

Request for Proposal (CM at Risk Project)

State of Ohio Standard Requirements for Public Facility Construction

Project Name	<u>West Carrollton Whitewater River Park</u>	Response Deadline	<u>12/19/2025</u>	<u>10:00 AM</u>	<u>local time</u>
Project Location	<u>Great Miami River</u>	Project Number			
City / County	<u>West Carrollton / Montgomery</u>	Project Manager	<u>Dan Wendt</u>		
Owner	<u>City of West Carrollton</u>	Contracting Authority	<u>City of West Carrollton</u>		

ARTICLE 1 - GENERAL INFORMATION

1.1 Purpose

1.1.1 This is a **Request for Proposal** (“RFP”) for Construction Manager at Risk (“CM”) Services for the Project. The Contracting Authority is requesting Short-Listed Firms (“Proposers”) to submit a Proposal to provide those Services. The Construction Manager at Risk may be referred to as “CMAR”, “Construction Manager” or “Contractor” throughout the RFP materials and attachments.

1.2 RFP Materials and Attachments

1.2.1 This **RFP** includes the following documents, which are attached hereto or incorporated by reference:

- This Request for Proposal (this document)
 - Attachment 1 - Instructions to Proposers
- Proposal Format
 - Technical Proposal (in a format determined by Proposer pursuant to the Instructions to Proposers)
 - Attachment 2a – Proposal Form (Excel)
- Attachment 2b – Preconstruction Services Information \
- Attachment 3 - Best Value Rating Form (including selection criteria)
- Attachment 4 - Available Program Requirements (Drawings and Specifications)
 - Drawings to support the CMAR effort by the City of West Carrollton
 - Specifications (including 00 73 10 Reference Documents as listed below)
 - Miami Conservancy District (MCD) Appendix III
 - Miami Conservancy District (MCD) Appendix V
 - Miami Conservancy District (MCD) Appendix VI
 - Report of Geotechnical Engineering Exploration, Planning Area 1. June 10, 2024.
 - Report of Geotechnical Engineering Exploration, Planning Area 3. June 10, 2024.
 - Water Resources Delineation Report. April 11, 2024.
 - Endangered, Threatened, and Rare Species and Habitat Assessment. April 11, 2024.
 - Mussel Survey Report. October 20, 2024.
 - Architectural Design Report. August 2024.
 - Architectural Preliminary Design Drawings. October 2025.
- Attachment 5- Proposed form of CM Agreement and Exhibits (AIA Document A133-2019 Standard Form of Agreement Between Owner and Construction Manager as Constructor, as modified, and AIA Document A201-2017, General Conditions of the Contract for Construction, as modified). To be released by amendment by the Contracting Authority.

1.2.2 This **RFP** includes the following documents, which may be downloaded, and completed as required, by clicking on the links below:

- .1 [Subcontract Form](#)- 2025-OCT
- .2 [Performance Bond Form](#) - 2018-JAN
- .3 [Payment Bond Form](#) - 2018-JAN

- .4 [Acknowledgement of Surety](#) - 2018-JAN
- .5 [Wage Rate Requirements](#) - 2018-OCT

1.3 Prevailing Wage

1.3.1 Unless the Grant Agreements require compliance with the Davis-Bacon Act pursuant to O.R.C. 4115.04 as set forth in the applicable GMP Amendment, the following prevailing wage requirements apply.

1.4 Selection Process Timeline

1.4.1 The anticipated schedule for the selection process is given below. The Contracting Authority may, in its sole discretion, change this schedule at any time by giving notice to the prospective Proposers.

Activity	Date	Time
RFP, Instructions, and Materials Issued	11/14/25	4:00 PM
Site Tour - 4000 Hydraulic Rd. West Carrollton, OH 45449	11/19/25	11:30 AM
Questions Due	12/10/25	4:00 PM
Final Responses to Questions Posted on Website	12/15/25	4:00 PM
Proposals Due	12/19/25	10:00 AM
Interviews	See Below	See Below
Interview 1	1/6/26	1:00 PM
Interview 2	1/7/26	1:00 PM
Interview 3	1/8/26	1:00 PM
Interview 4	1/9/26	1:00 PM
Alt. Interview; CM Sel. Comm. Meeting – Scoring Meeting	1/14/26	1:00 PM
City Council Work Session – Introduction of CM Selection Committee Recommendation; Intro. Resolution authorizing negotiation of CM agreement	1/27/26	6:30 PM
City Council Business Meeting – RFP Award, Authorization of City Manager to negotiate and enter into CM agreement	2/10/26	6:30 PM
Announce selected Construction Manager at Risk	2/17/26	TBD

1.5 Submission of Proposal

1.5.1 A complete Proposal package will include:

- .1 Submit one (1) paper copy and one (1) electronic copy on a flash drive of the Proposal as required by this **RFP** and Instructions to Proposers directly to **Dan Wendt, Assistant City Manager of the City of West Carrollton, 300 E. Central Avenue, West Carrollton, Ohio, 45449**. Submittals shall be sealed with the project name (**West Carrollton Whitewater River Park**) clearly written on the outside of envelope.
- .2 Unless otherwise noted or exempt, all documents submitted to the City of West Carrollton in response to this **RFP** will be subject to the provisions of the laws governing public records in the State of Ohio.

- .3 Questions are due on **Wednesday, December 10, 2025 by 4:00 p.m.** Questions must be submitted in writing to Dan Wendt.
- .4 Responses will be posted for all firms on the City of West Carrollton website at: <https://www.westcarrollton.org/whitewater> on a regular basis until close of business on **Monday, December 15, 2025**. The name of the party submitting a question will not be included on the Q&A document.

