. Employees of the Contractor with criminal backgrounds (as described within **Exhibit C**) are prohibited from working on this, or any other, HOC project.
3. After work begins, any new employees of the Contractor added to the payroll must also comply with HOC's security background check requirement as stated above.

8. Emergency Contact

The Contractor shall provide the HOC Construction Manager and Property Manager with a twenty-four (24) hour emergency contact and telephone number.

9. Change Orders

Any request for changes to the Scope of Work after Contract is awarded must be made in writing to HOC's Construction Manager. This includes any work that would increase or decrease the cost of the work, any additions or subtractions to the quantity of materials or work and any change that would affect the completion date of the contract. Any changes made without a signed change order from HOC will be at the sole risk of the Contractor and will be done at no additional cost to HOC.

10. Davis Bacon Wages

Davis-Bacon Wages will apply to this Contract. All job classifications for this Contract will be agreed to by HOC and the Contractor, for all employees of the Contractor and the Contractor's Sub-Contractor, prior to any work beginning. HOC conducts on-site wage interviews of Contractor employees to ensure compliance with the wage provisions. Certified Weekly Payroll Reports are required to be submitted weekly. All payroll reports are to be certified by an OFFICER of the company or corporation, or other authorized staff. Final contracts are executed with the appropriate federal labor standards provisions: HUD 4010-Federal Labor Standards Provisions or HUD 5370-General Conditions for Construction Contracts-Public Housing Programs.

11. Contractor Point of Service

The Contractor shall provide an onsite Supervisor who has a command of the English language, to coordinate the work and be a "point of service" contact for HOC staff during the course of the Contract.

Contractor shall provide HOC with a Twenty-Four (24) hour Telephone number to be used for Service Calls.

12. Contract Term

1. After the contract has been signed by HOC and the Contractor, the Contractor shall, within thirty (30) days, hold a pre-construction meeting with the HOC Construction Manager to establish a work schedule. This schedule shall include an outline of the work, scheduled start and completion dates, and shall be in accordance with the requirements in the project specifications (Drawings and/or Request for Proposal).

13. Other Contract Terms

1. Utilities are currently available on the property. Contractor will be responsible for temporary toilet, trash removal/recycling including construction materials as per Montgomery County codes.
2. Contractor will be required to provide project cost certification by a third party accountant within forty-five (45) days of final walk-through and acceptance of work by HOC, Architect and lenders.

14. Liquidated Damages

After the scope of work is developed and a schedule is established, failure to complete the work as specified in the contract may result in Liquidated Damages in the amount of Five Hundred Dollars (\$500.00) per unit per calendar day for each day that the work remains incomplete after the contract completion date, and until such time as Substantial Completion of the contract is achieved.

15. Insurance Requirements

Prior to the execution of the contract, the Contractor must obtain, at their own cost and expense, the following *minimum* (not maximum) insurance coverage with an insurance company/companies licensed to conduct business in the State of Maryland and acceptable to HOC. The coverage shall include protection from liability that may arise out of work performed under the contract, whether directly or indirectly by the Contractor, a subcontractor, by anyone directly or indirectly employed by them, or by anyone for whose acts any of them may be liable. This insurance must be kept in full force and effect during the term of the contract, including all extensions. The insurance must be evidenced by a certificate of insurance, and if requested by HOC, the Contractor shall provide a copy of the insurance policies and additional insured endorsements. The minimum limits of coverage listed below shall not be construed as the maximum as required by contract or as a limitation of any potential liability on the part of the Contractor nor shall failure to request evidence of this insurance in any way be construed as a waiver of Contractor's obligation to provide the insurance coverage specified. The Contractor's insurance shall be primary. Coverage shall not include any provision that would bar, restrict, or preclude coverage for claims by HOC against Contractor, including but not limited to "cross-liability" or "insured vs. insured" exclusion provisions.

