

Construction Manager at Risk (CMAR)

Ewert Splash Park with Ice Ribbon and Park Amenities Announcement

COJ Team | April 15, 2024

CONSTRUCTION DELIVERY METHODS

Introduction

- There are two different allowable methods to deliver a construction project for municipalities:
  - Design-Bid-Build and Construction Manager at Risk
- Missouri State Statute allows and prescribes process for the Construction Manager at Risk (CMAR) method for municipalities
- To date, the City has only utilized the Design-Bid-Build method for construction projects
- On March 20, 2023, City Council approved an update to the Purchasing Policy to allow CMAR option following State Statute

CONSTRUCTION DELIVERY METHODS

Construction Manager at Risk (CMAR) Method

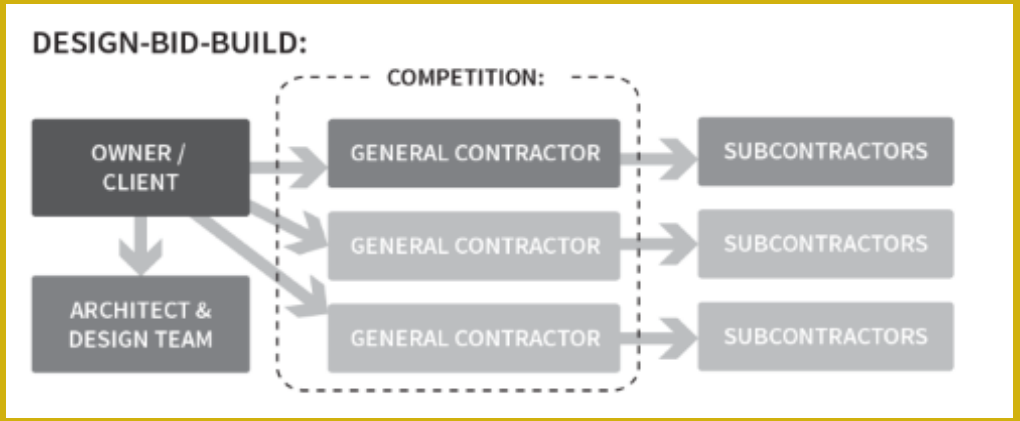
- Construction Manager at Risk assumes the risk for the construction project at a contracted price as a general contractor and provides consultation regarding construction during and after the design of the project
- Construction Manager commits to delivering the project within a Guaranteed Maximum Price (GMP)

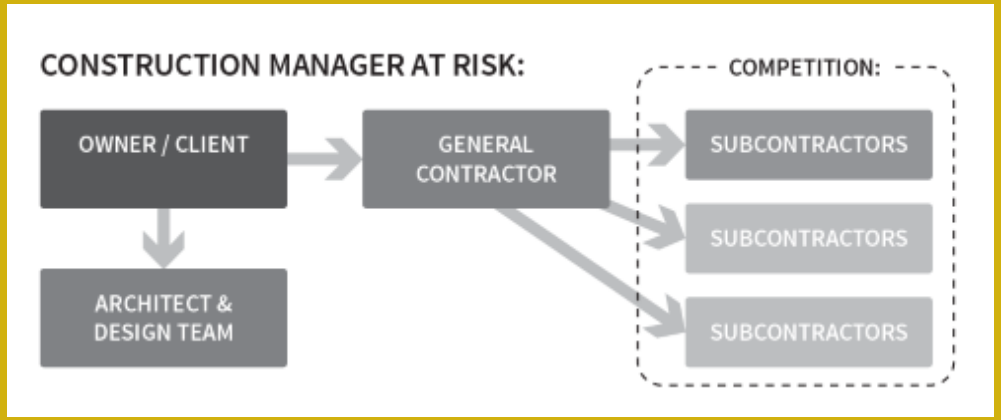
CONSTRUCTION DELIVERY METHODS

Construction Manager at Risk (CMAR) Method

- Construction Manager is part of the team during design rather than after design
- Construction Manager acts as a consultant to the City during the development and design phases
- Construction Manager acts in the best interest of the City by managing and controlling construction costs to remain within the GMP