1.5.2 By the Response Deadline indicated on the first page, the Proposer must submit its complete Proposal package to:

Dan Wendt, Assistant City Manager
City of West Carrollton
East Central Avenue
West Carrollton, Ohio 45449

Please allow sufficient time for inspection of packages by building security.

1.6 Interview Outline

1.6.1 Interviews will be held in the **Council Work Room, West Carrollton Municipal Building, 300 E. Central Ave. West Carrollton, OH 45449**. Order of interview assignment will be done by random drawing. Each firm will have a total of 120 minutes for the interview; 60 minutes for their presentation by up to 60 minutes of questions.

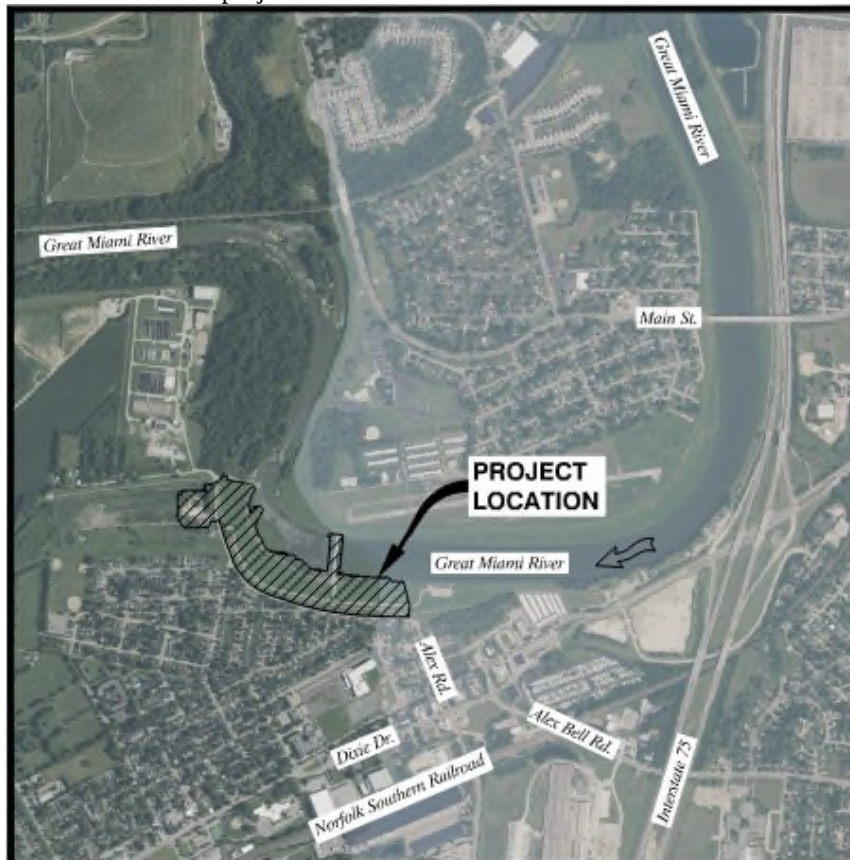
1.6.2 Firms are requested to clarify the information provided in their proposal during the time allotted for each interview. The order is not important to the interview committee, as long as such information is presented during the interview.

ARTICLE 2 - PROJECT DESCRIPTION

2.1 Project Scope and Related Information

2.1.1 Description.

The project is located along the Great Miami River, west of I-75 and along the south bank of the river parallel to Alex Road. The image below illustrates the project location.



Background

Following 3 years of planning, the City Council recently approved moving forward with the design/construction of the West Carrollton Whitewater River Park improvements. 30% design drawings were completed for the project in 2024. The City of West Carrollton has contracted Muller Engineering Company (Muller) as the Architect / Engineer ("A/E") to lead the design and is seeking a Contractor to perform the Construction Manager role using a CM project delivery method. The Contractor will work with the City and Muller design team to develop a design which meets City goals and funding and perform the construction. The City's construction budget is up to a maximum of \$19.9 million.

Project Summary

Preconstruction services include coordination, construction cost estimating, value engineering, working with the City and design team to develop a design which meets City goals and funding, preparation of a construction GMP, and construction scheduling.

The project construction will consist of three primary efforts and construction shall be completed in three phases. In order of execution the three efforts are:

- Dam Hazard Mitigation. (Phase 1)
- Whitewater Course. (Phase 2a)
- Upland Improvements (Phase 2b)

See Construction Phasing Plan contained in the WEST CARROLLTON WHITEWATER RIVER PARK DRAWINGS TO SUPPORT THE CMAR EFFORT BY THE CITY OF WEST CARROLLTON NOVEMBER 2025 Great Miami River for more information.

Major construction elements include:

1. Modification of existing South Montgomery County low head dam including creating a stepped spillway on the downstream side of the dam.
2. Great Miami River water control and dewatering (coffer dams, diversions, pumping, etc.) through the duration of Phase 1 and Phase 2a of construction.
3. Construction stormwater management.
4. Whitewater course around south side of the dam; concrete inverts, boulders, riprap, sculpted concrete.
5. Inlet flashboard gate and surf wave feature, including hydraulic and pneumatic operators, supply systems, and controls.
6. Sheetpile cutoffs and retaining walls
7. Pedestrian bridge.
8. Roadway, parking, retaining wall and trail improvements.
9. Landscaping improvements.
10. Restroom building and maintenance/storage building.
11. Design and construction of site improvements including
 - a) Water and Sewer Services
 - a) .Site lighting and electrical
 - b) Control systems
 - c) Permanent Video Camera System

2.1.2 Estimated Cost of Construction. \$19,900,000 as such is to be developed further with participation of the Engineer and Construction Manager.