TYPE	LIMIT NOT BE LESS THAN
Commercial General Liability	\$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate for bodily injury, personal injury, and broad form property damage, including the following coverages: Contractual Liability; Premises and Operations; Independent Contractors & Subcontractors; Products and Completed Operations; Explosion, Collapse, Underground Hazard; Sudden and Accidental Pollution; and Failure to Supply. There shall be no sublimit or exclusion for liability arising from the use of cranes. Coverage shall be endorsed to apply on a per project or per contract basis.
Automobile Liability	\$1,000,000.00 combined single limit, for bodily injury and property damage coverage per occurrence including the following: owned automobiles, hired automobiles, non-owned automobiles, and loading and unloading
Worker's Compensation	Meeting all the statutory requirements of the State of Maryland and with the following minimum: Bodily Injury by Accident - \$1,000,000.00 each accident Bodily Injury by Disease - \$1,000,000.00 policy limits Bodily Injury by Disease - \$1,000,000.00 each employee
Contractor Pollution Liability/Environmental Impairment Liability	A minimum limit of liability of two million dollars (\$2,000,000) , combined single limit for bodily injury and property damage coverage per occurrence. Such insurance shall cover any gradual, sudden and/or accidental release of toxic or hazardous waste or other hazardous substance requiring monitoring, clean-up or other corrective actions under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). Contractor/proposer agrees to provide a one-year discovery period under this policy for services rendered during the contract. hazardous substance requiring monitoring, clean-up or other corrective actions.
Umbrella Liability	\$10,000,000.00 extending the Commercial General Liability, Automobile Liability and Employers Liability at a minimum.
Fidelity Bond or Crime Insurance	A fidelity bond (also known as an employee dishonesty bond or an honest bond) in the amount of at least \$2,000,000. The bond must cover all employees performing within the scope of the Agreement. The bond shall cover loss due to dishonest acts of employees and/or failure to faithfully perform duties. Employee theft coverage evidenced under a crime policy will be accepted in lieu of the bond requirement.

<p><u>Builder's Risk</u></p>	<p>The Owner will purchase and maintain a standard Builder's Risk insurance policy that will cover the construction to be performed under the Contract. <u>Contractor will not be required to purchase a Builder's Risk policy for this project, so such costs should not be included in its proposal.</u></p> <p>The Builder's Risk will include as additional named insureds, the Owner, General Contractor, sub-contractors, and all low-tier subcontractors. The Builder's Risk insurance policy will cover all material and equipment that is to be or may be a permanent part of the completed structure and is stored at the Builder's Risk location (project site). The Builder's Risk insurance policy will not cover the Contractor's and Subcontractor's temporary structures, or its materials, supplies, tools or equipment, or any other property not destined to become a permanent part of the project, whether owned or rented. The Owner shall be responsible for all deductibles. The policy shall include a waiver of subrogation against Owner, Construction Manager and all Subcontractors under such policy.</p>
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Proof of such insurance shall be filed by the Contractor with HOC prior to commencement of work. The Certificate of Insurance will name HOC, the property owner, and any partners as additional insureds; provide Forty-Five (45) days written notice of cancellation or change; and show HOC as the certificate holder, as follows:

Housing Opportunities Commission of Montgomery County, MD

10400 Detrick Avenue
Kensington, MD 20895

HOC reserves the right to modify its insurance coverage prior to execution of an Agreement and to self-insure.

16. Maryland Local Government Torts Claim Act

HOC's liability under any contract in connection with this work will be subject to the limitations contained in the Maryland Local Government Torts Claim Act, Maryland Code, Courts and Judicial Proceedings II, §5-301 et. seq.

