

February 6, 2018

**Questions concerning MaineHousing's January 10, 2018 RFP for A/E Services**

The following questions (in italics) were received; MaineHousing's responses follow each entry. In some cases several respondents asked similar questions so these have been grouped together where one answer suffices for all such questions.

1. *Has and environmental assessment been completed? If so please share findings.*  
MaineHousing has conducted an environmental assessment as part of our pre-purchase due diligence. The DEP has issued a *No Further Action Assurance* letter which is attached at the end of this summary.
2. *Is lead paint present?*  
No, to the best of our knowledge
3. *Is asbestos present?*  
No, to the best of our knowledge
4. *What is the construction budget?*  
*Can you share your budget for the Cost of the Work?*  
*Has a construction budget been established? Please note that without a defined construction budget, we will not have a reliable basis for a fee calculation. We, along with every other submitter, will be guessing; therefore, it will be difficult for you to compare proposals.*  
*The scope of the Architects' work is in part depending on the Owner's level of investment in the facility. With regard to that, is MaineHousing willing to share its total construction budget for the project?*  
MaineHousing has summarized the overall project goals and objectives for the new office facility in sufficient detail for all A/E firms, both in the RFP and during the site tour, such that each respondent can assess the likely construction costs to be included in developing a proposal. We suggest that each respondent can be clear on how they have assembled their proposals by including any qualifiers they feel are needed, including estimated construction costs. How well each respondent understands the expectations and the magnitude of the project as outlined in the RFP and the tour is an additional measure that MaineHousing will consider as part of the selection process, therefore we will not be sharing our construction budget as part of the RFP process.
5. *Please share the interested RFP list.*  
All shared information concerning MaineHousing's RFP for A/E Services can be found at: <http://www.mainehousing.org/about/rfp>
6. *Please share link to where RFP RFI answers will be located on the MSHA website.*  
All shared information concerning MaineHousing's RFP for A/E Services can be found at: <http://www.mainehousing.org/about/rfp>
7. *Is Furniture, Fixtures and Equipment design by the Designer or Owner*  
*Will FF&E services be expected from the consultant?*

MaineHousing will be responsible for furniture, fixtures, and equipment that are not an integral part of the building and its MEP systems.

8. *Is Audio Visual design by the Designer or Owner?*

*Is Foodservice design by the Designer or Owner?*

*Based on the RFP, we will assume that MaineHousing will, if required, directly hire consultants for “IT, acoustics, workplace health and safety, etc.” Might this list include a kitchen consultant, or would that be our responsibility?*

MaineHousing will be responsible for retaining any needed Audio Visual, Foodservice, IT, Acoustics, and Workplace Health & Safety design services beyond normal building components.

9. *Has Wetland study been completed?*

No. A fresh water wetland has been identified at the quarry area and is part of the existing site drainage control system. Any impacts to this area will need to be studied and permits obtained as appropriate. MaineHousing would hope to avoid any such impacts.

10. *When does MSHA have to take occupancy of the building?*

*What is the target move-in date to 26 Edison Drive?*

MaineHousing expects to have the new Office Facility substantially complete and ready for final fit-up of moveable equipment and furniture no later than 1/1/20, with total occupancy to follow in a timely manner thereafter.

11. *Please provide name of company that performed the 2016 lease vs purchase analysis for Maine State Housing.*

MaineHousing conducted its own lease vs. purchase analysis.

12. *Is MHA’s plan to shortlist the proposals and have follow-up interviews?*

*Will interviews be part of the A/E selection process?*

In reference to Sect VII, page 9. Of the RFP, please add the following:

“Upon receipt of the responses to this RFP, MaineHousing may decide to interview one or more firms as part of its selection process. If it is determined that interviews will be conducted, interviewees will be contacted and provided with details of the format to be used by MaineHousing for such interviews along with a date and time for the interview.”

13. *Is full funding for the project in place, or will you have to raise additional funds?*

Full funding for the project will be in-place when needed. The property has been purchased and is in MaineHousing’s full control.

