

REQUEST FOR PROPOSALS
CONSTRUCTION MANAGEMENT SERVICES
FOR REPAIR, RECONSTRUCTION AND CONSTRUCTION
OF FACILITIES IMPACTED BY HURRICANE MARIA

EXHIBIT D
SCOPE OF SERVICES
This exhibit comprises 8 pages.

A. Introduction

This document defines the construction management (“CM”) services that the Selected Respondent(s) will perform to support the corresponding Church Entity in the administration of the grant funds provided by the following federal programs: (a) Federal Emergency Management Agency Public Assistance (“FEMA PA”); (b) Federal Emergency Management Agency Hazard Mitigation Grant Program (“FEMA HMGP”); and (c) potentially the Community Development Block Grant for Disaster Recovery program (“CDBG–DR”) and for Mitigation (“CDBG-MIT”).

The Archdiocese of San Juan, and the Dioceses of Arecibo, Caguas and Fajardo-Humacao (collectively, the “Church Entities”) are issuing this RFP to procure qualified and skilled companies to provide CM Services for the Church Entities during the pre-construction and construction phases of their disaster recovery program, including procurement, management of design firms, contractors, suppliers and other vendors performing work or services in connection with the rehabilitation, reconstruction, mitigation, and new construction of damaged facilities.

Each Church Entity reserves the right to retain construction management services for some of the smaller Repair Facilities directly through the Diocese.

The Selected Respondent(s) will be integral to implementing grant requirements and will be required to work in harmony with other stakeholders, such as the municipalities where the Repair Facilities are located and facility staff members. The Selected Respondent(s) will be directly responsible for ensuring the accuracy, timeliness, quality, and completion of all tasks assigned under the CM Agreement.

B. Construction Management Firm Responsibilities

The Selected Respondent(s) shall have no vested financial interest in the project, the design or the construction, and shall at all times on behalf of the Church Entity and provide impartial counsel in connection with the assigned portfolio. The responsibilities of the Selected Respondent(s) will include, without limitation, the following tasks and services:

- Manage the procurement and contracting process for designers and general contractors that will design and/or perform the repair and reconstruction work for each Church Entity (the “Repair Work”).
- Ensure that all contracted parties and vendors are familiar with local and regional permitting requirements, building codes, and other applicable laws and regulations.

- Work with the Diocese, designers, contractors, and other stakeholders to clearly define roles and responsibilities in order to develop construction management plans for each Repair Facility within the repair portfolio.
- Conduct pre-construction activities, including coordination, site visits, and development of scopes of work in compliance with grant requirements, including ensuring all eligible work has been identified, and all costs for disaster related damages have been submitted to FEMA and/or HUD for funding.
- Gather and prepare information required by FEMA, COR3, and/or HUD to complete and amend project worksheets and represent the Diocese's interests in dealing with FEMA, COR3, and/or HUD.
- Identify improved or alternate projects where the Diocese may use FEMA and/or HUD funds to restore facilities in a manner that is different to their pre-disaster condition.
- Budget review and approval for the overall project and milestones with consultation and approval from the Diocese;
- Overall management of the design process, and construction planning;
- Review design documents for constructability, permitting strategy and approvals with contractors;
- Manage general contractors and other project management responsibilities from start to finish on Repair Facilities
- Coordination of relocations (temporary and permanent) for people, functions, services, utilities, fixtures, and equipment necessary to complete the project;
- Reporting and document management;
- Collection, review, and approval of drawings, as-built drawings, and project warranties;
- Preparing reconciliations and assisting with Grant Close-out reports;
- Ensure Project expenditure of funds are related to the corresponding objectives of the aforementioned federally funded programs;
- Ensure applicable federal program compliance requirements are being met including performance, payment, and bid bonding requirements for contractors;
- Review and formally recommend payment of invoices and payment applications from contractors and designers to Church Entities; and
- Perform all supplementary services necessary to comply with the terms of the CM Services Agreement.

