



September 13, 2023

**Qualicum Beach Skatepark Final Design and Construction
REQUEST FOR PROPOSALS (RFP)**

The Town of Qualicum Beach is seeking services of a qualified engineering, consulting and/or construction firm (or partnership) with the appropriate team of specialists with experience in both the design and construction of modern concrete skate parks through a design-build project delivery method.

Due to the outdated design, extensive weathering, and lack of site integration, the Town is seeking to reconstruct the current skatepark with a new facility that addresses site integration issues and provides modern terrain geared towards users of all ability levels and allows for development of athletes and wheeled sports enthusiasts in the community and surrounding areas.

A preliminary skate park concept design has been developed.

The successful design-build team for the project will be specialized in the design and construction of modern concrete skate parks and can demonstrate experience over the past five (5) years in:

- a. the complete design-build delivery of quality modern concrete skate parks within a climatic region similar to Vancouver Island, British Columbia, and
- b. the incorporation of community in-kind donations such as materials that would require flexibility throughout the design and construction process.

The successful design-build team would be required to provide the full range of detailed design services, engineering and construction to deliver a skate park facility in 2025 or 2026.

The Town intends to select the best overall submission for the project that satisfies the defined requirements set out in this document. The upset budget for the project is \$1,300,000.00 + GST, with optional components that may exceed this value.

The attached Terms of Reference outlines the Town's requirements. Proposals should include:

Qualicum Beach Skatepark Final Design and Construction RFP

- a. An outline of how the proponent would approach the project;
- b. Proposed timelines for final design and construction, with preference for a Gantt Chart that identifies key milestones, stakeholder meetings and critical path decisions and actions;
- c. Payment terms;
- d. Experience and qualifications of the proponent and any personnel involved in the project;
- e. References.

For further information regarding this RFP please contact Corporate Services at the contact information below. Two printed copies and a copy of the proposal in electronic format should be submitted by 4:00 pm on October 7, 2024 to:

Town of Qualicum Beach
Corporate Services
#201-660 Primrose Street
Qualicum Beach, BC V9K 1W8
250.752.6921
corporateservices@qualicumbeach.com

Note to Proponents

This is a request for proposals and not a call for tender or request for binding offers. No contractual obligations will arise between the Town and any proponent until and unless the Town and a proponent enter into a formal, written contract for the proponent to perform the required work.

Attachments: Terms of Reference
Qualicum Beach Skatepark Final Design and Construction

1. Introduction

The purpose of this document is to request proposals from design-build teams to undertake the reconstruction of the Qualicum Beach Skatepark.

2. Background

The existing park was constructed approximately 25 years ago and is at the end of its usable life. A local skatepark user group ("User Group") organized to advocate for a comprehensive upgrade or replacement of the park, and a consultant (New Line Skateparks) was engaged in 2023 to undertake a Feasibility Study, including a conceptual plan, project scope and potential budget. The final conceptual report was received by Council in February 2024.

3. Consultant Requirements

The successful team will be specialized in the design and construction of modern concrete skate parks and can demonstrate experience over the past five (5) years in:

- a. the complete design-build delivery of quality modern concrete skate parks within a climatic region similar to Vancouver Island, British Columbia, and
- b. the incorporation of community in-kind donations such as materials that would require flexibility throughout the design and construction process.

4. Guidance

The design and construction of the Qualicum Beach Skatepark should be based on the February 2024 Skatepark Conceptual Design by Newline Skateparks.

5. Meetings and Presentations

The Consultant will be expected to work with the User Group in the finalization of the Detailed Design for the skatepark.

6. Scope of Work

The Town of Qualicum Beach is seeking services of a qualified engineering, consulting and/or construction firm with the appropriate team of specialists with experience in both the design and construction of modern concrete skate parks through a design-build project delivery method.

The Contractor will be required to complete all of the detailed design services, detailed cost estimates, engineering, specifications, construction drawings, construction and final record

drawings for the skate park through a design-build delivery method. This scope of work would encompass various steps that include, but are not limited to the following:

- a. Review existing conceptual drawings, project site and any relevant reference documents;
- b. Obtain any outstanding survey and geotechnical data to properly complete the design and construction program;
- c. Work with Town Staff, community stakeholders and local partners to refine and finalize the skate park concept drawings in accordance with the project budget and community design priorities;
- d. Coordinate with Town Staff on any associated construction that the Town may require such as trails or landscaping in and around the skate park;
- e. Prepare complete technical specifications, engineered construction drawings and cost estimates for the skate park;
- f. Identify any potential value added services or optional components, including detailed costing.
- g. Provide project schedule with Gantt chart;
- h. Identify any potential opportunities for in-kind donations and value engineering;
- i. Provide record drawings;
- j. Provide all construction services for the completion of the entire project, including demolition and construction;
- k. Submit progress payment updates on a regular basis;

The personnel assigned to this project, as outlined in the proposal submission shall remain in place for the duration of the contract, unless prior written notification has been provided by the successful proponent and approval granted for the personnel change from the Town's Project Administrator.