EXHIBITS

- A. HOC Works Program Requirements
- B. HOC Works Opportunities Plan
- C. HOC Contractor and Sub-Contractor Background Screening Requirements
- D. State of Maryland Department of Labor, Licensing and Regulation’s “Instructions for the Contractor”
- E. U.S. Department of Labor, Wage and Hour Division, Fact Sheet #66: The Davis-Bacon and Related Acts (DBRA)
- F. HUD 4010-Federal Labor Standards and HUD 5370-General Conditions for Construction Contracts-Public Housing Programs
- G. Maryland DHCD Form 212 and 215, Summary and Detailed Cost Estimate
- H. Davis-Bacon Wage Determination
- I. Alternates and Value Engineering (VE)
- J. Bid Set and Bid Set Specifications

PROPOSAL SUBMITTAL

Proposal of _____ (hereinafter called “Respondent”) a corporation/partnership/individual licensed to do business in the State of Maryland to the Housing Opportunities Commission of Montgomery County, Maryland (hereinafter called “HOC”).

The undersigned, having familiarized themselves with the conditions affecting the cost of the work, and the Specifications (including, as applicable, Request For Proposal, Instructions to Respondents, General Conditions of Contract Between HOC and Contractor, Scope of Work, Proposal Submission, Bid Bond, Non-Collusive Affidavit, Attachments, Technical Specifications, and Drawings) and any Addendum/Addenda as prepared by HOC and is on file in the Procurement Office, hereby propose to furnish all labor, materials, equipment and services required to complete the work as follows;

PROPOSAL:

The purpose of this Proposal is to provide single source construction from qualified General Contractors, who are licensed and insured to conduct business within the State of Maryland. The General Contractor shall provide single source construction for the renovation of an existing 14-story, 308-unit high-rise apartment building located at 7620 Old Georgetown Road, Bethesda. The Metropolitan currently provides ninety-two (92) affordable units and two hundred sixteen (216) market rate units. The two hundred sixteen (216) Market rate units had some minor renovations completed in 2013, but are in need of more significant renovations to remain competitive with other market rate units today. The ninety-two (92) affordable units have not had any renovations. The Metropolitan is built above a Montgomery County owned Metropolitan Public Parking Garage 49 and legal title is structured as an air rights condominium. The Metropolitan has its own parking garage, which provides one hundred sixty-four (164) parking spaces, and six (6) Americans with Disabilities Act (ADA) designated spaces for residents. **Please see Construction Bid Documents prepared by Miner Feinstein Architects, dated November 04, 2022 for additional information and detailed scope of work.** All work shall comply with the conditions set forth in this document and as contained within the project details, specifications, and any attachments contained herein. This Contract requires the Contractor to furnish all labor, materials and permits necessary to complete the project as specified herein. In the event a Contractor leaves a Proposal line item blank, the Proposal shall be deemed unresponsive and subsequently disqualified.

The undersigned, having received and familiarized themselves with the conditions affecting the cost of the work, the Specifications/Scope of Work (including, as applicable, this request for proposal, the form of payment and performance bond, the form of contract, the General Conditions, the Construction Bid Documents, and Drawings) and Addendum/Addenda No(s). _____ as prepared by HOC or the Architect, which is on file in the Purchasing Office, and having visited the site and become familiar with local conditions under which the work is to be performed, hereby propose to furnish all labor, materials, equipment and services required to complete the work as follows:

PROPOSAL AMOUNT: THE RENOVATION OF THE METROPOLITAN for the “Total Price” of:

_____ (Dollars) (\$ _____).
(The amount shall be shown in both words and figures. In the case of a discrepancy, the amount shown in words will govern.)

- A. Provide your own documentation with a cost breakout like the Construction Specifications Institute (CSI) Divisions. Your breakout shall provide detailed information of the unit prices, labor, transportation, and permits necessary to complete. The Overhead, profit, general conditions and the like are to be broken out by line item (not lumped into the appliance cost for example).
- B. WORK NOT OTHERWISE SPECIFIED (NOS):

All other work Not Otherwise Specified (NOS) within the scope of this Proposal Document shall be agreed to in writing by HOC as a Change Order as defined in Section II, 10. The hourly rates for any work NOS shall require an estimate. Pricing provided in this section will include all labor, transportation, and overhead necessary to complete any work defined as NOS (Not Otherwise Specified) within this document and attachments.

