

### **Request for Proposals for Owner's Representative Services** Tribal Services Center; Restorative Justice Center; Wellness Center

The Flandreau Santee Sioux Tribe (the "Tribe") is currently soliciting proposals from qualified professionals to serve as an Owner's Representative to assist with planning, design and/or construction coordination, and provide expertise related to scheduling, budget, vendor management, and related services for the construction of a new Tribal Services Center, Restorative Justice Center, and Wellness Center (the "Projects").

The Tribe expressly desires to hire <u>one</u> qualified firm to serve as its Owner's **Representative for all three Projects**. The Tribe is estimating construction phases to commence in the **Fall of 2024** or **Spring of 2025**.

Bids can be submitted starting Monday, July 29, 2024 until close of business Friday, August 9, 2024. Bids will <u>be opened on Monday, August 12, 2024</u> at the FSST Tribal Office in Flandreau, South Dakota with interviews to be tentatively scheduled between August 13, 2024 to August 16, 2024. The Tribe asks that all proposals be titled "RFP – Owner's Rep for FSST Projects" with the contents as described herein be sent to the following physical address or email address and received by the appropriate officer no later than the deadline described above:

ATTN: Seth Pearman, Attorney General Flandreau Santee Sioux Tribe 603 W. Broad Avenue Flandreau, SD 57028

Late bids will not be considered, and costs for preparation of proposals will be borne by the applicants. Please note this Request for Proposals ("RFP") does not constitute an offer of employment or contract for services—the Tribe reserves the option to accept or reject any proposals. Any contract awarded pursuant to this RFP will incorporate the requirements and specifications contained in this RFP.

#### **General Background**

The Flandreau Santee Sioux Tribe is one of seventeen (17) federally recognized tribes in the Great Plains Region. The Flandreau Santee Sioux Indian Reservation of over 2,500 acres of land located in Moody County, South Dakota. The federal trust land is in a checkerboard configuration composed of discrete parcels of land within the City of Flandreau. The Secretary of the Interior recognized the Flandreau Santee Sioux Tribe as an Indian tribe organized under a Constitution and By-laws ratified by the tribe on April 24, 1936. The Corporate Charter of the Flandreau Santee Sioux Tribe was issued on October 24, 1936. Tribal enrollment is 751 members, which includes 309 adult members on reservation and 156 members under 18 years of age.

RFP – Owner's Representative FSST Projects Page 1 of 14 The Projects will include Net Zero design principles and will endeavor to have a lower Energy Use Intensity than the median of 52.9 EUI as shown on Energy Star Portfolio Manager for offices. <u>https://portfoliomanager.energystar.gov/pdf/reference/US%20National%20Median%20T able.pdf.</u> In addition, the Projects will also include an effort to meet President Biden's "Clean Air Challenge." (<u>https://www.epa.gov/indoor-air-quality-iaq/clean-air-buildings-challenge</u>)

#### **Tribal Services Center Project Background**

The Tribe desires to construct a new government administration building that provides various tribal government and community services all under one building. The Tribe's current administration building has been retrofitted from several different former uses, and lacks the capacity for all tribal programs, departments, and offices to fit in one building.

Demolition of the existing administration building, physically located at 603 W. Broad Avenue, Flandreau, SD 57028, will have to be done prior to the construction of the new facility. The new facility will be approximately 80,000 square feet and will be two stories. Located near the city of Flandreau, South Dakota on the trust lands of the Flandreau Santee Sioux Tribe within the SW1/4 of Section 28, T107N, R48W.

The new Tribal Services Center will include an auditorium, historical preservation, education, enrollment, member services, maintenance, housing, council chambers, medical cards cannabis, commodities, procurement, human resources, tobacco, legal, executive, administration, water quality, natural resources, IT, public relations, planning/grants public works roads/transportation, business committee, finance/payroll, and future offices.

The Tribe previously hired Damberg Scott Gerzina Wagner Architects, Inc. ("DSGW") to develop schematics, designs, and renderings for the Project, and is currently working to develop final design plans for construction. In addition, the Tribe has already solicited for Construction Management Services, and recently hired Hausmann + Drew Clark Construction to provide such services.

#### **Restorative Justice Center Background**

The Tribe has recognized an urgent need for a Restorative Justice Center to provide various services for its community and surrounding communities.

The Project will consist of facilities that will combine all the tribal judicial, law enforcement, and restorative justice needs. The size of the building is anticipated to be between 85,000 - 122,000 Gross Square Feet, consisting of: (i) secure residential living pods; (ii) clinic/wellness suite; (iii) tribal courts and legal suites; (iv) tribal law enforcement suite; and (v) building support.

The Project site will be on tribal trust land within the SE1/4 of Section 16, T107N, R48W in Moody County, South Dakota, physically located north of Flandreau, South Dakota on the west side of SD Highway 13. The construction cost of the building is roughly estimated to be between

RFP – Owner's Representative FSST Projects Page 2 of 14 \$38,000,000 - \$65,000,000 to be confirmed by the CM based upon the anticipated project schedule and affirmed design program.

In 2021, the Tribe re-engaged Leo A Daly architects to modify an existing master plan for the Project to adjust the plan to include additional detention units based on the increasing need. After soliciting proposals for a Construction Manager last summer, the Tribe, by passage of Tribal Resolution 2024-09 on March 22, 2024, selected Hausmann + Drew Clark Construction to serve as Construction Manager for the Project.

#### Wellness Center Background

The Tribe further recognizes the need for a new Wellness Center that provides various services all in one building. The project will consist of an addition to and renovation of the existing Community Center located at 403 W. Broad Avenue Flandreau, SD on the Tribe's trust lands. The new facility will be between 16,000 and 38,000 square feet, single story.

The new Wellness Center will include fitness facilities, including office space, a studio, large machines within a general workout space, and a free weight room. The new Wellness Center will also include shared wellness spaces, including a child play area, therapy pool, sauna, and group space. In addition, the new Wellness Center will include space for the Tribe's Behavioral Health Department to render a variety of services, including group therapy, child therapy, physical therapy, and individual therapy spaces. The Behavioral Health Department space will also include office space and a break room. Two existing ground mounted photovoltaic arrays will be relocated to the roof of the new facility.

This Project will further be designed following LEED design principles, but will not seek LEED certification. The total budget for this Project is yet to be determined.

In 2021, the Tribe solicited proposals for engineering and architectural services for project design, and eventually hired Gensler Architects as its design firm for the Wellness Center based on their team's approach and innovative designs. After soliciting proposals for a Construction Manager last summer, the Tribe, by passage of Tribal Resolution 2024-10 on March 22, 2024, selected Hausmann + Drew Clark Construction to serve as Construction Manager for the Project.

#### Scope of Work

While the Tribe has made active efforts over the years to develop these Projects, it is now taking the necessary steps to move forward with construction. Therefore, the Tribe now desires to evaluate and select a qualified consultant to assist in the performance of its obligations and enforcement of its rights during any additional planning or design discussions and the construction of the Projects.

Final contract terms will be based on AIA Document C104-2024, the agreement between Owner and Owner's Representative, with supplemental conditions.

RFP – Owner's Representative FSST Projects Page 3 of 14 The anticipated Scope of Work required of the awarded firm may include but is not limited to the following:

#### I. Project Onboarding

- a. Coordinate kick-off meeting with relevant Tribal Representatives to outline Owner's goals for the Projects in terms of scope, budget, funding sources, schedule, risks, assumptions, and success markers.
- b. Coordinate follow-up meeting(s) with relevant Tribal Representatives, Architects, Design Representatives, Construction Manager Representatives, and other relevant parties dedicated to the Projects to review status, budget estimate, and evaluate work completed and work remaining to establish a conceptual schedule reflecting key Project milestones.
- c. Assist Owner in identifying other capital requirements that may be associated with the Projects, and further assist with any Project pre-funding applications and approvals.