In addition to overall project management, engineering and construction services are required. Specifically, it is expected the proponent will:

- a. Gather and review existing information to become familiar with the scope of the assignment. Provide all field investigation necessary to portray accurate and current site conditions as necessary for competent construction.
- b. Meet with Town staff to confirm expectations, clarify lines of communication and review scheduling of all work.
- c. Identify the entire scope of works necessary to complete required works.
- d. Meet with stakeholder groups if necessary.
- e. Provide construction and construction management services.
- f. Provide a Recommended Maintenance Procedure complete with scheduled hours.
- g. The Contractor shall acquire site survey and geotechnical services for the project to inform the Design Drawings and Specifications.
- h. The Contractor will prepare the design and construction documents to the CCDC 14 standard as best suited to the applicable construction.
- i. The Contractor will supply record drawings of As-Built work upon the completion of the project in AutoCAD format as acceptable to the Town. These plans shall be stamped by a Registered Professional Engineer (P.Eng.), licensed in the Province of British Columbia. The Contractor will also supply all record documents including, but not

limited to, documentation and /or notes accumulated in the field from various service providers.

7. Schedule

Spring 2025 is the target date for construction completion. However, alternative timing may be considered to obtain best value.

8. Resource Material

The following resource materials are available to the successful Consultant

- 2024 Skatepark Conceptual Design Report
- Municipal utilities information
- LIDAR Data

9. Proposal Evaluation and Selection

The Town of Qualicum Beach will evaluate all submitted proposals. The Town will disqualify Proponent(s) that fail to meet the minimum requirement for qualifications, experience, and methodology from the process prior to cost considerations. The object of the evaluation and selection process is to identify the proposal that, in the Town's opinion, offers the best value for the products and/or services requested.

The Town may, in its sole and absolute discretion, take any one or more of the following steps, at any time and from time to time, in connection with the review and evaluation, including rankings, of any aspect of a proposal, including if the Town considers that any proposal, including any part of the proposal, requires clarification or more complete information, is Non-Compliant, or for any other reason the Town in its sole and absolute discretion deems appropriate or in the interest of the Town or this RFP:

- a. Waive any requirement of the Town or this RFP associated with Non-Compliance, or disregard any Non-Compliance, and any resulting ineligibility on the part of the Proponent, or any member of the Proponent team.
- b. Independently consider, investigate, research, analyse, request or verify any information or documentation, whether or not contained in the proposal, by contacting the Proponent or any third party.
- c. Request interviews or presentations with any, all or none of the Proponents to clarify any questions or considerations, based on but not limited to the information included in proposals during the evaluation process, with such interviews or presentations conducted in the sole and absolute discretion of the Town, including the time, location, length, and agenda for such interviews or presentations.
- d. Conduct reference checks relevant to the Project with any or all of the references cited in a proposal and any other persons (including persons other than those listed by Proponents in any part of their proposals) to verify any and all information regarding a Proponent, inclusive of its directors/officers, and key individuals, and to conduct any background investigations that it considers necessary in the course of the selection

process, and rely on and consider any relevant information from such references in the evaluation of proposals.

- e. Conduct credit, criminal record, litigation, bankruptcy, conflict of interest, and other checks.
- f. Not proceed to review and evaluate, or discontinue the evaluation of any proposals, or any part of their component packages.
- g. Seek clarification or invite more complete, supplementary, replacement or additional information, documentation and signatures from any Proponent or in connection with any proposal, including to cure any Non-Compliance.

Without limiting the foregoing, the Town may at its sole and absolute discretion, decline to review, evaluate or rank, or may reject outright any proposal which in the opinion of the Town is non-compliant.

To enable the Town to take any one or more of the above-listed steps, the Town may enter into separate and confidential communications of any kind whatsoever, with any person, including the Proponent. The Town has no obligation whatsoever to take the same steps, or to enter into the same or any communications in respect of all Proponents and proposals, or in respect of any Proponent, including the Proponent whose proposal is the subject of the review or evaluation, as the case may be.

