

Oklahoma Statute Title 61, § 62 describes the statutory requirements for the selection of consultants and construction managers for construction projects for all State agencies. The Office of Management and Enterprise Services, Capital Assets Management, Department of Real Estate Services, Construction and Properties (CAP) is mandated by statute, to monitor and approve the selection process.

The following is a guideline for agencies to follow (read each step before you proceed).

- ☐ Step 1: Using Agency
 - Should have an Owner's Representative (Consultant) retained and have completed Programming, Schematic Design, and just starting the Design Development phase prior to soliciting for a construction manager;
 - Requests permission to use the construction management project delivery method by submitting a letter to **Construction and Properties** (CAP) requesting such permission (Example Letter "A" attached);
 - Requests copy of Construction Manager List from **CAP** (combined with Example Letter "A" attached);
 - Requests a **CAP** representative be assigned, if approved, to chair and be voting member of Screening Committee and Interview Committee (combined with Example Letter "A" attached). A specific Project Manager may be requested.
 - Submit scope of proposed project, along with letter above, for approval from **CAP**. This *Request for Letters of Interest* to the construction managers shall include the following elements: (Example Letter "B" attached)
 - Description and Scope of Project;
 - Estimated construction cost;
 - Anticipated starting date;
 - Completion date;
 - Certification of funds available;
 - Closing date for *Letters of Interest*; and
 - Any additional information may be requested to assist in evaluating, see examples.
- ☐ Step 2: If **Construction and Properties**:
 - Approves the use of the construction management project delivery method and scope of project required for project, a Construction Manager List is sent to the Using Agency; or
 - Denies permission and/or rejects the scope of project (*Request for Letters of Interest*) required for project, an explanation for rejection is provided by **CAP**, and the Using Agency, if not denied permission, may revise and resubmit the scope of project required for project.
- ☐ Step 3: Using Agency mails each Construction Manager on the mailing list, a copy of the *Request for Letters of Interest*.
- ☐ Step 4: Using Agency receives *Letters of Interest* and CAP Form A305 from Construction Managers. Additional information may be submitted with the CAP Forms. CAP Forms may **not** be altered and the most recent version must be used.
- ☐ Step 5: Using Agency sends **CAP** the list of firms that submitted *Letters of Interest* and requests any additional information, i.e. Vendor Evaluations, from each responding construction manager's file.
- ☐ Step 6: **Construction and Properties**:
 - Verifies the registration information of the list of firms that submitted *Letters of Interest* with the CAP Registration Database;
 - Sends to Using Agency any additional information from each responding construction manager's file.
- ☐ Step 7: Using Agency designates a "Screening Committee" to evaluate the submitted *Letters of Interest* and CAP Forms.
 - It is expected that the retained Owner's Representative (Consultant) will serve on both "Screening Committee" and "Interview Committee."
 - Screening Committee uses CAP Form M201 *Construction Manager Screening Evaluation* to evaluate firms;
 - Evaluators score each category for the respective firm(s); then
 - Rank each firm from highest score to lowest, starting at one (1), if a firm scores are equal, they have the same rank, i.e. firm A scores 33 and firm B scores 34 and firm C scores 33 – the ranks would be 1 for firm B, 2 for both firm A and firm C (see Instructions of CAP Form M201 *Construction Manager Screening Evaluation*);
 - The firm with the greatest number of highest ranking (1's) would be the one selected; see Instruction on CAP Form M103 *Evaluations Rank Tally Sheet*.
 - Evaluation of firms must be done by all evaluators concurrently and record copies of score sheets shall be provided to the **CAP** Representative.
 - **CAP** Representative completes CAP Form M103 *Evaluations Rank Tally Sheet* to determine the three (3) to five (5) firms to interview.
- ☐ Step 8: Using Agency sends letter, or emails to firms selected for interviews. Example Letter "C" attached. Letter should identify:
 - Date, time and location of interview;
 - Time allowed for each interview;

- Copy of Interview Evaluation Criteria, Matrix, if applicable, and infilled CAP Form M202 *Construction Manager Interview Evaluation*; and
- Any other supplemental evaluation criteria or requirements required for the Interview, see examples.