2.1.3 Planned Project Site Area. 30 acres +/-

2.1.4 Architect/Engineer. Professional Design Services will be provided by Muller Engineering Company.

2.2 Project Schedule

2.2.1 The anticipated Project Schedule presently includes the following activities:

Activity	Start Date	End Date
CM Evaluation/Selection	October 2025	February 2026
CM Contract Award	February 2026	February 2026
Value Engineering	February 2026	August 2026
Finalize Construction GMP	August 2026	August 2026
Dam Hazard Mitigation Design	May 2026	April 2027
Dam Hazard Mitigation Construction	April 2027	December 2027
Whitewater Course and Site Improvements Design	July 2026	October 2027
Whitewater Course and Site Improvements Construction	November 2027	December 2028
Construction Substantial Completion	January 2029	January 2029
Revegetation, Punchlist Item Completion, Project Closeout	February 2029	May 2029

ARTICLE 3 - REQUIRED SUBMISSIONS

Proposer shall submit the required Proposal documents pursuant to the RFP and Attachment 1, Instructions to Proposers and shall return to Contracting Authority a technical proposal and Proposal Form (the form of which is attached hereto as Attachment 2a) as well as the applicable forms required by Section 1.2.2. By submitted a proposal, Proposer represents that it has reviewed this RFP and all attachments and documents incorporated by reference pursuant to Section 1.2.1 and Section 1.2.2, including but not limited to the documents referenced pursuant to Attachment 4.

All dates and times in the RFP are subject to change at the Contracting Authority's sole discretion.

END OF DOCUMENT

Attachment 1 - Instructions to Proposers (CM at Risk Project)

ARTICLE 1 - GENERAL INFORMATION

1.1 Project Delivery

1.1.1 The Project will be delivered through the construction manager at risk method described in ORC Sections 9.33 through 9.335.

1.2 Contract Requirements

1.2.1 The Contract will include a modified AIA CM Agreement and exhibits (AIA Document A133-2019 Standard Form of Agreement Between Owner and Construction Manager as Constructor as well as the exhibits attached thereto, as modified, and AIA Document A201-2017, General Conditions of the Contract for Construction, as modified) (collectively the “CM Agreement” or “Contract”). The CM Agreement shall include (1) the State of Ohio Standard Requirements for Public Facility Construction using the construction manager at risk project delivery system and (2) appropriate Project-specific requirements.

- .1 The Proposer must indicate the locations where its services will be performed by an attachment to its Proposal in accordance with the requirements of Executive Order 2019-12D related to providing services only within the United States and Executive Order 2022-02D prohibiting purchases from or investment in any Russian institution or company.
- .2 DOMESTIC STEEL USE REQUIREMENTS AS SPECIFIED IN OHIO REVISED CODE SECTION 153.011 APPLY TO THIS PROJECT.
- .3 Proposers are encouraged to be enrolled in good standing in a Substance Use Prevention and Recovery Program (“SUPR”) approved by the Ohio Bureau of Workers’ Compensation (“OBWC”) prior to submitting a Proposal. Proposers are required to provide with the Proposal certain information relative to their enrollment in such a program; and, if awarded a Contract, to comply with all other applicable SUPR requirements.

ARTICLE 2 - PROPOSAL PREPARATION AND SUBMISSION

2.1 General Requirements

2.1.1 The Proposal must include the Technical Proposal and Pricing Proposal as described below. Divide and organize the Proposal accordingly.

2.2 Technical Proposal Requirements

The Technical Proposal must include the below-listed items (and only the below-listed items) and must be clearly divided/organized as described. The format of the Technical Proposal is at the Proposer’s discretion but should be clearly divided and organized according to the below-listed items.

2.2.1 Proposed Staffing. Provide and supplement, as

2.2.1.1 Implementation Plan:

- .1 Identify the proposed Project team (include Key Personnel identified in the Proposal Form and other team members).
- .2 Provide a proposed organizational chart for the Project. Proposers with “partner-company” participation must describe (1) the division of services/work and percentage of contract for each company, (2) the contractual/legal relationship between the companies, and (3) whether a separate legal entity has been formed or will be formed for this Project.
- .3 If the Proposer is a corporation, partnership, sole proprietorship, or separate legal entity, identify an officer, partner or principal of the Proposer associated with the legal name of the Proposer.
- .4 If the Proposer is a joint venture, identify an officer, partner or principal, as applicable, of each joint venturer associated with the legal name of the applicable joint venturer.
- .5 Describe the Proposer’s plan for staffing the Project. The Staffing Plan must coordinate with (1) the cost details required on the Proposal Form and (2) the proposed Project Schedule.

- .6 Describe the Proposer's plan for the Preconstruction Stage of the Project. Refer to Attachment 2b – Preconstruction Services Information and the CM Agreement for detailed information on the Contracting Authority's requested services during the Preconstruction Stage.

2.2.1.2 Staff Availability: Describe the availability of each member of the Proposer's proposed Project team and the amount of time each team member is expected to dedicate to the Project.

2.2.1.3 Flexibility to Schedule Changes: Describe the ability and limitations on the ability of the proposed Project team to accommodate changes of the Project's schedule.

2.2.2 Subcontracting Plan.

2.2.2.1 Prequalification Plan: Outline the Proposer's plan for prequalifying Subcontractors including (1) general and Project-specific prequalification criteria, (2) activities for developing prospective bidders' interest in the Project, and (3) the Proposer's evaluation processes.