#### II. Project Planning

#### Team Engagement

- a. Assist Owner in identifying and determining necessary internal and external Project team members needed to ensure successful completion of the Projects.
- b. Organize, coordinate, and facilitate team meetings throughout the course of the Projects to ensure timely completion of key Project milestones, and further communicating all such progress and any issues that may arise to the Tribe's Executive Committee and relevant Tribal Representatives.
- c. Provide regular and routine updates to the Tribe, relevant Tribal Representatives, and all necessary parties through a variety of methods, including but not limited to inperson or Zoom meetings, routine emails, and teleconferences, to ensure the Tribe is duly informed of the Projects' progress and any important action items.
- d. Draft, coordinate, and publish any necessary requests for proposals and solicitation of proposals for the Tribe in relation to the Projects.
- e. Review, analyze, and summarize proposals, coordinate interviews of candidates and make award recommendations for the Tribe's final consideration.
- f. Facilitate process to obtain executed consultant contracts on behalf of the Tribe.
- g. Facilitate the architectural and engineering programming process consistent with the Tribe's approved processes.

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#### Project Financing

- a. Assist the Tribe's efforts to apply for project financing by providing pertinent project information.
- b. Facilitate the administration of architect/engineer, construction, and other project contracts with financing requirements.
- c. Assist the Tribe with making any loan draw requests as needed.
- d. Monitor and update project budget estimate through every phase of the Project in consultation with the Tribe.
- e. Represent the Tribe in coordination with the Bureau of Indian Affairs, lenders, and equity partners. This may include providing progress reports, budget estimates, schedule updates, and other pertinent information to the aforementioned and associated parties.

#### III. Project Design & Engineering

#### Design Management

- a. Coordinate with and ensure effective communication is maintained between the Tribe and the Project design team to make any necessary updates to goals and objectives, and to ensure such goals and objectives are met throughout the duration of the Project.
- b. Conduct regular coordination and design review meetings, and prepare meeting minutes as required.
- c. Facilitate refinement of the Project design in coordination and consultation with the Tribe and design team as needed.
- d. Monitor design team contracts for compliance with schedule and budget estimate.
- e. Monitor design team through any additional design phases (schematic design, design development, construction documents, etc.) to help ensure compliance with the Tribe's goals and objectives.
- f. Update project schedule at each phase of design, seeking and obtaining Client's approval. Schedule to include Design Phase activities, showing the responsibilities of the Client, architect, engineer and other consultants, capturing proper time spans and sequences of activities. Schedule to include Construct Phase activities, showing the major construction activities and milestones, occupancy schedules and completion dates.

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- g. Assist the Tribe to consider alternate materials, methods, and systems identified by the design team.
- h. Coordinate reviews with local, state and federal agencies and assist the architect, engineer, construction manager to apply for permits and required public agency approvals.
- i. Consult with the Tribe in relation to any preliminary and final design documents to identify potential concerns relating to construction or space utilization inefficiencies.

#### IV. Construction Administration

- a. Coordinate, monitor, and consult on the activities of all contractors with the Construction Management group.
- b. Monitor and coordinate architect/engineer site visits and responses to Construction Management and contractor inquiries.
- c. Monitor delivery and review of shop drawing and submittals.
- d. Monitor contractor performance as to cost and schedule.
- e. Update project budget and schedule at agreed upon intervals throughout the duration of the Project.
- f. Attend regular job site meetings with Construction Management group, contractor(s) and consultants; prepare and/or review meeting minutes as required.
- g. Visit off-site fabrication facilities as requested.
- h. Prepare periodic reports addressing project progress and issues.
- i. Assist the Tribe to collect certificates of insurance from members of the project team.
- j. Monitor tasks assigned to project team members during project meetings and advise the Tribe on prioritization of critical issues that need resolution.
- k. Perform regular job observations to monitor construction progress as compared to contracted schedule requirements. Monitoring of construction progress does not include monitoring for defects in design or construction.
- 1. Provide an initial review of vendor and contractor applications for payment, validating, to the best of the project manager's knowledge, observed project progress against the approved schedule of values. Assist the Tribe in the final review of the invoice package. Owner Representative's review of the applications for payment does not represent 1) exhaustive or continuous on-site inspections, 2) review of contractor

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- m. Monitor the contractor's compilation of complete project logs (including change orders, RFIs, bulletins, drawings etc.), progress photos, files and other documentation.
- n. Evaluate, negotiate and make recommendations regarding proposed construction change directives and change orders. Ensure all additional project costs are approved by the Tribe prior to incurring an expenditure. Design services related to construction change directives and change orders shall be provided by the architect.
- o. Monitor corrective and recovery measures.
- p. Monitor Construction Management group and contractor's coordination of inspections and permits.
- q. Coordinate owner-furnished third-party tests or inspections, if requested.
- r. Coordinate the Tribe equipping and move-in with construction activities.

#### V. Vendor Management

- a. Assist the Tribe in determining necessary project team members and identify and recommend potential candidates for the Tribe's consideration or as otherwise appropriate based upon the Tribe's established procurement policies. Consultants at this stage may include:
  - i. Material Testing Vendor
  - ii. Telecom, Low Voltage / IT Vendor
  - iii. AV / Technology Vendor
  - iv. Security Vendor
  - v. Furniture Vendor
  - vi. Art/Branding/Signage Vendor
  - vii. Move Vendor
- b. Coordinate requests for proposals and solicitation of proposals with the Tribe.
- c. Review, analyze and summarize proposals, coordinate interviews of candidates and make award recommendations.
- d. Facilitate process to obtain executed consultant contracts on behalf of the Tribe.
- e. Host meetings between project vendors and the Tribe to achieve project goals and objectives.

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- f. Monitor tasks assigned to project team members during project meetings and advise the Tribe on prioritization of critical issues that need resolution.
- g. Lead coordination between the Tribe's vendors and architect, design team, Construction Management group and general contractor.
- h. Ensure the project is built to specifications and requirements of above vendors on behalf of the Tribe.
- i. Perform regular job observations to monitor progress as compared to contracted schedule requirements.
- j. Provide an initial review of vendor applications for payment, validating, to the best of the project manager's knowledge, observed project progress against the approved schedule of values. Assist the Tribe in the final review of the invoice package. Owner Representative's review of the applications for payment does not represent 1) exhaustive or continuous on-site inspections, 2) review of contractor means/methods, 3) validation of subcontractor and material supplier requisitions for payment or 4) validation of Contractor use of previous payments.

#### VI. Move Management

- a. Facilitate move-in activities, including but not limited to:
  - i. Serve as primary point of contact for building management, on behalf of the Tribe.
  - ii. Coordinate all building management requirements, including submissions of Certificates of Insurance and the permissible hours of the move, for both origin and destination locations.
  - iii. Coordinate and schedule commencement or transfer of all applicable building services, including security and utilities.
- b. Coordinate scheduling and logistics of activities of Relocation Vendor with members of the Project team, including the Tribe's Representatives, Construction Management group, General Contractor, and Building Management at origin and destination.
- c. Coordinate delivery and installation of building protection.
- d. Act as liaison between the the Tribe's staff and the Relocation Vendor.
- e. Monitor the Relocation Vendor's contractual requirements throughout all phases of the move.
- f. Coordinate relocation activities with vendor deliveries and equipment installations.