- ☐ Step 9: Using Agency designates "Interview Committee" to interview firms:
- Interview Committee uses CAP Form M202 *Construction Manager Interview* to evaluate;
 - Interview committee ranks firms according to results of CAP Form M202 *Construction Manager Interview*;
 - Evaluators score each category for the respective firm(s); then
 - Rank each firm from highest score to lowest, starting at one (1), if a firm scores are equal, they have the same rank, i.e. firm A scores 33 and firm B scores 34 and firm C scores 33 – the ranks would be 1 for firm B, 2 for both firm A and firm C. (see Instructions of CAP Form M202 *Construction Manager Interview Evaluation*);
 - The firm with the greatest number of highest ranking (1's) would be the one selected; see Instruction on CAP Form M103 *Evaluations Rank Tally Sheet*.
 - Evaluation of firms must be done by all evaluators concurrently and record copies of score sheets shall be provided to the CAP Representative.
 - **CAP** Representative completes CAP Form M103 *Evaluations Rank Tally Sheet* to determine the "winning" firm to begin negotiations.
- ☐ Step 10: Using Agency sends a report to **CAP** with ranking of Construction Managers and documentation from Steps 1 through 9 of the selection procedures. If the Using Agency prefers that the CAP Project Manager completes this task, all documents should be forwarded to the assigned CAP Project Manager from each step required.
- ☐ Step 11: **Construction and Properties**
- sends Using Agency a confirmation letter that report was received; and
 - forwards Construction Manager copy of Standard Agreement, General Conditions and Supplemental Conditions.
- ☐ Step 12: **Construction and Properties** and Using Agency meet with selected Construction Manager to negotiate fees and obtain an acceptable Letterhead Proposal. Proposal should be limited to Pre-construction Services, but optionally indicate Construction Manager's Fee as a percentage of the Cost of Work if Using Agency has a set construction budget.
- ☐ Step 13: Using Agency sends a completed CAP Form M701 *Project Requisition* to CAP with copy of approved, signed Purchase Order for the Construction Management service(s) and accepted Letterhead Proposal from Construction Manager.
- ☐ Step 14: **Construction and Properties:**
- Completes *Standard Form of Agreement between the Owner and the Construction Manager as Constructor* and forwards to selected Construction Manager for signature.
 - Forwards Agreement to Using Agency for signature after receipt of signed Agreement and insurance from Construction Manager.
 - Upon receipt of the signed Agreement from the Using Agency, executes Agreement and distributes to all parties.
- ☐ Step 16: At the conclusion of the Pre-construction phase, the Using Agency should receive a Guaranteed Maximum Price (GMP) Proposal Letter from the Construction Manager prior to the bidding of any construction packages. The Using Agency is to submit this GMP Proposal Letter, if accepted, along with an approved, signed Purchase Order increased for the Construction Manager's GMP to **CAP**.
- ☐ Step 17: **Construction and Properties:**
- Completes *Guaranteed Maximum Price Amendment Exhibit A* and forwards to Construction Manager for signature.
 - Forwards Amendment to Using Agency for signature after receipt of signed Amendment, bonds and insurance from Construction Manager.
 - Upon receipt of the signed Amendment from the Using Agency, executes Amendment and distributes to all parties



EXAMPLE LETTER "A"

STATE OF OKLAHOMA
MILITARY DEPARTMENT
3501 MILITARY CIRCLE
OKLAHOMA CITY, OKLAHOMA 73111-4398
405-228-5000 DCTN 628-5000

August 28, 2019

Design and Project Management Branch

Mr. Mike Jones, Director
OMES/CAM/DRES Construction and
Properties
Will Roger Building
2401 North Lincoln, Suite 212
Oklahoma City, OK 73105