Take into account the Contracting Authority's Subcontractor Prequalification Criteria for this Project, which are:

- .1 List any lawsuits, claims, or demands, related to the company or organization's participation on any public contract, whether the lawsuit, claim or demand was initiated by the public owner against the company or organization or initiated against the company or organization in its capacity as a subcontractor.
- .2 In the past five years, has the company or organization been requested by a public owner to return to address construction workmanship, performance, or installation issues. If yes, please state the project and type of contract, and describe your response to the request.

2.2.2.2 Packaging Plan and Self-Performed Work:

- .1 Describe the Proposer's strategy for packaging and scheduling bidding and ensuring that scopes of Work of the various Subcontractors are coordinated, and all requirements for the Project have been assigned to the appropriate Subcontract.
- .2 Provide a description of the Work the Proposer proposes to self-perform on the Project (if any). Proposers are advised that self-performed Work is subject to Contracting Authority approval as described in the CM Agreement.
- .3 Provide how Proposer plans on breaking down bid packages, what the Proposer's recommended general size of each bid package will be, and which trades might be included in each.

2.2.2.3 Design-Assist and Design-Build Strategies: Describe the Proposer's plan for engaging one or more design-assist and/or design-build firms to facilitate the Preconstruction Stage and construction of the Project. Refer to the utilities identified for design-build in Specification 00 73 00- Supplementary Conditions and Specification 01 29 00 Item Costs and Unit Costs Descriptions in Attachment 4.

2.2.3 Estimating Strategies.

2.2.3.1 A/E Collaboration Strategies: Describe the Proposer's plan for collaborating with the A/E in connection with the preparation of Project estimates.

2.2.3.2 Design-Assist Collaboration Strategies: Describe the extent to which the Proposer intends to incorporate design-assist firms into its planned approach to estimating on the Project.

2.2.3.3 Use of Estimating and Market Pricing: Describe the Proposer's planned approach to estimating and the use of market pricing to develop estimates and to verify scopes of work on the Project.

2.2.4 Procurement Strategies.

2.2.4.1 Buyout Plan:

- .1 Describe the Proposer's buyout plan for the Project.
- .2 Identify any anticipated labor-, materials-, and equipment-procurement difficulties and the Proposer's plan for addressing those difficulties.

2.2.4.2 Long-lead and Bulk-purchase Strategies:

- .1 Identify any anticipated long-lead items and describe the Proposer's plan for procuring those items within the anticipated Project schedule.
- .2 Identify any anticipated bulk-purchase opportunities for the Project and describe the Proposer's plan for taking advantage of those opportunities.

2.2.4.3 Support of Contracting Authority's Objectives: Describe how the Proposer's procurement strategies support the Contracting Authority's identified scope, schedule, budget, and other objectives for the Project.

2.2.5 Value Added Suggestions.

2.2.5.1 Description: Describe the Proposer's suggestions (if any) related to construction feasibility; time requirements for Project completion; and factors related to construction cost, including suggestions for alternative designs or materials.

2.2.5.2 Benefits: Describe the benefits to the Contracting Authority of each suggested alternate.

2.2.6 Schedule and Work Sequencing.

2.2.6.1 Baseline Schedule: Provide a detailed schedule which clearly identifies the manner in which the Proposer proposes to sequence the Work and complete it within the Project's schedule requirements.

2.2.6.2 Schedule Enhancements:

- .1 Describe the Proposer's proposed Schedule Enhancements (if any) for alternative approaches to the baseline Project schedule. For each proposed Schedule Enhancement or other suggestion, identify all anticipated effects on the Project's scope, cost, and other Project participants and all associated assumptions.
- .2 Provide a detailed schedule, which clearly identifies the incorporation of the proposed Schedule Enhancements or other suggestions into the baseline schedule.
- .3 Provide the number of days and the cost or credit associated with the proposed schedule adjustment (if any).

2.2.6.3 Phasing/Procurement Activities: Identify all phasing/procurement activities and the manner in which the Proposer proposes to sequence phasing and procurement activities in order to complete the Work within the Project's schedule requirements.

2.2.6.4 Milestones/Activities:

- .1 Identify all significant milestones and activities in the baseline and any alternative schedule(s), including but not limited to milestones identified in the Request for Proposal.
- .2 Describe the significance and other important characteristics of the milestones and major activities identified in the proposed baseline and alternate schedule(s).
- .3 Design Milestones: See 2.2 - Project Schedule in Project Proposal for coordination with applicable design milestones.

2.2.7 Site Logistics, Safety, and Phasing Plans.

2.2.7.1 Site Logistics Plan: Provide an outline or diagram or both of the Proposer's anticipated site logistics plan.

2.2.7.2 Safety Plan: Provide an outline of the Proposer's anticipated site safety plan.

2.2.7.3 Diagrammatic Project Phasing Plan: Provide a diagrammatic Project phasing plan.

2.2.8 Quality-Assurance/Quality-Control (“QA/QC”) Plan.

2.2.8.1 Design Stage: Provide the Proposer’s QA/QC Plan for the Design Stage of the Project.

2.2.8.2 Estimating and Scheduling: Provide the Proposer’s QA/QC Plan for estimating and scheduling on the Project.

2.2.8.3 Construction Stage: Provide the Proposer’s QA/QC Plan for the Construction Stage of the Project. 2.2.11

2.2.9 Unique Challenges and Solutions.

2.2.9.1 Project/Scope Characteristics: Describe any Proposer-identified challenges that are unique to the Project and its anticipated scope and provide suggested solutions to the identified challenges.

2.2.9.2 Budget/Schedule Characteristics: Describe any Proposer-identified challenges that are unique to the Project’s budget and schedule characteristics and provide suggested solutions to the identified challenges.

2.2.9.3 Quality/Process Characteristics: Describe any Proposer-identified challenges that are unique to the Project’s quality and process characteristics and provide suggested solutions to the identified challenges.