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- g. Conduct a pre-move and post-move inspection; record any and all problems, omissions, and damages.
- h. Provide a written punch list report and distribute to all appropriate parties for correction.
- i. Coordinate the activities surrounding the post-move clean-up at existing facility.
- j. Perform site visits from commencement to completion. Inspect site conditions at both locations to ensure that the spaces are in appropriate condition.
- k. Coordinate post-move clean-up with the Relocation Vendor and janitorial services.
- 1. Review relocation-related invoices for accuracy and make appropriate recommendations for payment.
- m. Coordinate decommission of the prior facility, including:
  - i. Review of lease requirements and consulting with the Tribe on final scope.
  - ii. Contacting and managing vendors required to complete removals and repairs as required.
  - iii. Coordinating getting quotes and work with the Tribe to setup vendors in their payment system.
  - iv. Facilitate on-site activities, including managing access to the building.
  - v. Coordinate review of payment requests and make recommendations to the the Tribe for payment.
  - vi. Confirm payments made and track lien waivers.

#### VII. Closeout

- a. Assist project team to perform punchlist walk-through and monitor punchlist completion.
- b. Conduct regular project close meetings with contractor and consultants; prepare and/or review meeting minutes as required.
- c. Assist the Tribe to review the final payment application, and associated lien waivers and backup documentation.
- d. Coordinate and confirm delivery by contractor of keys, manuals, plans and specifications, attic stock, etc.
- e. Coordinate product and equipment demonstrations and training by contractor, and monitor initial start-up and testing of all systems.
- f. Obtain feedback from the Tribe regarding achievement of project goals and final analysis of performance criteria.

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#### **Anticipated RFP Timeline**

<b>RFP Release Date:</b>	July 26, 2024	
RFP Due Date:	August 9, 2024	(14 Days)
Interviews:	August 12 – August 16, 2024	
Award Date:	August 20 – August 24, 2024	(2-5 Days of internal review)

#### Submittal Requirements

The contents of each Proposal must contain the following:

- (1) **Cover Letter and Point of Contact** summarizing key points of the Proposal, and the name, address, telephone number, and email address of the person authorized to represent the firm with respect to all notices, discussions, and other communications.
- (2) **Statement of Understanding for All Projects & Firm Experience** clear and concise narrative of the firm's understanding of the Projects, and familiarity with the Project types and Project areas, familiarity with federally funded projects, and past experience with Tribal Nations and BIA for these type of Projects.
- (3) **Scope of Work** proposed approach to each of the Projects, including detailed steps to be taken, understanding of products and deliverables for each task, how communication be handled for the duration of the Projects; and firm's approach to resolving any issues that may arise during the Projects.
- (4) **Firm Qualifications.**
- (5) **Qualifications of Staff Assigned to the Projects.**
- (6) **Cost Proposal for Scope of Work.**
- (7) Any Additional Information Not Covered in RFP that is Relevant to the Project, Scope of Work, or Firm's Qualifications

#### **Selection Criteria**

A selection committee will evaluate submittals. Formal interviews will not be held unless the Selection Committee deems it appropriate to do so after evaluation of submittals is complete. The Owner's Representative will be awarded this project based on, but not limited to, the following criteria:

a. Demonstration of the qualifications contained herein.

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c. The willingness and ability to work in the best interest of the Tribe by providing value engineered cost saving solutions to the project will also be a favorable consideration for selection.

#### Additional Information

All submitting firms are responsible for costs incurred in submitting their responses. The Tribe will not provide reimbursement for any costs associated by any and all firms in connection with this process.

The Tribe may elect to request qualified firms to be available for formal in-person interview. Time and location are yet to be determined. All submitting firms are responsible for contacting the Tribe to understand business license process and fees and other Tribal regulations that may affect the Scope of Work for these Projects.

Nothing in this RFP shall mean or be construed to be a waiver of the Tribe's sovereign immunity. Preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned economic enterprises.

#### **Questions**

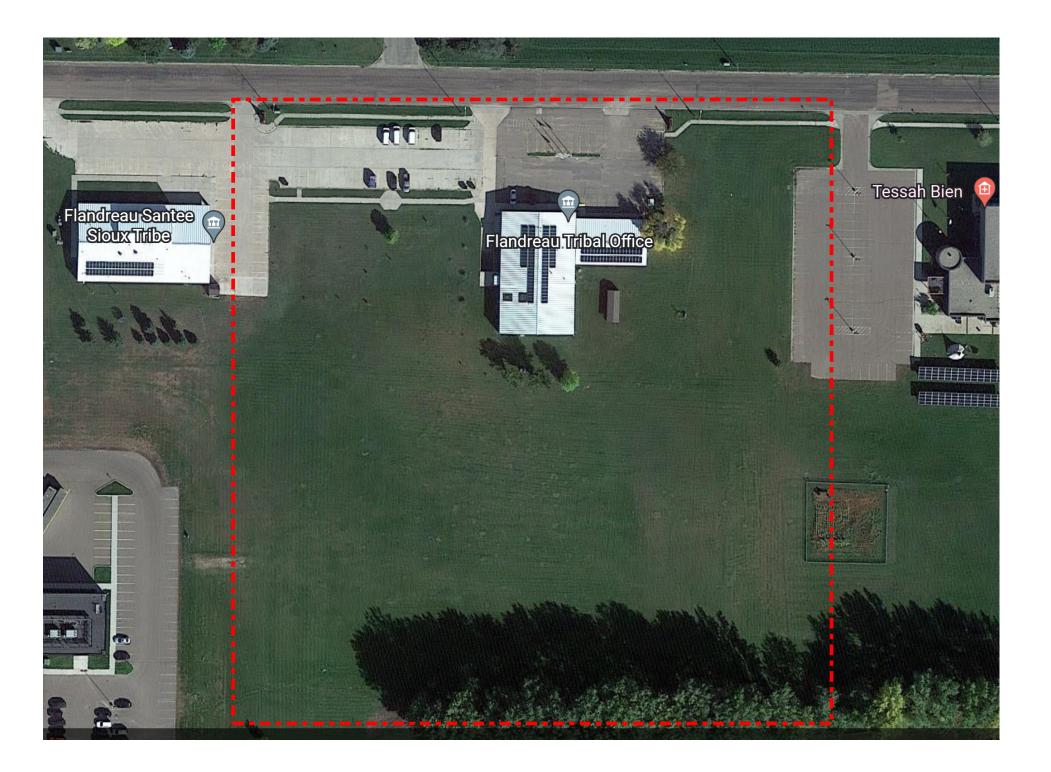
Any questions regarding this Project may be directed to Seth Pearman, Attorney General, at (605) 573-4206 or by email at <u>seth.pearman@fsst-nsn.gov</u>.