The review and evaluation of any proposal (including assessing Non-Compliance, curing or disregarding Non-Compliance or waiving an associated RFP requirement, assigning or deducting points in relation to desirable criteria, and/or ranking proposals) may rely on, take into account and include any information, documentation and signatures, including clarification, more complete, supplementary, additional or replacement information, documentation and signatures, including those obtained through any of the above-listed investigations, research, analysis, checks, and verifications.

Proponents will not submit any clarifications, information, documentation or signatures after the closing date and time without the prior written approval of the Town (which may be withheld in the Town's sole and absolute discretion) or without a prior written invitation or request by the Town.

Evaluation of proposals is generally conducted by a committee formed by the Town administration. The Town aims to enter into a Contract with the Proponent(s) who has the highest overall scoring results from the evaluation process. The Town plans to apply the following desirable criteria to evaluate the proposals received:

1. *Capability – 30 points:*

- a. Project Manager Experience - Proponents are asked to provide detailed information on the length and quality of the experience of the person named in the proposal. The experience does not necessarily have to be all with the same employer. It should be demonstrated by providing a minimum of three (3) references for similar skate park projects completed within the past five (5) years.

- b. Company Experience - Proponents should provide detailed information in their submission on the length and quality of the Proponent in doing similar and related work. Sample projects with references, including contact information, should be listed.
- c. Team Quality - Proponents should provide detailed information in their submission on the length and quality of the experience of the team members who have been selected by the Proponent to work on this particular Project. Detailed resumes of key team members should be provided. The personnel assigned to this project, as outlined in the proposal submission, shall remain in place for the duration of the contract, unless prior written notification has been provided by the successful proponent and approval granted for the personnel change from the Town's Project Administrator.

2. Methodology – 25 points:

- a. Work Plan Schedule and Milestone Dates – Proponents should provide a detailed work plan with a Gantt chart that outlines their approach to meet the time schedule and completion date and the ability to deliver the required services to the Town given the proponents' existing workload and future commitments which must address the following:
 - i. Design Management including Quality Assurance;
 - ii. Engineering;
 - iii. Construction Management including Quality Control and Value-Engineering; and
 - iv. Worksite Safety.
- b. Level of Effort – Proponents should provide, in detail, total staff/team hours proposed for the entire Project and anticipated distribution amongst team members (including Sub-Contractors and other proposed team members).
- c. Sustainable Procurement Considerations – The Town, in support of our community and corporate goals, aims to ensure that our purchasing decisions achieve best value for money spent by the Town by seeking supply and service arrangements which provide the optimum combination of quality, suitability, and sustainability considerations. Our objective is to shift spending away from goods and services that negatively impact the environment and society in a way that integrates sustainable procurement considerations into our contract award processes. Proponents should provide, in detail, their proposed approach to the provision of reasonable innovative/creative approaches that will embed sustainable benefits (social, environmental, financial) to the Town and/or Proponent in the Project. The Town supports the principles of Corporate Social Responsibility ("CSR"), and Proponents are asked to include in their submissions, specific and detailed information relating to their current CSR strategies and action plans.
- d. Innovative Considerations and Value Add Services – Proponents should provide detailed information on any reasonable innovations that may enhance the Project.
- e. Service Continuity – Proponents should provide a Service Continuity Checklist which will ensure quality control and that a proper level of inspection has been

carried out by the appropriate personnel during critical points of the construction phase.

3. Historical Performance – 20 points:

- a. Fees and Personnel – The Town plans to evaluate and rate Proponents and their Project team on past performance with the Town, or with other clients where the Town experience is insufficient, to gauge the Proponent's ability to perform services, deliver goods, and complete projects, within the fees historically proposed and with the same personnel as historically proposed.
- b. Keeping to Schedule – The Town plans to evaluate and rate the Proponent and Project team on past performance with the Town, or with other clients where the Town experience is insufficient, to gauge the Proponent's ability to perform services, deliver goods, and complete projects within the schedules historically proposed.

4. Fee Structure – 20 points (Project Upset Budget is \$1,300,000 + GST, not including optional components)

- a. The Proponent must provide detailed information on proposed fee amounts excluding GST.
 - i. Refinement of existing Concept as necessary;
 - ii. Detailed design and final engineered plans;
 - iii. Construction services;
 - iv. Optional components or value-added propositions; and
 - v. Proposed use of in-kind donations and services.