2.2.10 Project-Specific Information.

2.2.10.1 Refer to the Project Understanding and Approach, Understanding and Evaluation of Alternative Approaches to Dam Hazard Mitigation, under item 10. Project Specific Information, and Approach and Understanding of Preconstruction Services, and Water Control and Dewatering Understanding under item 11. Additional Information in Attachment 3 – Best Value Rating Form

2.2.11 Additional Information.

2.2.11.1 Refer to the Project Understanding and Approach, Understanding and Evaluation of Alternative Approaches to Dam Hazard Mitigation, under item 10. Project Specific Information, and Approach and Understanding of Preconstruction Services, and Water Control and Dewatering Understanding under item 11. Additional Information in Attachment 3 – Best Value Rating Form

2.2.11.2 Update any information contained in the Proposer’s Statement of Qualifications that has changed since the Proposer submitted it.

2.2.11.3 Concisely identify any additional considerations the Proposer believes are relevant to the Project. The Evaluation Committee will not review or consider copies of general marketing materials, web-site printouts, or any other information not specific to the Project.

2.2.11.4 Provide information relating to Proposer’s relationship with local Subcontractors and how Construction Manager may utilize such local Subcontractors to complete the Project.

2.2.11.5 Provide any lawsuits, claims or demands related to the Proposer’s participation on any public contract.

2.2.11.6 Provide a redline with any revisions or objections to the CM Agreement form attached to the RFP, including the General Conditions and insurance requirements attached thereto. The Contracting Authority reserves the right to make revisions to the CM Agreement.

2.3 Pricing Proposal Requirements

2.3.1 The Pricing Proposal must include only a completed Proposal Form, a form of which is included as Attachment 2a.

2.3.1.1 The Proposer must complete all lines in the Proposal Form.

2.3.1.2 The pricing terms used in the form are defined in the CM Agreement and this Instructions to Proposers.

2.3.2 Proposers are requested to complete the information on the Proposal Form consistent with the CM Agreement and as further outlined below:

2.3.2.1 Preconstruction Fee. Provide your proposed lump sum fee for Preconstruction Services, including Preconstruction Stage Personnel and Reimbursable Expenses. The Preconstruction Fee shall include without limitation all preconstruction services described in the Preconstruction Information, attached hereto as Attachment 2b and the Preconstruction Services required by the CM Agreement.

- .1 Preconstruction Stage Personnel Costs.** Provide your list of key personnel with their names, roles during the Preconstruction Stage, proposed hourly rates, number of hours proposed, and the total amount (rate x hours). Provide a total amount for all personnel to be included in the Preconstruction Fee.
- .2 Preconstruction Reimbursable Expense.** Provide your anticipated reimbursable expenses incurred during the Preconstruction Stage and included in the Preconstruction Fee. The cost of Bonds, in the full amount of the proposed initial Agreement amount, are to be included in the Preconstruction Stage Reimbursable Expenses.

2.3.2.2 Construction Stage Personnel Costs. Provide your list of key personnel with their names, roles during the Construction Stage, proposed hourly rates, number of hours proposed, and the total amount (rate x hours).

2.3.2.3 Statement of General Conditions Costs. Provide your proposed General Conditions Costs. For consistency in pricing among General Conditions, each Proposer shall include all items necessary to operate at the site as if it were a General Contractor. Provide a detailed listing of all General Conditions Costs (defined below) to be provided by the CM. General Conditions are further defined in Attachment 4 – Specifications – 00 01 29 Item Quantity and Unit Price Descriptions. Refer to 1.02 Unit Cost Descriptions; A. Phase 1, 2a, and 2b; Section 2. GEN.02.00: Mobilization (Cost of Work) and GEN.02.01: Mobilization (Periodic) in the document.

- .1** For all “periodic” items, list quantities as monthly in Attachment 2a. Also assume a project duration in line with the project schedule outlined in Section 2.2. Project Schedule in the Request for Proposals document.

2.3.2.4 Statement of Contingency Requirements. Indicate the anticipated level of contingency that will be within the GMP for the Project as a percentage of the Cost of the Work. Provide a suggested plan for reductions of contingency at specific milestones during the Project.

2.3.2.5 CM’s Fee. Provide your proposed fee as defined in the CM Agreement as a percentage of the Cost of the Work plus Contingency.

2.3.2.6 CM Billing Rates. Include hourly individual billing rates that correspond to the Project organizational chart. The billing rates shall reflect direct personnel expenses (e.g., direct salaries or labor wages of personnel listed plus the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes, other statutory employee benefits, employee retirement plans and similar contributions). The billing rates shall not contain any profit or allocation for home office overhead for the CM or any Consultant.

2.3.3 Bonding/Insurance. Provide evidence of capacity to provide bonding in the amount of the Contract Sum, based on the estimated Construction Budget (e.g., a letter from its Surety or Sureties stating that the Proposer is eligible for the Performance Bond and Payment Bond for 100 percent of the estimated Contract Sum as required under OAC Section 153:1-4-02 if the Proposer is selected), and a copy of the Proposer’s certificate of insurance showing the Proposer’s current limits of liability for commercial general liability, employer’s liability, business automobile liability and professional liability. Failure of the Proposer to provide acceptable evidence of bonding capacity sufficient to complete the Project may result in disqualification of the Proposer and rejection of its Proposal.