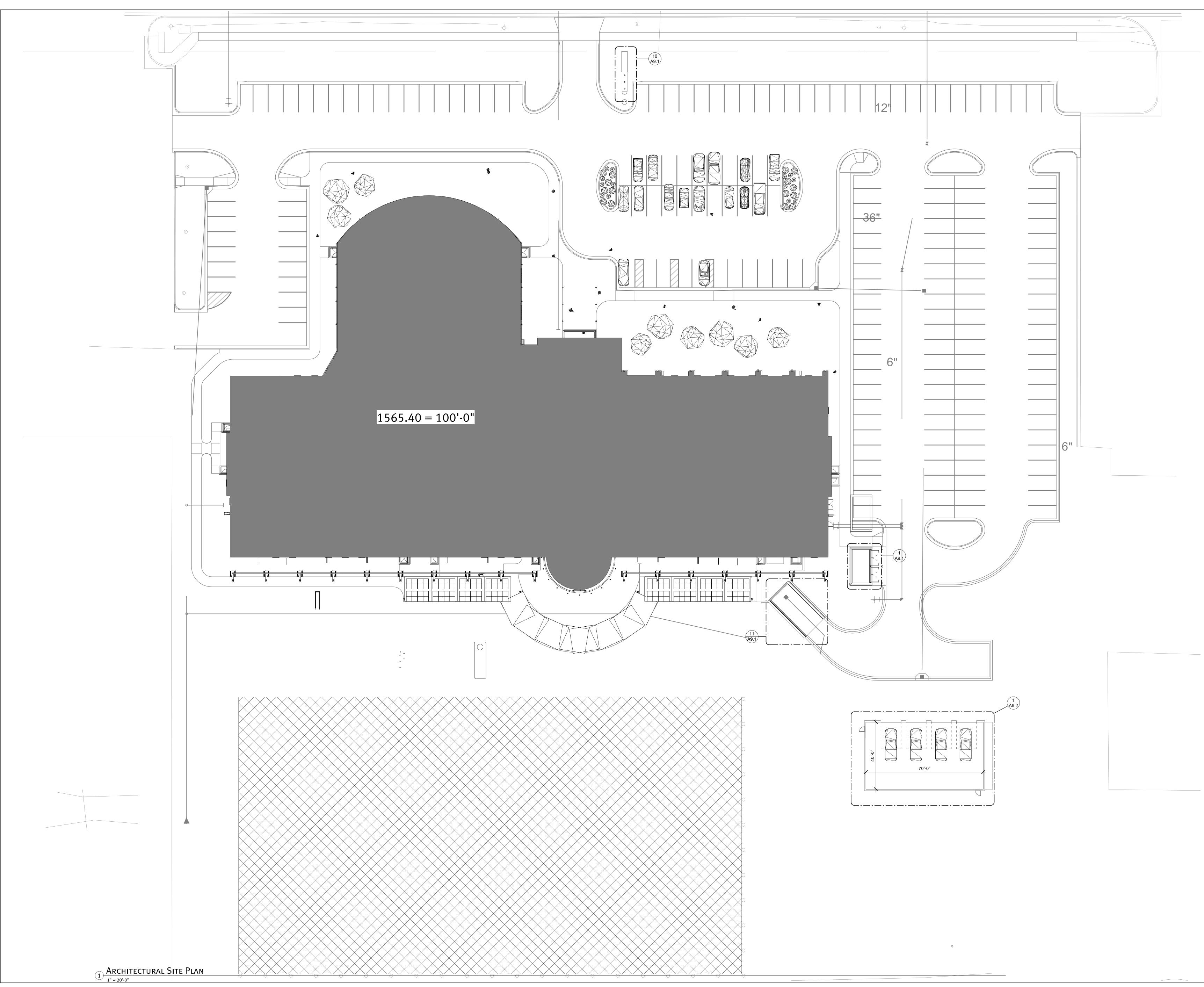
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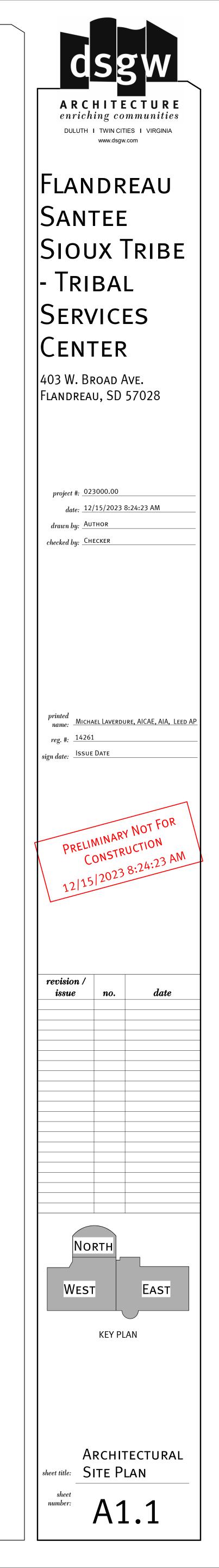
## **APPENDIX A**

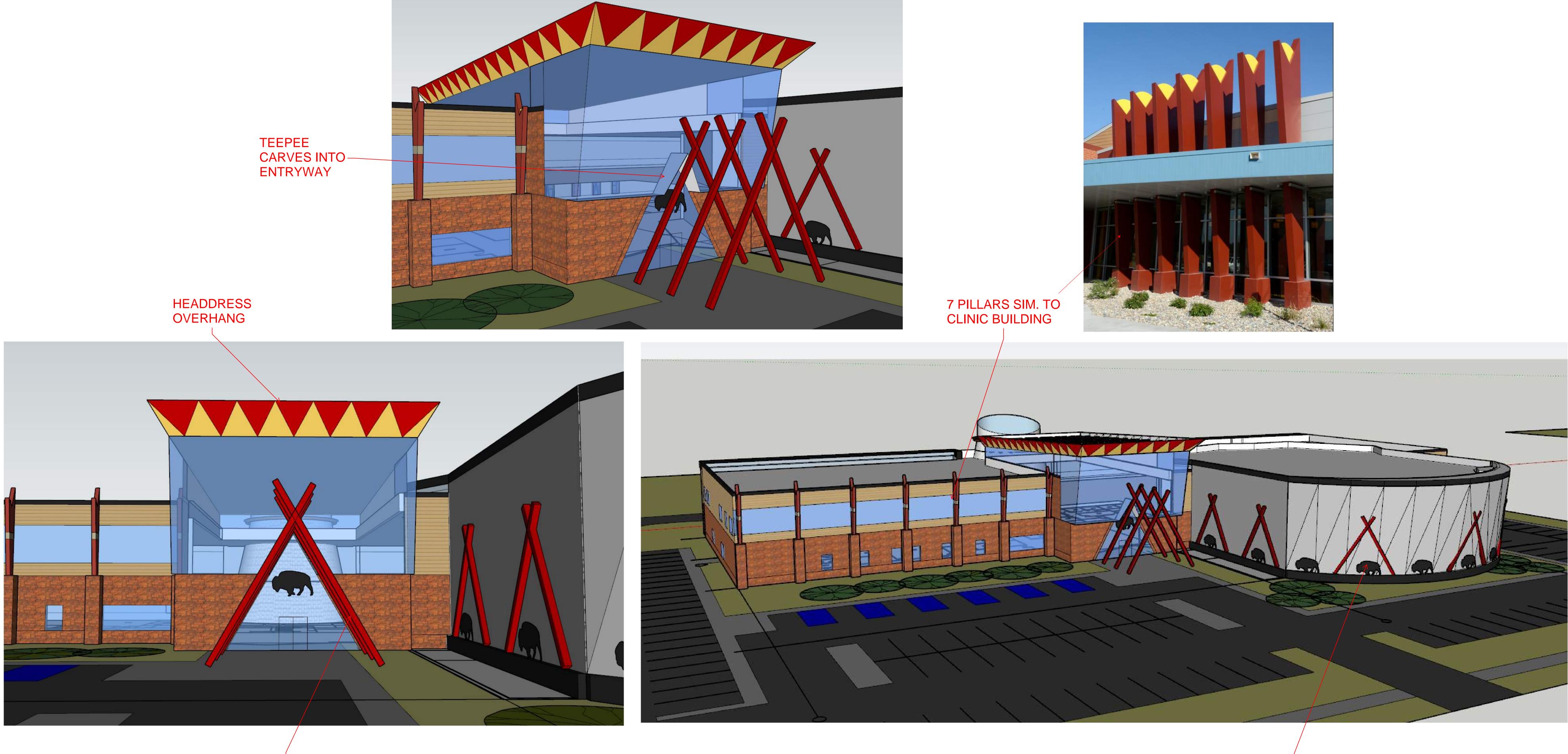
## TRIBAL SERVICES CENTER DOCUMENTS

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| TRIBAL ENTRY (SIM. TO LOGO)

BUFFALO AND TEEPEES. COULD BE ENGRAVED, ETCHED, OR ON STAND-OFFS THAT ARE LIT FROM BEHIND.

## PIPE W/ CHEVRON REVEALS. (4 COLORS - WHITE, BLACK, YELLOW, AND RED) COULD ADD DOWNLIGHTS TO PIPE.



BRISE SOLEIL (7) TO MIMIC EAGLE FEATHER W/ FLETCHINGS. BLOCKS SUMMER SUN.