C. Overview of Scope of Services

The Selected Respondent(s) will manage multiple Repair Facilities simultaneously. It is anticipated that most Repair Facilities will be schools, churches, or park equipment within each Church Entity's control. The scope of work for general contractors will vary greatly depending on each Repair Facility. The Selected Respondent(s) will administer the procedures and manage the procurement process and determine the scope of work appropriate for each Repair Facility. Each Church Entity will enter into contracts with the selected designers, contractors, and other vendors. The Church Entities anticipate that the selected contractors will perform, at a minimum, the following at all or some of the Repair Facilities:

1. Rehabilitation:

- Obtaining permits and approvals prior to commencement of the work for each structure
- Demolition of damaged interior and exterior materials
- Foundation leveling and repair
- Structural damage repair
- Mechanical, electrical, and plumbing systems repair or replacement
- Wind mitigation and retrofitting measures

2. Reconstruction and New Construction:

- Obtaining permits and approvals prior to commencement of the work for each structure
- Utility disconnection and deactivation
- Demolition of existing structure
- Debris removal in accordance with all federal, state, and local requirements, including the disposal of potential asbestos-containing materials. Selected Respondent(s) shall ensure that any debris removal documentation requested by FEMA and/or the Puerto Rico Environmental Quality Board is acquired, retained and provided to the Church Entities upon request.
- Accessibility and design of Repair Facilities
- Construct new facilities

3. Hazard Mitigation:

- Obtaining permits and approvals prior to commencement of the work for each structure

- Conduct a risk assessment to identify all hazards in the Diocese (natural and man-made) to assess risk.
- Vulnerability Assessment
- Formulate plans to address hazards for approval by the corresponding Church Entity

D. Task Order Authorization

During the term of the CM Agreement awarded under the RFP, if any, the Church Entity will assign specific tasks and to the Selected Respondent(s) from time to time via written documents (each, a “Task Order”). Each Task Order will detail the scope of services, list of tasks, time schedule, list of deliverables, a not-to-exceed amount and other information or special conditions as may be necessary for the performance of the authorized services.

The Task Orders will be assigned to the Selected Respondent(s) based on disclosed capacity, ability, availability of funds, and the Church Entity’s needs and objectives at the time. All Task Orders shall be in writing and signed by the corresponding Church Entity and the Selected Respondent(s).

E. Key Staff Requirements

1. Overview

The Key Staff and quantity of hours to be provided by the Selected Respondent(s) at any given time will be specified in the corresponding Task Order(s). The Key Staff identified in **Exhibit J** will be available from the first day of the CM Agreement and throughout the performance of the corresponding Task Order(s). Key Staff may be performing services simultaneously in connection with multiple Task Orders. The Church Entities may authorize the Selected Respondent(s) to engage additional staff based on the size and complexity of the projects assigned.

Any changes to the Key Staff must receive prior approval from the corresponding Church Entity. Any changes to Key Staff must receive prior written approval of the Church Entity. Key Staff shall be replaced within ten (10) calendar days with a person with the same or similar qualifications. If any vacant Key Staff position is not adequately filled within the corresponding period, a penalty of five hundred dollars (\$500.00) per day will be assessed against the Selected Respondent(s), for each day of delay in filling the position.

The Selected Respondent(s) shall ensure that all staff are experienced in their field and meet or exceed all minimum qualifications described herein.

2. Project Manager

The Project Manager shall be a licensed Professional Engineer, in Good Standing with the Puerto Rico College of Engineers and Land Surveyors or a licensed Architect in Good Standing with Puerto Rico College of Architects and Landscaping Architects. The Project Manager must have no less than ten (10) years of experience as a Project Manager performing services similar to those required in this Solicitation. The Project Manager must have general knowledge of the Scope of Services and responsibilities set forth in this RFP.

This individual will be responsible for oversight and goals compliance at all assigned projects and will supervise administrative and field staff. The Project Manager shall have knowledge of all applicable federal regulations and requirements.