RE: Request to use the Construction Management delivery method

Dear Mr. Jones,

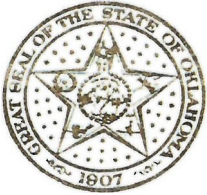
The Oklahoma Military Department (OMO) would like to select a Construction Manager to provide services for a life-extension/renovation project for the Oklahoma Army National Guard (OKARNG) Okmulgee Readiness Center (RC) located at 13265 Gun Club Road, Okmulgee, Oklahoma 74447. This project will extend the useful life of the Okmulgee RC by approximately 15-20 years and provide upgrades in the areas of life safety, energy conservation, non-organizational parking, organizational parking, security fencing, and occupational health needs.

OMO believes that this project is a strong candidate for CM services. The estimated total project cost is approximately \$5.2 million.

If approved, please provide updated list of Construction Manager Firms registered with the State and are eligible to be considered for this project as well as assigning a representative of Construction and Properties, specifically Mr. David Mihm, to serve as our chair and evaluating member of the screening committee and the interview committee for the project referenced above.

Please call or email me 405-228-5096 or matthew.c.simpson.nfg@mail.mil if you need additional information about this project.

Matthew C. Simpson, EI, Assoc. DBIA
Military Construction Consultant
Design & Project Management Branch
Oklahoma Military Department



EXAMPLE LETTER "B"

STATE OF OKLAHOMA
MILITARY DEPARTMENT
3501 MILITARY CIRCLE
OKLAHOMA CITY, OKLAHOMA 73111-4398
405-228-5000 DCTN 628-5000

September 9, 2019

RE: CAP Solicitation #####DB

Ladies and Gentlemen:

The Oklahoma Military Department (OMO) intends to select a Construction Manager to provide Construction Management services in connection with a building life-extension/renovation project at the Okmulgee Readiness Center located at 13265 Gun Club Road, Okmulgee, Oklahoma, 74447. The estimated total project cost is approximately \$5.2 million. The funding will come from a combination of State of Oklahoma and Department of Defense sources. Contract award is contingent on the availability of funds.

The estimated time frame is:

April 2020 Complete drawings and specifications
May 2020 Receive bids from subcontractors
June 2020 Start Construction
June 2021 Complete Construction

If your firm is interested in providing construction management services, please respond in writing to Mr. Matthew Simpson, Directorate of Facility Management, 3515 Military Circle, Oklahoma City, OK 73111 prior to 3PM CST on October 25, 2019. Your response must include an unaltered CAP Form A305 *Contractor's Qualification Statement* and the following basic information: (1) a statement outlining the experience of your firm with projects of this scope and type, giving specific examples including the names of the projects, the dates completed and client references; (2) the names and qualifications of each of staff members that will be assigned to the project should your firm be selected; and (3) the ability of your firm to commence work upon selection. Please provide five copies of materials submitted. The submission **must** clearly be marked with the CAP Solicitation Number on any Cover and Cover Letter.

To be eligible for consideration, your organization must be in good standing and have an approved CAP Form D305* on file with the Construction and Properties (CAP).

By offering to provide services, the Construction Manager certifies that they, and any proposed subcontractors, are in compliance with 25 O.S. §1313 and participate in the Status Verification System. The Status Verification System is defined in 25 O.S. §1312 and includes but is not limited to the free Employment Verification Program (E-Verify) available at www.dhs.gov/E-Verify.

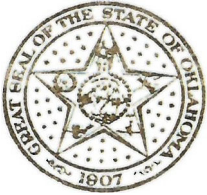
Should you have any questions or require additional information, please feel free to contact Mr. Matthew Simpson, at 405-228-5096 or matthew.c.simpson.nfg@mail.mil.