2ND FLOOR OVERHANGS 1ST FLOOR TO CREATE COVERED AREA BELOW AND HELPS **BLOCK SUMMER SUN** 

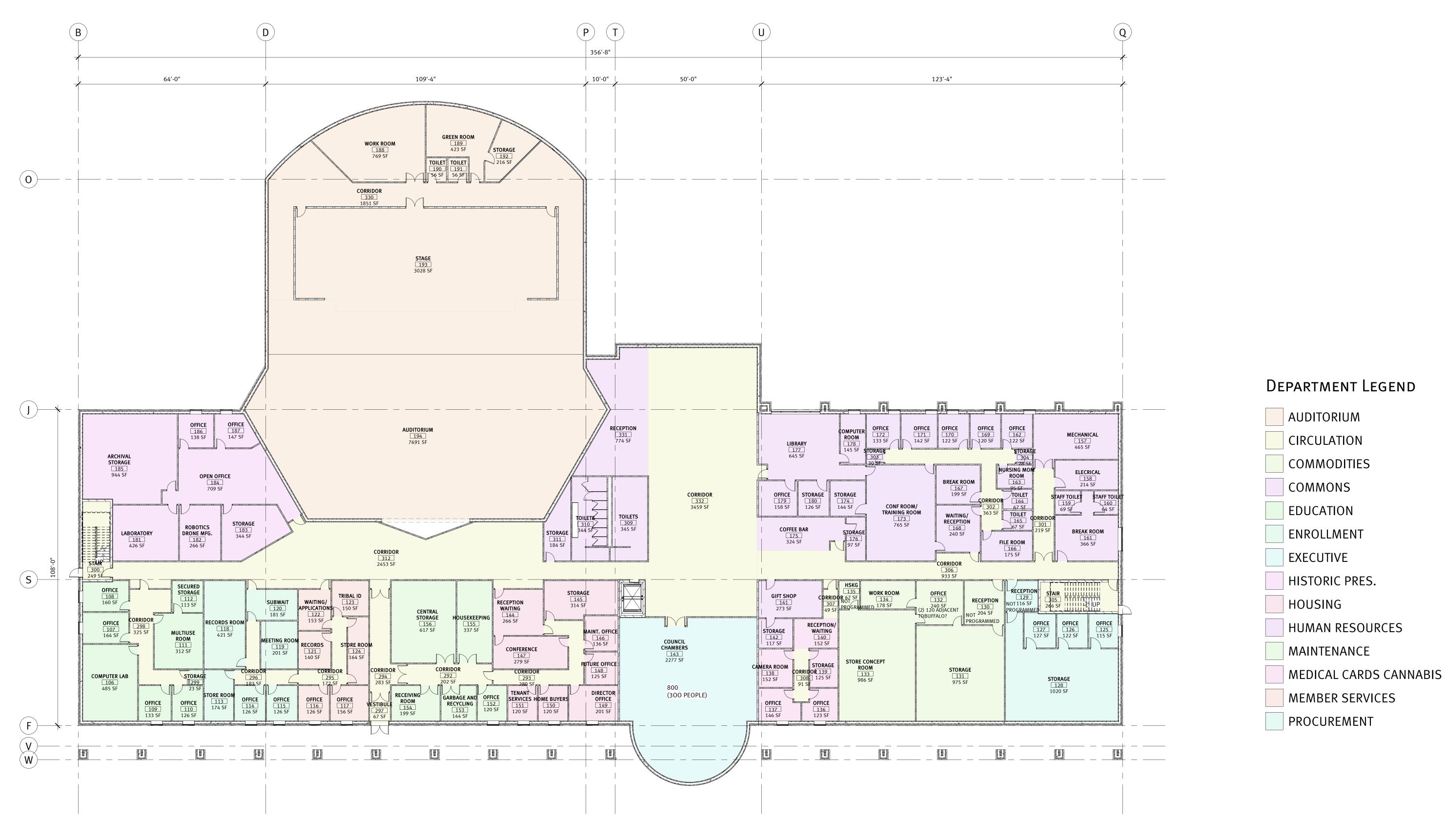
PERGOLA'S FOR OUTDOOR SEATING AREAS.

# **INTERIOR TO HAVE 20**

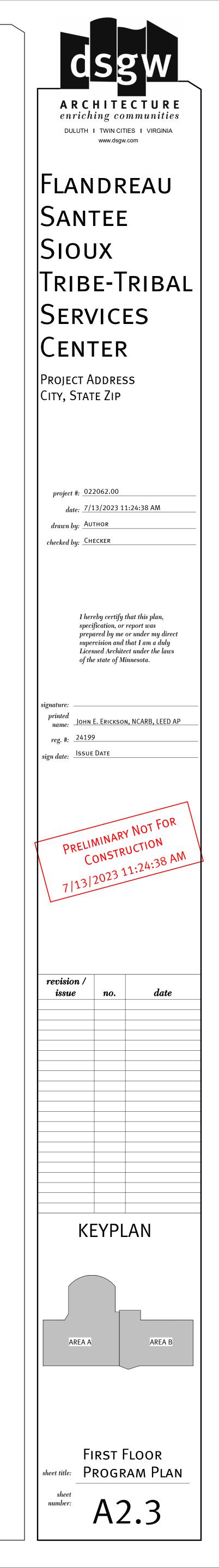
KALWALL PANELS (TRANSLUCENT) W/ STAINED GLASS IMAGE BEHIND COUNCIL CHAMBERS IN SHAPE OF TEEPEE. BRISE SOLEIL ACROSS ENTIRE FACE NOT SHOWN FOR CLARITY.

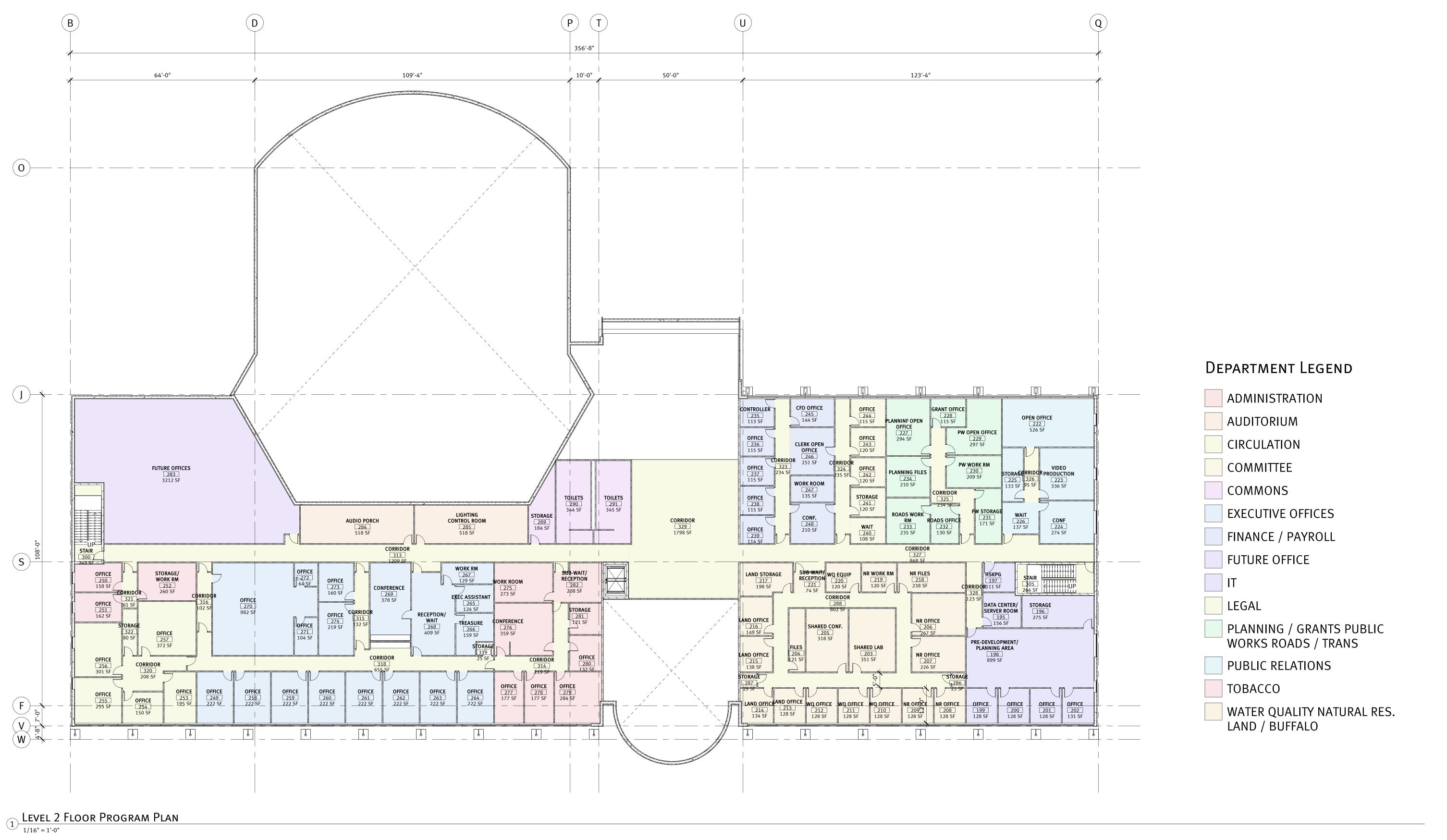
STONE (SAME COLOR AS PIPESTONE)