ARTICLE 3 - SELECTION AND CONTRACT NEGOTIATION

3.1 Selection Criteria

3.1.1 The Evaluation Committee will make its selection using a best-value selection process.

3.1.2 The Request for Proposal and the Best Value Rating Form identify the selection criteria that will be factored into the evaluation process. After the interviews, Contracting Authority shall rank firms based on Contracting Authority’s final evaluation of the Proposals to determine the firm that the Evaluation Committee will recommend to the City of

West Carrollton City Council as the “best value” to the Contracting Authority for the Project. Such evaluation and selection shall be subject to the Contracting Authority’s absolute discretion.

3.2 Pre-Proposal Meeting

3.2.1 The Selection Coordinator will invite each Proposer to meet individually with members of the Evaluation Committee before the Proposal-submission deadline. The purpose of the pre-proposal meeting is to permit each Proposer to ask the Evaluation Committee questions in an individual setting to help the Proposer prepare its Proposal.

3.2.2 If the date and time for the Pre-Proposal Meetings are not included the anticipated schedule in the Request for Proposal, the Selection Coordinator will contact each Proposer to schedule individual times for the meetings.

3.3 Proposal Submission

3.3.1 The Proposer shall submit the required number of copies of its Proposal to the Selection Coordinator in the format, at the location, and by no later than the deadline indicated in the Request for Proposal. Proposers are cautioned to allow sufficient time for inspection of packages by building security.

3.3.2 If electronic submittals are required, combine the Proposal documents into one PDF file named with the project name listed on the Request for Proposal and the Proposer’s name. Use the “print” feature of Adobe Acrobat or similar software for creating a PDF rather than using a scanner. If possible, reduce the file size of the PDF. Mark or label the CD or DVD and the cover with the project name and the Proposer’s name.

3.4 Post-Proposal Interview

3.4.1 After the Proposal-submission deadline, the Evaluation Committee will interview each Proposer. The interview will not be scored or included in the scoring of the Proposal. The purpose of the interview is to allow the Evaluation Committee to meet the proposed Project team, become familiar with Key Personnel, and to understand the Proposer’s approach and ability to meet the Project’s objectives.

3.4.2 Each Proposer is expected to (1) plan its allotted interview time to cover all criteria listed on the Best Value Rating Form and (2) be prepared to discuss with specificity the Proposer’s capacity to meet the Project’s requirements.

3.4.3 The Selection Coordinator will contact each Proposer to schedule individual times for the interviews.

3.5 Evaluation and Ranking

3.5.1 The Evaluation Committee will evaluate each Proposal using the technical criteria to evaluate the Technical Proposal and the pricing criteria to evaluate the Pricing Proposal. The Evaluation Committee will evaluate the Technical Proposal separately from the Pricing Proposal, then combine the evaluations using the weighting shown on the Best Value Rating Form to reach a final evaluation of the Proposal.

3.5.2 The Evaluation Committee will rank the Proposals based on the final evaluations to identify the Proposal which presents the best value for the Project. The Selection Coordinator will notify each Proposer of the Evaluation Committee’s ranking.

3.6 Contract Negotiation Submissions

3.6.1 The Proposer with whom the Contracting Authority is negotiating shall submit the following documents to the Contracting Authority within five days after commencement of contract negotiations:

3.6.1.1 Completed Exhibits to the Agreement.

3.6.1.2 The Bonds required under the CM Agreement along with (1) a certified copy of the authority to act (power of attorney) of the agent signing the Bonds on behalf of the Surety and (2) a current and signed Certificate of Compliance under ORC Section 9.311 issued by the Ohio Department of Insurance showing the Surety is licensed to do business in Ohio.

3.6.1.3 Ohio Bureau of Workers’ Compensation Certificate of Premium Payment.

3.6.1.4 Certificate of Insurance (ACORD form is acceptable), a copy of additional insured or loss payee endorsement(s) reflecting coverage that complies with the Contract’s requirements, and a current loss run report for the current policy period of the required professional liability insurance.

3.6.1.5 Evidence that the Proposer is enrolled in, and in good standing in, a SUPR Program approved by the OBWC.

3.6.1.6 If the Proposer is a foreign corporation (i.e., not incorporated under Ohio law), it must submit a Certificate of Good Standing from the Ohio Secretary of State showing the right of the Proposer to do business in Ohio.

3.6.1.7 If a Proposer is an individual or partnership, nonresident of the State of Ohio, it must submit a Power of Attorney designating the Ohio Secretary of State as the Proposer's agent for accepting service of summons in any action brought under ORC Section 153.05 or under ORC Sections 4123.01 to 4123.94, inclusive.

3.6.1.8 If the Proposer is a joint venture, the executed agreement between the joint venturers describing the division of services/work and percentage of contract for each company, and a Power of Attorney which authorizes one or more individuals to bind the joint venture and each individual joint venturer to Contract Modifications including GMP Amendments.

3.7 Contract Negotiations

3.7.1 The Contracting Authority will enter into contract negotiations with the Proposer that submitted the Proposal identified by the Evaluation Committee as presenting the best value for the Project.

3.7.2 If the negotiations with the Proposer determined to be the best value are unsuccessful, the Contracting Authority will inform that Proposer in writing of termination of negotiations. The Contracting Authority may then begin negotiating with the Proposer ranked next best value. If those negotiations fail, the Contracting Authority may follow the same process with each successive Proposer in order of ranking until the CM Agreement is negotiated. If negotiation fails with all Proposers, the Contracting Authority may (1) issue the Request for Proposal to additional firms from the qualifications short-listing process and follow the above-described process, (2) re-start the solicitation process, or (3) take other action.

3.8 Schedule

3.8.1 See the Request for Proposal for the anticipated schedule and related deadlines.

ARTICLE 4 - GENERAL PROVISIONS

4.1 Questions

4.1.1 All questions must be submitted in writing to the Selection Coordinator. The Proposers shall communicate through the Selection Coordinator.