3. Procurement Manager

The Procurement Manager shall have a bachelor's degree from an accredited college or university with a minimum of five (5) years of experience performing services similar to those requested in this Solicitation. The Procurement Manager shall, at a minimum: (i) identify the procurement needs; (ii) develop all procurement processes; (iii) prepare all procurement documents, including without limitation, bidding documents, Requests for Qualifications, Requests for Proposals, and Task Orders; (iv) prepare award recommendations to the Church Entities; and (v) negotiate contracts. This individual shall have knowledge of all applicable regulations, including without limitation, 2 CFR Part 200 and other federal procurement guidelines, Section 3 Employment Opportunity, Davis Bacon Related Acts, construction codes, and FEMA and HUD regulations.

4. Design/Construction Manager

The Design/Construction Manager shall be a licensed Professional Engineer in Good Standing with the Puerto Rico College of Engineers and Land Surveyors or a licensed Architect in Good Standing with Puerto Rico College of Architects and Landscaping Architects, with at least ten (10) years of experience in the construction industry, preferably in federally funded projects, including monitoring of design and/or construction contracts, developing cost estimates, and project scheduling. This individual shall, at a minimum, (i) coordinate all technical input related to planning, scheduling, estimating feasibility and procurement; (ii) ensure that assigned projects comply with the objectives of the Church Entity; (iii) coordinate with the appropriate resources to ensure optimal delivery by designers and contractors and that all issues are resolved in a timely and effective manner; (iv) make recommendations to the Church Entities on design proposals and construction claims or disputes; (v) work with contracted design firms to review Project schedules; (vi) conduct constructability reviews, (vii) participate in value engineering discussions, anticipate procurement problems and review all schedules; (viii) oversee construction inspection services; (ix) establish and implement non-compliance procedures for vendors and contractors; (x) establish and implement warranty claim system; (xi) supervise the work of Professional Engineers or Architects, as authorized by Task Order, and (xii) prepare related reports as requested. This individual shall have knowledge of all applicable regulations, including without limitation, Section 3 Employment Opportunity, Davis Bacon Related Acts, construction codes, and FEMA and HUD regulatory guidelines compliance.

5. Compliance Officer

The Compliance Officer shall, among other services: (i) monitor compliance with applicable regulations, including Davis-Bacon wage rates, Section 3 employment opportunities, and Labor Standards enforcement; (ii) ensure that all required documentation is maintained in project files and that all required reports are prepared in a timely manner; (iii) provide technical assistance to designers and contractors; (iv) conduct routine labor standard compliance review; (v) investigate complaints; and (vi) deliver notice to contractors of violations, investigations and/or findings as required by regulation. This individual must have a bachelor's degree from an accredited college or university with at least three (3) years of experience performing compliance-monitoring services similar to

those requested in this Solicitation.

6. Scheduler

The person designated by the Selected Respondent(s) to interact with the project team to develop and update schedules and cost information, and to identify variances from original plan. The Scheduler will conduct periodic evaluation of project schedules vs. performance to identify developing problem areas. The Scheduler shall have a bachelor's degree in engineering or architecture from an accredited university and no less than five (5) years of experience in performing services similar to those requested in this solicitation.

7. Additional Staff: As authorized by the Church Entity and provided in each Task Order, the following Additional Staff may be assigned to perform services under the Agreement. The work performed by the Additional Staff shall be billed to the Church Entity as provided in the corresponding **Exhibit H**.

- a. Professional Engineers or Architects – will work under the supervision of the Design/Construction Manager in the performance of assigned tasks, including project management, documentation, and oversight; shall be licensed and in good standing to perform the corresponding professional services; and shall have at least three (3) years of experience in the construction industry.
- b. Engineers or Architects in Training – will work under the supervision of the Professional Engineers or Architects in project oversight and management tasks; shall have a bachelor's degree in engineering or architecture.
- c. Toxic Monitors – shall be certified Hazardous Materials Abatement Technicians who will provide services where hazardous materials (lead and/or asbestos) abatement will occur as part of the repair work.