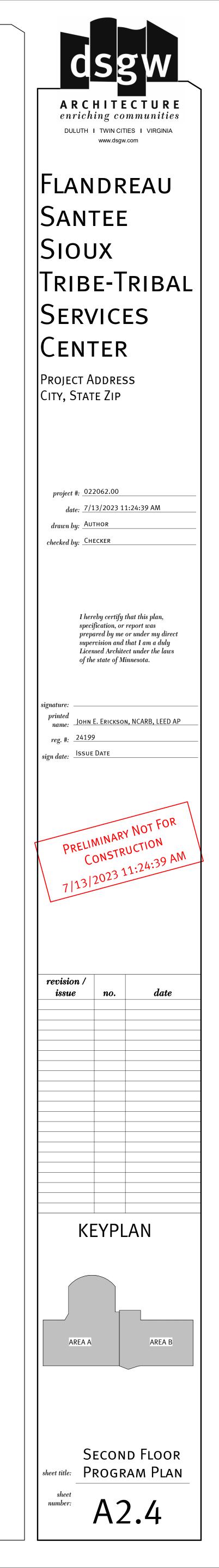








2ND FLOOR = 32,320 SF TOTAL = 81,960 SF



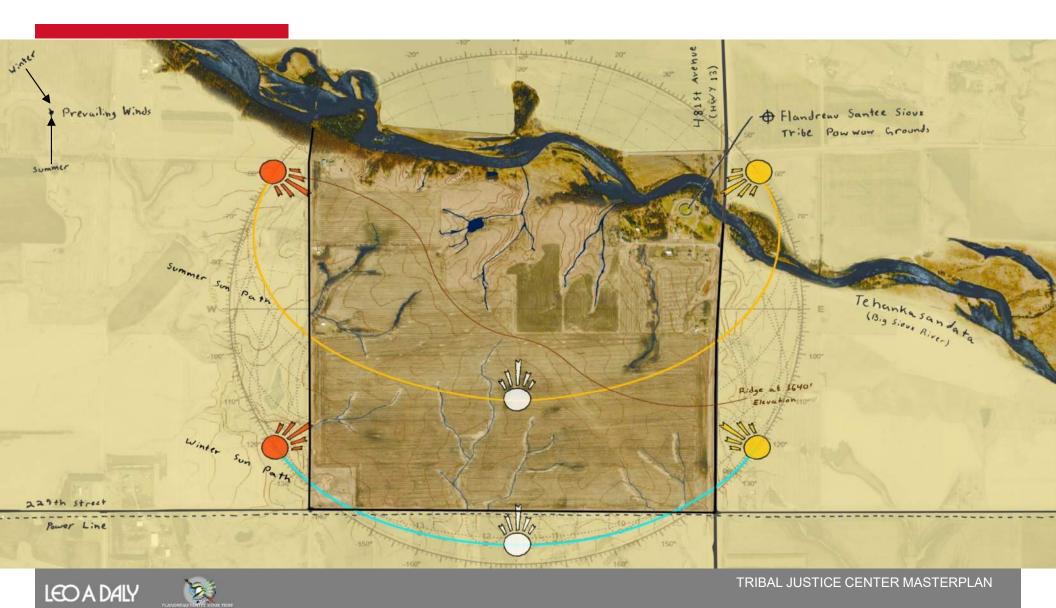
## **APPENDIX B**

## **RESTORATIVE JUSTICE CENTER DOCUMENTS**

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#### **SOUTHEAST: 6**

#### PROS:

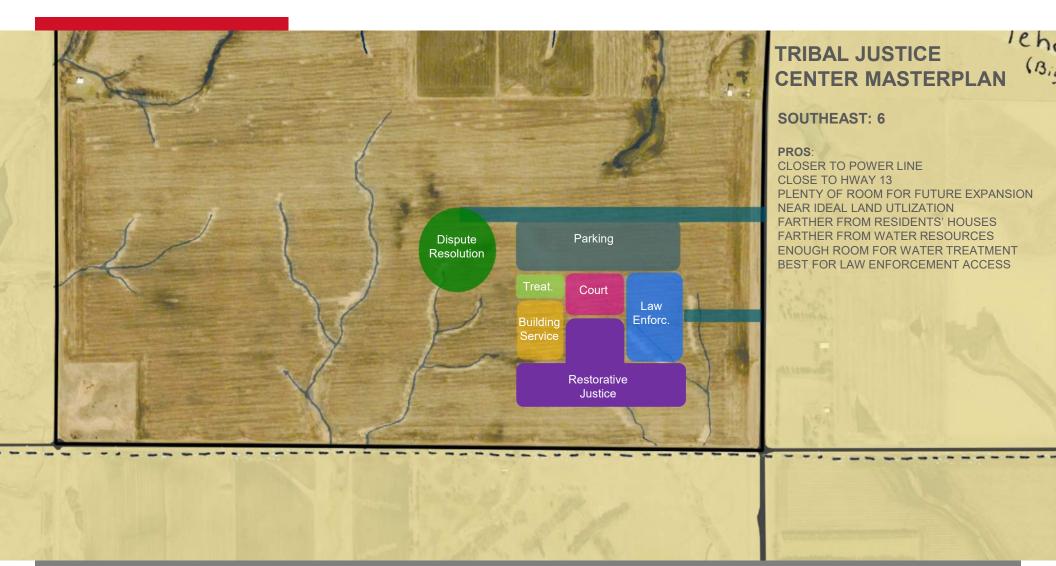
CLOSER TO POWER LINE CLOSE TO HWAY 13 PLENTY OF ROOM FOR FUTURE EXPANSION NEAR IDEAL LAND UTLIZATION FARTHER FROM RESIDENTS' HOUSES FARTHER FROM WATER RESOURCES ENOUGH ROOM FOR WATER TREATMENT BEST FOR LAW ENFORCEMENT ACCESS Avenue 13) (HWY 8154 + Flandrens Santee Sioux T Tribe Powwow Grounds Tehanka san data (Big Sious River) 6