4.1.2 The Selection Coordinator may also email other Project-related information to the Proposers.

4.1.3 Addenda.

4.1.3.1 Should any question prompt the Contracting Authority to amend the Request for Proposal, a notice will be sent to all Proposers. Addenda will be deemed to have been validly given if emailed or otherwise furnished to each Proposer's contact person of record.

4.1.3.2 When an Addendum to this Request for Proposal is necessary less than three days before the Proposal deadline, the Contracting Authority may extend the Proposal deadline through an announcement via email. The Selection Coordinator will make reasonable attempts to contact all Proposers.

4.2 Proposal Certifications

4.2.1 By submitting a Proposal, the Proposer certifies to the Contracting Authority that:

4.2.1.1 the Proposer is not the subject of an unresolved finding for recovery issued by the Auditor of State under ORC Section 9.24;

4.2.1.2 the Proposer is not debarred under ORC Section 153.02;

4.2.1.3 the Proposer has not been found by a court to be in default of a judgment or breach of settlement agreement; and

4.2.1.4 the Proposer has not violated ORC Section 3517.102 by exceeding allowable campaign contributions.

4.3 Cancellation and Rejection; Waiver of Minor Errors

4.3.1 The Contracting Authority may reject all Proposals and cancel all or any portion of this solicitation at any time for any reason. The Contracting Authority will have no liability to any Proposer arising out of any cancellation of this solicitation or rejection of any related submission.

4.3.2 If the Contracting Authority determines that a conflict of interest exists between the Evaluation Committee members and the Proposers, the Contracting Authority shall reject the recommendation of the Evaluation Committee, establish a new evaluation committee, and repeat the selection process.

4.3.3 If the Contracting Authority determines that the Evaluation Committee did not follow the best-value selection processes established under the OAC, or had inadequate documentation in support of the selection and is unable to cure the failure to consider adequate documentation, the Contracting Authority may reject the recommendation of the Evaluation Committee, establish a new evaluation committee, and repeat the selection process.

4.3.4 The Contracting Authority may waive minor errors that do not change the results of a selection.

4.4 Proposal Revision

4.4.1 If the Contracting Authority requests a clarification of any Proposal, the Proposer must submit the clarification in writing to the Contracting Authority by the date specified in the Request for Proposal but no later than the date scheduled for the Proposer's interview.

4.5 Proposal Withdrawal

4.5.1 If the Proposer that was recommended by the Evaluation Committee withdraws its proposal, the Contracting Authority may approve award of the CM Agreement to the firm next determined to provide the best value.

4.6 Applicable Law and Forum

4.6.1 The rights of any Proposer or any party to a subsequent CM Agreement shall be governed by Ohio law, and only Ohio courts shall have jurisdiction over any action or proceeding related to the Proposal or any subsequent Contract. The Proposer irrevocably consents to that jurisdiction.

4.7 Computing Time

4.7.1 When the Request for Proposal refers to a period of time by a number of days, it excludes the first day and includes the last day of the period. If the last day of the period falls on a Saturday, Sunday, or a legal holiday, that day shall be omitted and the period shall end on the next day which is not a Saturday, Sunday, or legal holiday.

4.8 Public Records

4.8.1 Pursuant to ORC Section 9.28, documents submitted to the Contracting Authority in response to this Request for Proposal will not be available for public inspection under ORC Section 149.43 until after the Contracting Authority has entered into a contract with the selected Proposer.

4.8.2 The following information shall remain confidential and will not be released: (1) Proposal Form(s), except for subtotals for cost categories which will be transferred to the Best Value Rating Form; (2) Surety letters showing bonding capacity, and (3) insurance certificate(s).

ARTICLE 5 - DEFINITIONS

5.1 General

5.1.1 Terms used but not otherwise defined in these Instructions to Proposers or in the Request for Proposal have the meanings assigned to them in (1) the Agreement; and (2) ORC Sections 9.33 through 9.334, OAC Section 153:1-601, and related statutory and regulatory provisions.

5.2 Defined Terms

5.2.1 Best Value Rating Form. The excel form to consider and rate "best value" of the Proposers and prepared for the Project and attached to the RFP as Attachment 3. This form may be combined with the Proposal Form in a single Excel workbook.

5.2.2 Evaluation Committee. The Contracting Authority- and Owner-appointed committee convened to evaluate the Proposals.

5.2.3 Proposal. The combined Technical Proposal and Pricing Proposal submitted by a Proposer in response to the Request for Proposal.

5.2.4 Proposer. A firm which (1) receives the Request for Proposal from the Contracting Authority and (2) submits a Proposal in compliance with these Instructions to Proposers and the Request for Proposal.

5.2.5 Proposal Form. The pricing proposal form attached to the RFP as Attachment 2a and prepared for the Project.

5.2.6 Request for Proposal (RFP). The request for technical and pricing proposals with project specific information and prepared for the Project and issued to the Proposers.

5.2.7 Responsive Proposal. A valid and complete Proposal that meets all requirements of the Request for Proposal, and shall not be conditioned or qualified in any way, except to the extent permitted by the Request for Proposal and Instructions to Proposers.

5.2.8 Schedule Enhancement. A schedule adjustment that adds value to the Project.

5.2.9 Selection Coordinator. The employee of the Contracting Authority designated by the Contracting Authority to facilitate and manage the best value selection process.

END OF DOCUMENT

Attachment 2a – Proposal Form

See Example Attached. Utilize Excel Document Provided by Contracting Authority to Submit with Proposal.