Sincerely,

Matthew C. Simpson, EI, Assoc. DBIA
Military Construction Consultant
Design and Project Management Branch
Oklahoma Military Department

cc: Mr. Mickerl Jones, Director, OMES/CAM/ DRES Construction and Properties

*Please note: Each organization is responsible for verifying that its registration with CAP is current (<https://omes.ok.gov/services/construction-and-properties>, below the **Consultant, CM, DB Firms List** select Construction Manager date link). Organizations may register or renew up to 6 days before the date the Solicitation is due. Construction Managers must register annually by submitting an updated CAP Form D305 *Construction Manager (CM) & Design-Builder (DB) Registration* to Construction & Properties.



EXAMPLE LETTER "C"

STATE OF OKLAHOMA
MILITARY DEPARTMENT
3501 MILITARY CIRCLE
OKLAHOMA CITY, OKLAHOMA 73111-4398
405-228-5000 DCTN 628-5000

21 November, 2019

Dear Sir or Madam,

Thank you for your interest in the Okmulgee Readiness Center Renovation/Life Extension construction project. The initial screening has been completed, and your firm has been selected for further review in an interview evaluation.

Interviews will be held on Wednesday, December 11, 2019, at the Oklahoma Military Department (OMD) Joint Forces Headquarters (JFHQ), building 3515 in the Design and Project Management Branch Office located at 3501 Military Circle, Oklahoma City, Oklahoma, 73111. We have allowed for 40 minutes of presentation in response to the questions listed on the evaluation form and an additional 10 minutes for questions. Your presentation is scheduled to begin at the time listed below. Presentations have been randomly scheduled with no reference to results from the initial screening process. You may call me at (405) 228-5096 if you have any questions or would like to make arrangements to view the building site prior to the interview.

The CAP Form M202 *Construction Manager Interview Evaluation Form* and the OMD Form M202 *Supplemental (Evaluation Questions)* have been enclosed with this letter.

We appreciate your consideration of this project and look forward to meeting with you during your interview.

Respectfully,

Matthew C. Simpson, EI, Assoc. DBIA
Military Construction Consultant
Design and Project Management Branch
Oklahoma Military Department

DISTRIBUTION:

Finalists:

We Manage (0900 Interview)
Khan Management Services (1100 Interview)
Conglomerate CMS (1000 Interview)
Haddock and Fisk (1100 Interview)

OMES:

David Mihm, RA, DBIA
Kelly Thompson

SUPPLEMENTAL (EVALUATION QUESTIONS)

The following criteria will be used by the committee to evaluate the CM Firms. It is recommended that the presentation focus on presenting “dominant” information that will allow the evaluators to rate the firm with high scores. Extraneous marketing filler will not be evaluated, and will detract from your efforts by consuming your allotted time with un-scored efforts. Firms may use PowerPoint, but five (5) hard copies of the presentation must be provided at the start of your presentation.

A. Specialized Experience and Technical Competence. (Complete the attached Project Team Experience Matrix)

1. Present one recent and relevant CM project that demonstrates your firm’s mastery of the Pre-construction Services Phase. Discuss challenges overcome and document successful owner outcomes by including a Past Performance Evaluation for this project.
2. Present one recent and relevant CM project that demonstrates your firm’s mastery of the Bidding Phase. Discuss challenges overcome and document successful owner outcomes by including a Past Performance Evaluation for this project.
3. Present one recent and relevant CM project that demonstrates your firm’s mastery of Quality Control during construction. Discuss challenges overcome and document successful owner outcomes by including a Past Performance Evaluation for this project.
4. Present one recent and relevant CM project that demonstrates your firm’s mastery of Project Closeout. Discuss challenges overcome and document successful owner outcomes by including a Past Performance Evaluation for this project.
5. Identify your firm’s self-performance capabilities and how that provides added value to this project.