229th street

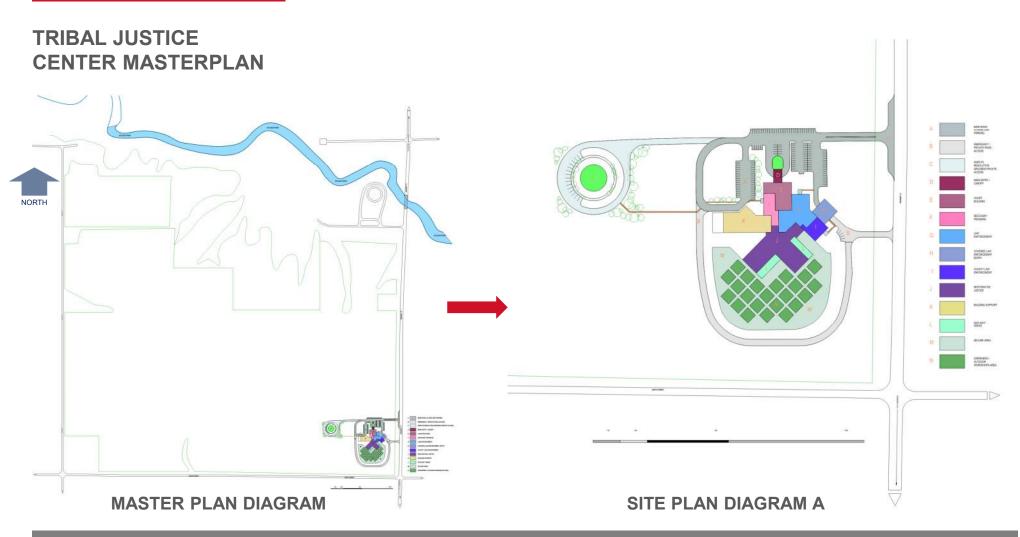
Power Line



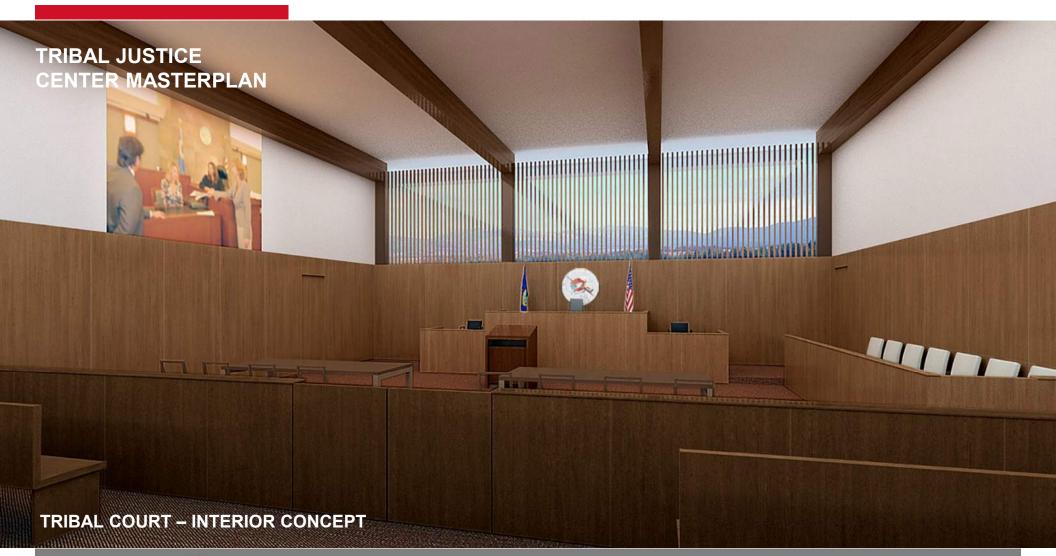




5.



**X** 



YE.



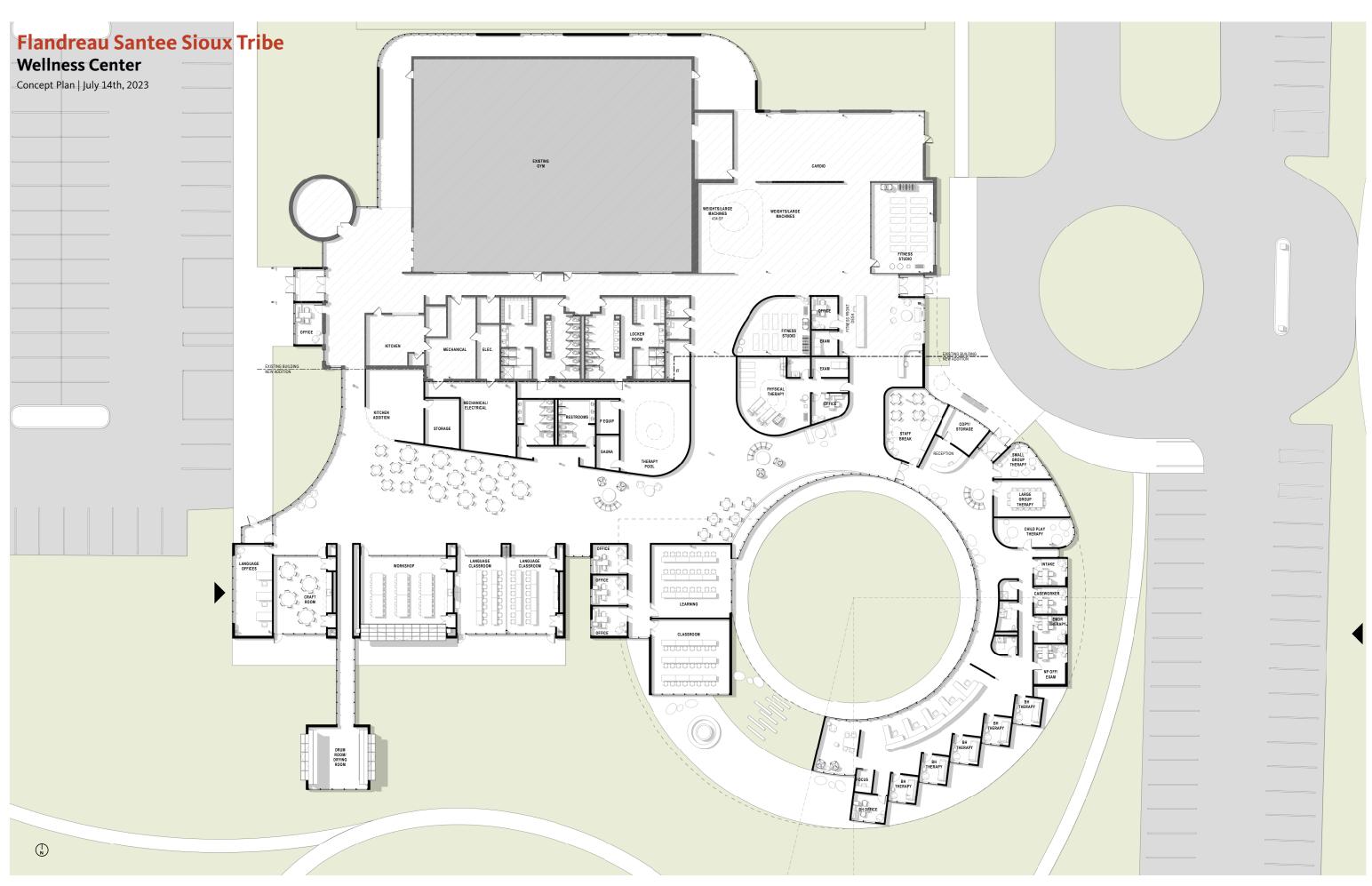
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## **APPENDIX C**