8. Any labor costs other than designated Key Staff and Additional Staff (if authorized under the corresponding Task Order) shall be part of the Selected Respondent(s)' overhead costs.

F. **Construction Management Plan:** Following execution of a Task Order, the Contractor will develop a detailed budget and timeline for the authorized services, including a procurement and construction management plan. The Selected Respondent(s) will not be a party to the contracts awarded to the suppliers, contractors and vendors engaged by the Church Entities; provided, however, that the Selected Respondent(s) will manage all such contracts and agreements to ensure adherence to applicable regulations and contractual terms and conditions.

G. **Initial Milestones and Deliverables**

The Church Entity will issue one or more Task Orders to the Selected Respondent(s) per Repair Facility or group of smaller Repair Facilities.

Upon project assignment, the Selected Respondent(s) will assess the property accessibility, availability (or lack) of electrical, potable, and sanitary water infrastructure, lot potential, restrictions, limitations, proximity to bodies of water, natural resources, geological formations,

or any other relevant information that may limit the proposed activity, including but not limited to evidence of soil erosion, landslide, flood, extreme slopes, and others.

The Selected Respondent(s) will develop scopes of work for the pre-design phase of the Repair Work, and, for Repair Work that does not require the preparation of design documents, which will be subject to the review, revision and approval of the Church Entity.

The Selected Respondent(s) will manage and oversee the procurement process for all vendors, contractors and suppliers, which shall comply with the requirements of 2 C.F.R. 200 and the Procurement Disaster Assistance Team (PDAT) Field Manual (FM-207-21-0002), https://www.fema.gov/sites/default/files/documents/fema_PDAT-field-manual_102021.pdf.

Selected Respondent(s) will ensure all required procurement documentation is retained and provided to the Church Entities upon request.

Under certain circumstances as defined in 2 C.F.R. 200, the Selected Respondent(s) will be required to perform cost and price analyses for contract prices.

H. Additional Services

For all services not contemplated above, the CM Agreement will include an Additional Services Allowance. These services may or may not be necessary to be provided by the Selected Respondent(s). In order to perform services under the Allowance, the Selected Respondent(s) must first obtain written authorization from the Church Entity or its designee, by means of a Request for Authorization (RFA) to be submitted to the Church Entity for each additional service, which shall include the justification for the additional services, name of potential resource or subcontractor, resume or professional information and rate per hour or task, as applicable.

The costs for specialized services on an as-needed basis will be covered by the contract's allowance, after the RFA is approved by the Church Entity. Therefore, Respondents shall not include any amount for specialized services in its Cost Proposal in response to this RFP. The Selected Respondent(s) will not be reimbursed for any Allowance-related task that was not authorized in advance by the Church Entity.

At this time, the Church Entities have identified the following potential additional services:

1. Professional Support

If during the performance of the CM Services, the Selected Respondent(s) understands that in order to adequately comply with the objectives of the Church Entities, it requires the expertise or support of another specialist, the Respondent(s) may work in collaboration with other professionals as long as it obtains prior written approval from the Church Entity. Subject to the Church Entity's written approval, the Selected Respondent(s) may work together with other specialists, such as: Electrical Engineers; Mechanical Engineers, Civil Engineers, Geotechnical Engineers, Structural Engineers, Environmental Engineers, and/or Architects.

2. Historical and Archaeological Studies

Such services may include, but are not limited to, conducting on-site research and preparing detailed forms and mapping that assess the National Register of Historic Places eligibility for both architectural resources and archaeological resource potential, and performing architectural and archaeological surveys necessary to assure compliance with Sections 106 and 110(k) of the National Historic Policy Act and implementing regulations at 36 CFR 800, as needed. The personnel that perform Architectural and/or Archaeological studies must meet the National Park Service's Professional Qualifications Standards, which may be found at <https://www.nps.gov/articles/sec-standards-prof-quals.htm>.