Design-Bid-Build Process vs. Construction Manager at Risk (CMAR) Process





MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- Cities may use CMAR method for the following civil works projects if the project is in excess of $2,000,000:
  - Roads, Streets, Bridges, Utilities
  - Wastewater Plants and Conveyance Facilities
  - Airport Runways and Taxiways
  - Storm Drainage and Flood Control
  - Transit

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- Cities may use CMAR method for the following non-civil works projects if the project is in excess of $3,000,000:
  - Buildings
  - Site Improvements
  - Other Structures

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- City shall first select, based on qualifications, an engineer or architect to prepare the construction documents
- Selection of the CMAR shall occur in a two-step process
- Cities shall publicly disclose at a regular City Council meeting its intent to utilize the CMAR method along with the specified selection criteria at least one week prior to publishing the RFQ

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- Step 1:
  - Prepare RFQ which includes general information on the project site, project scope, schedule, selection criteria, time & place for receipt of responses, and other relevant information
  - Selection criteria may include CM's experience, past performance, safety record, proposed personnel and methodology, and other factors
  - Fees and prices may not be requested in this step

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- Step 2:
  - City may request no more than five construction managers, selected solely based on qualifications, provide additional information, including the CMAR's proposed fee and its price for fulfilling the general conditions
  - Qualifications shall account for 45 percent of the evaluation
  - Cost shall account for 55 percent of the evaluation

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- City required to publish the RFQ in a newspaper in the county once a week for two consecutive weeks prior to opening the responses
- For each step, the City will receive, publicly open, and read aloud the names of the CM's
- Evaluations must occur within 45 days from the opening and be based upon the specified criteria

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- City is required to interview at least two of the top qualified offerors as part of the final selection
- City shall select the CM that submits the proposal that offers the *best value* for the City based on the published selection criteria and the ranking evaluations

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- CMAR is required to publicly advertise and receive bids from trade contractors or subcontractors for performance of all major elements of the work other than minor work that may be included in the general conditions
- A CMAR may seek to perform some of this work themselves by submitting sealed bids in the same manner as others
- City can restrict CMAR from submitting bids to perform certain portions of the work

MISSOURI STATE STATUTE REQUIREMENTS

Construction Manager at Risk (CMAR) Method

- CMAR and City, or its representative, will review all trade contractor, subcontractor or CMAR bids
- If CMAR submitted bids, City shall determine if their bid offers the best value
- After all bids have been evaluated, award of all subcontracts will be made public
- City will provide or contract, independent of the CMAR, inspection services, testing of construction materials, and engineering necessary for acceptance of the project by the City

EWERT SPLASH PARK WITH ICE RIBBON AND PARK AMENITIES CMAR ANNOUNCEMENT

Selection Criteria: Ewert Splash Park with Ice Ribbon and Park Amenities

- City intends to utilize CMAR for the Ewert Splash Park with Ice Ribbon and Park Amenities Project
- Selection Criteria:
  - (30 Points) Methodology – Vendor will use to conduct work outlined in RFQ and evidence of ability to perform described work, which includes past performance, budget, schedule and safety record
  - (40 Points) Experience – Previous experience performing related CMAR projects of similar size and type of organization

EWERT SPLASH PARK WITH ICE RIBBON AND PARK AMENITIES CMAR ANNOUNCEMENT

Selection Criteria: Ewert Splash Park with Ice Ribbon and Park Amenities

- Selection Criteria (continued):
  - (15 Points) References – Submitted with RFQ
  - (15 Points) Staff – Capability and availability of firm's staff to serve the City in a competent and timely manner
  - Total 100 Points

EWERT SPLASH PARK WITH ICE RIBBON AND PARK AMENITIES CMAR ANNOUNCEMENT

Projected Timeline:
Ewert Splash Park with Ice Ribbon and Park Amenities

Anticipated Date	Item Description
April 15, 2024	Public Announcement: Intent to use CMAR Method
April 22, 2024	Release and Advertise Phase 1 CMAR RFQ
May 13, 2024	Due Date for Phase 1 CMAR RFQ
May 13, 2024	Phase 1 Notification and Release Phase 2 CMAR RFP
June 3, 2024	Due Date for Phase 2 RFP
June-July 2024	Selection of CMAR; Contract Development and Finalization
August 5, 2024	CMAR Contract presented to City Council for approval

Questions?