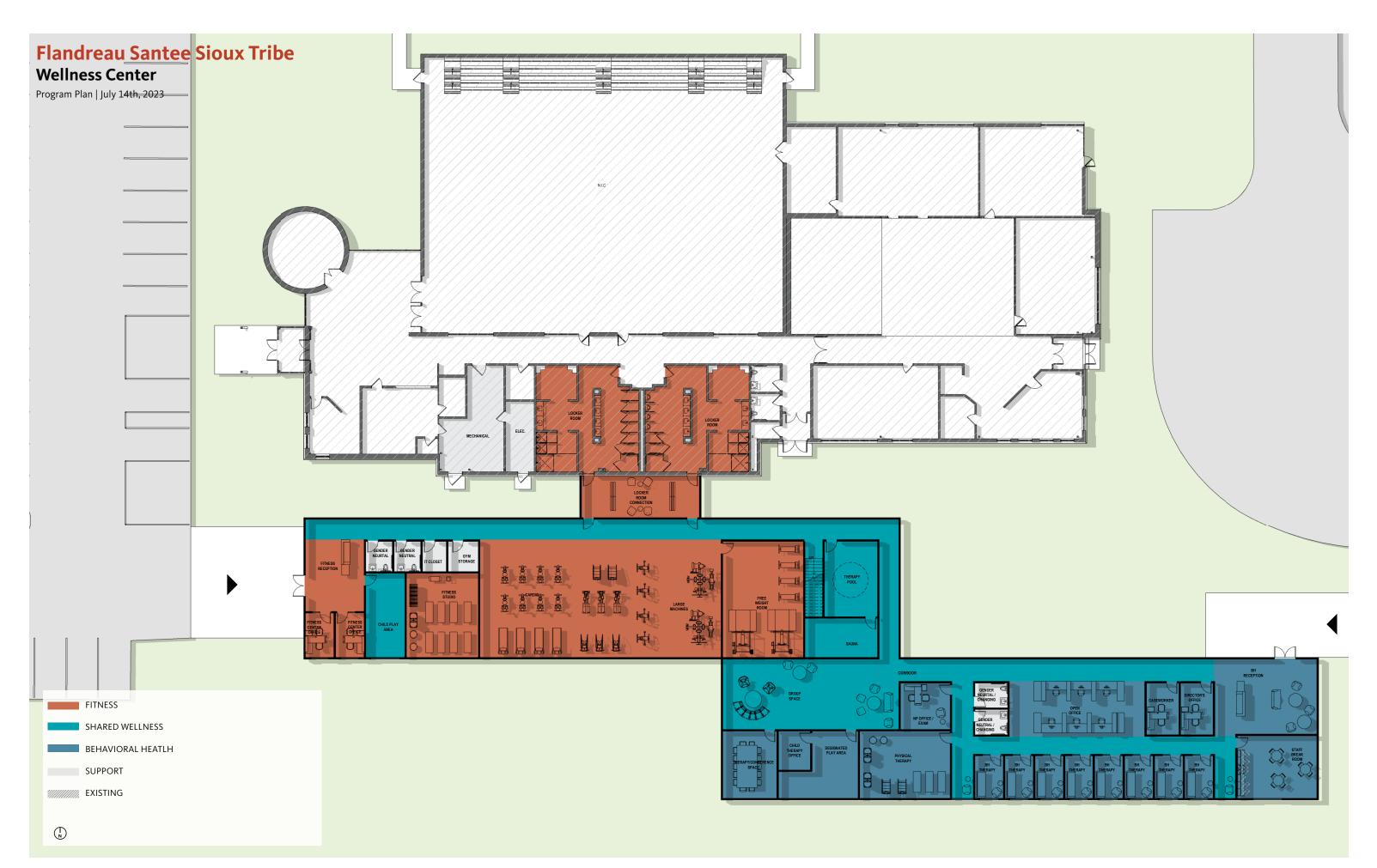
## **WELLNESS CENTER DOCUMENTS**

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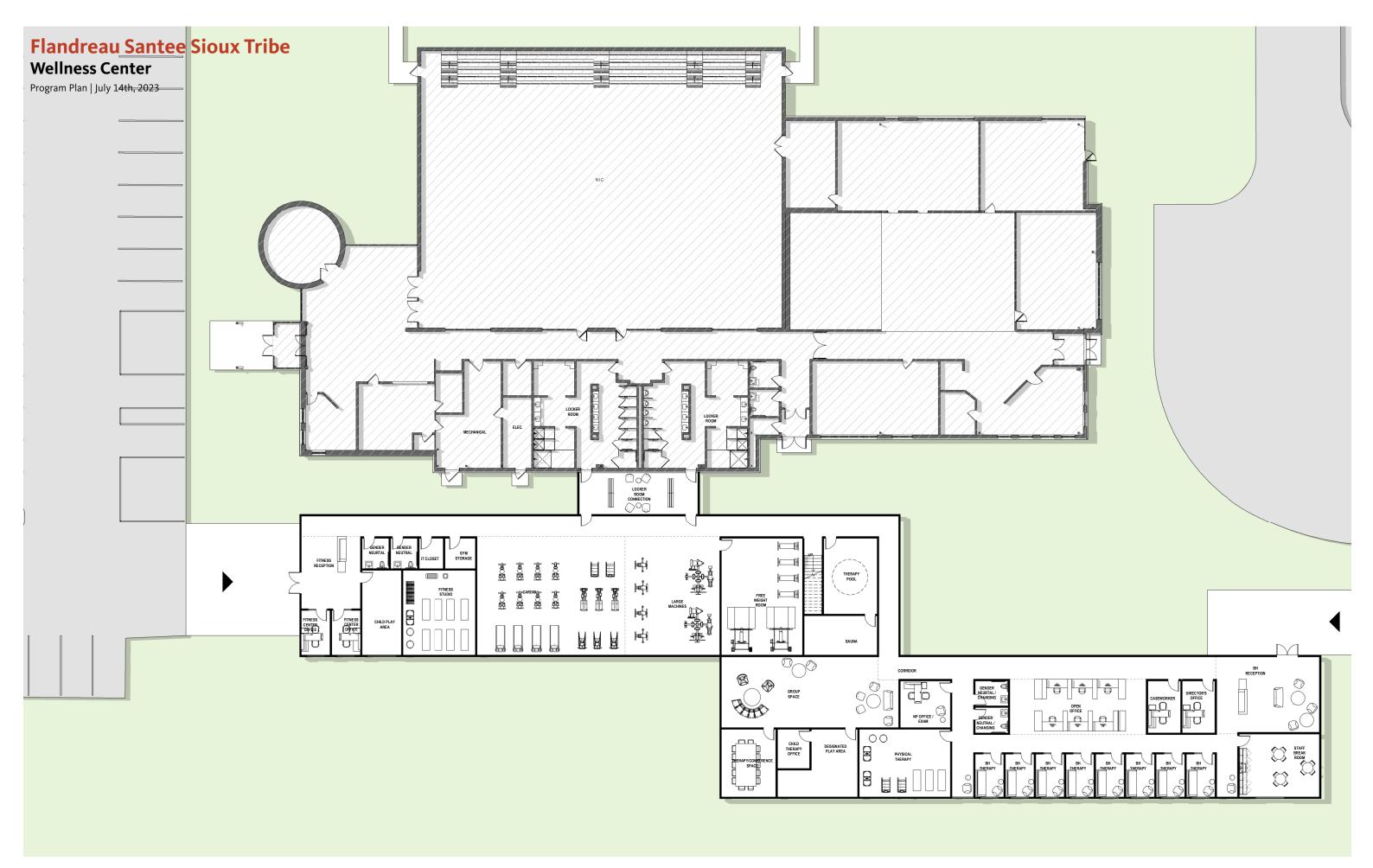








Gensler



Gensler