PRICES IN THIS SECTION SHALL NOT BE INCLUDED IN BASE SUBMITTAL

1. Hourly Rate

<u>Description</u>	<u>Hourly Rate</u>
Carpenter:	\$ _____
Laborer:	\$ _____
Mason:	\$ _____
Master Plumber:	\$ _____
Journeyman Plumber:	\$ _____
Electrician	\$ _____
Journeyman Electrician:	\$ _____
Sprinkler Fitter	\$ _____
Painter:	\$ _____

C. RESPONDENT INFORMATION:

1. Respondent understands that all unit prices must be provided in the appropriate spaces. The unit prices shall include all labor, materials, overhead, profit, insurance, etc. to cover the work specified.
2. The Respondent understands that the HOC reserves the right to reject any or all Proposals and to waive any informality in the selection process. The Respondent agrees that this Proposal shall be good and may not be withdrawn or altered for a period of Sixty (60) Calendar Days after the scheduled closing time for receiving Proposals.
3. The Respondent hereby agrees to commence work under this Contract on or after a date to be specified in the "Notice of Proceed" by HOC and to fully complete the project(s) as specified in the Notice of Proceed.

Respectfully Submitted:

By: _____
(Authorized Signature)

(Typed or Printed Name and Title)

Company Name: _____
Address: _____

Federal ID #: _____
Phone: _____
Contact Person: _____
Email Address: _____

SEAL: (if Proposal is by a corporation)

1. I hereby represent that my/our firm is ___/is not ___/ a Minority Business Firm as certified by _____, Certification No. _____.
MFD Type:

African American	Asian American	Disabled Person
Female	Hispanic American	Native American

2. I hereby represent that my/our firm is ___/is not ___/ a Section 3 Business Firm per Paragraph 40 of Form HUD 5370.

The Undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading.

The foregoing statements are certified to be true and accurate.

Dated at _____ this _____ day of _____ 20____

(City, State)

By: _____

(Signature)

(Title of person signing)

(Name of organization)

STATE OF _____

COUNTY OF _____

_____ being duly sworn, states that

he/she is _____ of _____

(Official title)

(Name of organization)

and that the answers to the foregoing questions and all statements therein contained are true and correct.

Sworn to before me this _____ day of _____ 20____

Notary Public

My commission expires _____

NON-COLLUSIVE AFFIDAVIT

State of _____

County of _____

_____,
being first duly sworn, deposes and says:

That he/she is _____
(Individual, partner, or officer of the firm)

the party making the foregoing Proposal. That such Proposal is genuine and not collusive or sham. That said Respondent has not colluded, conspired, connived or agreed, directly or indirectly, with any Respondent or person to put in a sham Proposal or to refrain from submitting a Proposal. Has not, in any manner, directly or indirectly, sought by agreement or collusion, or communication of conference, with any person, to fix the Proposal prices of affiant or of any other Respondent, or to fix any overhead, profit, or cost element of said Proposal price, or of that or any other Respondent, or to secure any advantage against the LHA or any person interested in the proposed Contract; and that all statements in said Proposal are true.

By _____

Title _____

Subscribed and sworn to before me

this _____ day of _____, 20__.

My commission expires _____, 20__.

PROPOSAL SUBMISSION CHECKLIST

Please check off the following items and include them with your submittal. **Please note, each and every item submitted, must be completed in its entirety:**

- Proposal Submittal
- Signature Page
- Non-Collusive Affidavit
- Bond
- Signed Addenda, if applicable
- Applicable Maryland Contractors License
- Certificate of Insurance
- W9 Form
- HOC Works Opportunities Plan
- Detailed Price Breakdown (Maryland DHCD Form 212-215)
- Completed and Signed W9 Form
- HUD Previous Participation Clearance Form 2530

END OF SECTION

RFP No. 2357– General Contracting Services
Of the Renovation of The Metropolitan