Proposal Form (CM at Risk Contract)

Project Name: **West Carrollton Whitewater River Park**
CM Proposer:

Estimated Cost of Work:

Submission Date:

Preconstruction Stage Compensation

1	Preconstruction Fee (Lump Sum)	
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Including all Home Office Overhead and Profit

Breakdown Staff and Hours into Tasks as required in Attachment 2b - Preconstruction Scope of Work

1.a. Preconstruction Stage Personnel Costs Included in Preconstruction Fee

[illegible]

1.b. Preconstruction Stage Reimbursable Expenses Cap Included in Preconstruction Fee

[illegible]

Construction Stage Compensation

a. **Construction Stage Personnel Rates**

Staff	Role	Hours	x	Rate (\$)	=	Subtotal
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
				Subtotal	=	\$0.00

b. General Conditions Costs Cap (Not-to-Exceed Amount)

Description	Quantity	x	Unit Price	=	Subtotal
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
			Subtotal	=	\$0.00

d. CM's Contingency (% of the Cost of Work)

CM's proposed percentage to cover its risk of Unexpected Events

Contingency %

e. **CM's Fee** (% of the Cost of Work)

Including all Home Office Overhead and Profit

CM Fee %

Attachment 2b – Preconstruction Services Information

See Attached

Attachment 3 – Best Value Rating Form

See Attached

ATTACHMENT 3: Best Value Rating Form (CM at Risk Contract)

Project Name: West Carrollton River Park

Proposer's Name:

A. Technical Proposal Evaluation (100 points maximum before weighting)

Criteria	Description	Range	Score
1. Proposed Staffing	Implementation Plan, Staff Availability, Flexibility to Schedule Changes	0 - 20	
2. Subcontracting Plan	Prequalification Plan, Packaging Plan / Self-Performance, Design-Assist Strategies	0 - 10	
3. Estimating Strategies	A/E / CM Collaboration Strategies, Use of Estimating & Market Pricing, Design-Assist Proposals	0 - 10	
4. Procurement Strategies	Buyout Plan. Long-lead & Bulk Purchase Strategies, Support of Owner Objectives	0 - 10	
5. Value Added Suggestions	Alternates, Payback Periods, Benefits	0 - 5	
6. Schedule and Work Sequencing	Baseline / Alternate Schedule(s), Phasing / Procurement Plan(s), Milestones / Activities	0 - 15	
7. Site Logistics & Safety Plan	Site Logistics Plan, Safety Plan, Graphic Project Phasing Plan	0 - 5	
8. Quality Assurance / Quality Control Plan	Design Phase, Estimating & Scheduling, Construction Phase	0 - 5	
9. Unique Challenges & Solutions	Project / Scope Characteristics, Budget / Schedule Characteristics, Quality / Process Characteristics	0 - 5	
10. Project-Specific Information	Management of Riverine Environments / Project Understanding and Approach / Understanding and Evaluation of Alternative Approaches to Dam Hazard Mitigation	0 - 45	Sum of 10a and 10b Scores Below
10a Project Understanding and Approach	Demonstration of understanding of project goals and objectives / Overall approach to project activities	0 - 30	
10b Understanding and Evaluation of Alternative Approaches to Dam Hazard Mitigation	Demonstration of understanding of the two design alternatives for the Dam Hazard Mitigation phase / Approach to alternative evaluation	0 - 15	
11. Additional Information	Updated Information/Additional Considerations/Local Subcontracts/Lawsuit Information	0 - 25	Sum of 11a and 11b Scores Below
11a Approach and Understanding of Preconstruction Services	Demonstration of understanding of preconstruction services / Approach to providing preconstruction services	0 - 10	
11b Water Control and Dewatering Understanding and Approach	Demonstration of understanding of water control and dewatering requirements / Approach to water control and dewatering activities	0 - 15	
12. Comments to CM Agreement	Proposed Revisions to CM Agreement	0 - 5	

Notes: Maximum Score = 160

Total Qualifications Score

0.0

Score

x

Weight

=

Subtotal (A)

0.0

75%

0.0

B. Pricing Proposal Evaluation (100 points maximum before weighting)

Factor	Component	Proposal Amount
1. Preconstruction Stage	1. Preconstruction Stage Fee	
2. Construction Stage	a. Construction Stage Personnel Costs	
	b. General Conditions Costs	
	c. CM's Fee (at Risk Services)	
	d. CM's Contingency	
Total Pricing		\$ -

Notes:

Score*

x

Weight

=

Subtotal (B)

*Assign a score for pricing proposal from 0-100

25%

0.0

C. Best Value Calculation

Subtotal (A)

+

Subtotal (B)

=

Best Value

Best Value = weighted combination of qualifications and price

Attachment 4 – Available Program Requirements

Available Program Requirements are available at: <https://www.westcarrollton.org/whitewater>. Such resources are incorporated into this RFP by reference.

1. Drawings to support the CMAR effort by the City of West Carrollton. November 13, 2025.
2. Specifications (including 00 73 10 Reference Documents listed below). November 13, 2025.
 - Miami Conservancy District (MCD) Appendix III
 - Miami Conservancy District (MCD) Appendix V
 - Miami Conservancy District (MCD) Appendix VI
 - Report of Geotechnical Engineering Exploration, Planning Area 1. June 10, 2024.
 - Report of Geotechnical Engineering Exploration, Planning Area 3. June 10, 2024.
 - Water Resources Delineation Report. April 11, 2024.
 - Endangered, Threatened, and Rare Species and Habitat Assessment. April 11, 2024.
 - Mussel Survey Report. October 20, 2024.
 - Architectural Design Report. August 2024.
 - Architectural Preliminary Design Drawings. October 2025.

Attachment 5 – Form of CM Agreement

To Be Provided via Amendment by Contracting Authority