B. Capacity and Capability of Firm.

1. VERY QUICKLY present and recap your Project Team’s qualifications for this project and the team’s availability or plan if a team member becomes unavailable.
 - a. We are most interested to hear from the key staff that our personnel and A/E will be teaming with during preconstruction. Introduce us to who we will be working with; be that a Pre-Construction Services Manager, your estimator, design integrator, etc.
2. VERY QUICKLY tell us the story of how you see Pre-Construction Services occurring for this project and highlight how your firm differentiates itself in this endeavor. Touch upon project control through scheduling and estimating; constructability and biddability evaluations during document review for quality control; bid management strategies of prequalification, bid pool and bid package coordination; and bid evaluation methodologies.
 - a. Submit a sample of your firm’s written pre-construction assessment from a previous job that demonstrates your firm’s ability to communicate professionally with the written word. In an idealized situation this report would cover a project covered in Section A, and be written by one of the team members identified in Section B.
 - b. We have had very successful outcomes tracking estimated construction costs through the design process using a trend log. Are you familiar with the tool, and is there a better tool you would recommend?
3. Identify your firm’s current work load and bonding ability prior to and during the duration of this project.
4. VERY QUICKLY tell us the story of how you see Construction Services occurring on this job and highlight how your firm differentiates itself in this endeavor. Touch upon your firm’s office and field management ideals; breakdown of typical general condition costs; management of proposed changes to work; tools utilized for project communication; and strategies for successful project closeout.
 - a. Does your firm have a Project Management Plan? Is this plan written for each project or is it a company-wide plan? When was it last updated?
 - b. Does your firm have a Safety Management Plan? When was it last updated? What is your firm’s EMR rating?
 - c. Since the Superintendent’s primary job is to ramrod the job and push for schedule conformance, what is your firm’s system to ensure project quality is not lost in the rush to meet schedule goals?
 - d. Weak Construction Managers use the A/E as the bad guy to enforce contract provisions found in the plans and specs with their subcontractors. What controls are in place so that subcontractors are not allowed to qualify their bids? How do you ensure that change order requests from subs are not for work already covered by the contract?
 - e. When does your firm find it appropriate to hold the Red Zone meeting?

C. Past Record of Performance with Government Agencies and/or the Private Sector.

1. Provide proven track record of the ability to manage cost, control quality of work and ability to meet schedules on other projects, be they state, federal or private sector projects; include successful owner outcomes by including a Past Performance Evaluation for each representative project. These are to be separate from Section A.

D. Project Specific Questions.

1. Specific to this project, or in general terms; what would you like to see included in the bid documents (plans or specifications) that would help to encourage competitive bids?
2. Discuss your proximity to or familiarity with the project location and understanding of the conditions (bid pool, materials delivery, etc.).

Project Team Experience Matrix

Individual Name		Section A-1 Pre-Construction Mastery Project	Section A-2 Bidding Phase Mastery Project	Section A-3 Quality Control Mastery Project	Section A-4 Bidding Project Closeout Mastery Project	Primary Point of Contact* (Mark with X for YES)
Project Executive						
Pre-Construction Manager						
Estimator						
Project Manager						
Superintendent						
Quality Control Manager						
Project engineer						

NOTE: This matrix may be used to evaluate the firm across multiple categories.

* Primary point of contact is to be defined as the individual with whom the client will be speaking with on a day-to-day basis to facilitate progress of the project.



Evaluation Scale: 10 – Excellent 8 – Good 6 – Acceptable 4 – Unacceptable (requires narrative)

(Name) _____ For Using Agency: _____
CAP Solicitation #: _____
(Date) _____

Evaluation Criteria \ Firm Name and Location					
A. Specialized Experience & Technical Competence 1. Mastery of Services 2. Self-performance Capabilities					
B. Capacity and Capability of Firm 1. Team Qualifications and Availability 2. Pre-Construction Services 3. Current Work Load 4. Construction Delivery Approach					
C. Past Record of Performance with Government Agencies and/or Private Sector 1. Cost Control 2. Quality of Work 3. Ability to Meet Schedule(s)					
D. Project Specific Questions					
Total Score:					
Rank:					

As an evaluator, I hereby swear or affirm, under penalty of perjury, that I have conducted these evaluations in a fair and unbiased manner to the best of my abilities and that the scoring contained herein reflect my own evaluations.

(Signature)