5. Compliance Points – 5 points:

A Proposal that successfully avoids all forms of Non-Compliance would receive these additional points. A proposal that is Non-Compliant in any way may suffer deductions from the additional points available under this category, and/or from the points available in relation to other desirable criteria, in the Town's sole and absolute discretion.

The Town has a Social Procurement Policy and this will contribute to the assessment of best value. In assessing best value, the Town:

- May not necessarily accept the lowest proposal, and may, in its sole discretion, accept any proposal and may waive any minor informality or irregularity in proposals;
- Has no obligation to receive further information, whether written or oral, from any Proponent, nor to disclose the nature of any proposals received; and
- May negotiate changes to the scope of work with any one or more proponents without having any duty or obligation to advise any other Proponent(s) or to allow them to vary their Proposal(s) due to changes to the scope of work.

10.0 Additional Terms

10.1 Sub-Contracting and Teaming

- a. Using a Sub-Contractor (who must be clearly identified in the proposal) is acceptable. Similarly, two or more entities may make a joint submission using a joint venture, consortium, or other teaming arrangement. However, in this case, one of these Proponents must take overall responsibility for the successful interconnection of their product or service lines and must be designated as the “prime contractor” under the Workers Compensation Act of British Columbia, if applicable, and this must be defined in the proposal.
- b. Submitting a proposal despite a conflict of interest, as determined in the Town’s opinion, may result in disqualification. Similarly, sub-contracting to any entity, or forming a teaming arrangement with an entity, whose current or past corporate or other interests may, in the Town’s opinion, give rise to a conflict of interest in connection with this Project will not be permitted. These situations include, but are not limited to, any firm, individual, or other entity involved in the preparation of this RFP.

10.2 Selection of Proposals

- a. This RFP should not be construed as an agreement to purchase goods or services. The Town is not bound to select the lowest priced or any proposal of those submitted. Proposals will typically be assessed by the Town in light of the evaluation criteria, and the Town retains the right (but is under no obligation) to receive further information, written or oral, from Proponents and third parties.
- b. Neither selection of a proposal nor execution of a Contract will constitute any approval, permit, or license required pursuant to any federal, provincial, regional district, or municipal statute, regulation, or by-law.

10.3 Formation of Contract

The completion of negotiations and any missing information on the form of Contract, and the signature by both parties of the signature page of the Contract, and receipt by one party of the fully-signed Contract from the other party, will create a binding performance Contract for the Work, and no Proponent will acquire any legal or equitable rights or privileges relative to the Work until the occurrence of all such events.

10.4 Liability for Errors

While the Town has used considerable efforts to ensure an accurate presentation of information in relation to this RFP, the information contained in or provided with this RFP is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the Town, nor is it necessarily current, comprehensive, or exhaustive. Nothing in this RFP is intended to relieve Proponents from performing their own due diligence and forming their own opinions and conclusions with respect to the matters addressed in this RFP.

10.5 Selection and Award

After evaluating proposals, the Town aims to deliver notice in writing to one or more Proponents indicating that the Town has selected their proposal(s) as the highest ranked proposal(s) and inviting the preferred Proponent(s) to negotiate, sequentially or concurrently, with a view to finalizing the terms of a Contract. The Town generally wishes to expedite and/or truncate negotiations, where possible, and may end ongoing negotiations with any Proponent at any time, with or without notice, in the Town's sole and absolute discretion. Whether or not the Town initiates negotiations with a preferred Proponent, the Town may proceed in any manner that the Town may decide, in consideration of its own interests, including:

- a. Terminating negotiations and/or the procurement process entirely and proceeding with some or all of the Project in some other manner; and/or
- b. Treating this RFP as if it is a mere pre-qualification process, and issuing another solicitation document to only those Proponents short-listed by the Town; and/or
- c. Inviting one or more of the other Proponents to enter into sequential or concurrent negotiations to reach Contract(s) for completing the Project; and/or
- d. Conducting a best-and-final-offer process. The Town expects that any best-and-final-offer process would include:
 - i. Communication in writing by the Town to eligible Proponents of all modifications to criteria, technical requirements, and other parts of this RFP;
 - ii. Time for eligible Proponents to modify their submitted proposals, including price, in response to the modified RFP;
 - iii. Submission of modified proposals by eligible Proponents in accordance with a common deadline;
 - iv. Evaluation of modified proposals by the Town under the modified RFP; and
 - v. Decisions by the Town consistent with any or all of its options set out under the modified RFP, including the option to repeat a 'best-and-final-offer' process.