14. *Please clarify if the 65,480 square feet of the existing 2-story building is the total square footage or the footprint; both are stated in the RFP.*

The Gross SF includes both floors.

15. *Will there need to be consideration for future construction / expansion to the 2-story existing structure in the future when employees rise from 165 to 200? Or should they be accommodated in the existing footprint?*

Our initial space planning studies and long-term projections for MaineHousing's growth indicate that the existing two-story building should meet all current and future needs without any additions now or in the near future.

16. *Will this project, or portions thereof, be seeking some level of environmental certification (e.g., LEED)? Short of a formal certification, has MaineHousing developed any defined energy efficiency or environmental goals?*

*Does MaineHousing have any environmental goals, LEEDS, and/or energy efficiency?*

MaineHousing does not have any form of environmental or energy certification as a primary goal. If, through the course of the design and pricing work, it is determined that it is feasible and cost effective to obtain any such certifications, MaineHousing will weigh those options and their relative additional hard and/or soft costs, at that time.

MaineHousing expects to achieve a cost effective design relative to energy consumption understanding we wish to use and supplement existing building components effectively, provide excellent indoor air quality throughout (fresh air), increase access to natural light throughout the facility (windows, and/or skylights), all within a cost effective hard cost budget. MaineHousing expects that new HVAC systems will be necessary.

17. *The RFP states there will be a cafeteria as part of the program. What type of cafeteria is preferred? Will there be food preparation with hot cooking or a café with already prepared grab-n-go food that just needs to be heated?*

*It is our understanding that MaineHousing will be re-using the existing employee dining area and commercial kitchen/food prep area.*

*Are you anticipating installing commercial equipment for the refurbishment?*

The definition of the type of cafeteria and its use is an item that is currently being studied and has not yet been definitively defined. As noted during the tour, the existing facility offers considerable amenity and options that will be considered in finalizing the cafeteria function. It is possible that in order to accomplish the desired level of service, new kitchen equipment may be desired but will need to be evaluated for costs vs. benefit as part of the overall project development.

18. *Are there accurate existing site surveys of the property? If so, are they available in digital format? Will there be any MSHA Site survey requirements to be addressed such as certifications, coverage requirements, utility location requirements, or any others not typically part of a site development project?*

MaineHousing has one line drawn survey but has not conducted any substantive due diligence to verify its accuracy; we do not have a digital version. If, through the course of the work it is determined that additional survey field work and/or documentation is necessary, MaineHousing will directly retain the necessary services at that time.

19. *Are there accurate existing drawings of the buildings? If so, are they available in digital format?*

As stated during the walk through, we do not have any accurate existing conditions documents.

20. *Will there be any need for a traffic review of the area?*

*Who is expected to manage the permitting process?*

*What are those expectations?*

MaineHousing has met with the City of Augusta officials on several occasions and discussed our overall goals and plans for the property. The City has been very receptive

and has assured us that when we present our plans, consistent with our discussions to date, they will continue to work with us to achieve any necessary permits. We expect to be adding a new curb cut off Edison Drive which requires a waiver from the Planning Board. We have been advised that this process should not take more than one meeting. We would expect representation from our design team at such a meeting to assist us in answering any technical questions related to design.

21. *Are the elevators in working condition?*

There is only one existing elevator and it was reported to us that once the power to it is energized it is serviceable. We fully expect that it will need to be inspected and there likely will be some necessary deferred maintenance scope to be completed prior to use.

22. *Can submission of the proposal be in both digital and hard copy? Or is it one or the other?*

Either or both is acceptable; follow the instructions in the RFP.

23. *Because it is a State agency, will MaineHousing work with pre-selected office furniture and equipment vendors and/or systems?*

*Will you be planning to reuse existing furnishings and will the inventory and replanning be part of the required design work?*

*If new furniture is procured, will existing furniture contracts limit the manufacturers and vendors that can participate or will the design need to allow for open bidding with regard to furniture? This will be important to establish up front as the furniture required to support this environment can be very manufacture specific.*

MaineHousing is a Quasi-State Agency. MaineHousing plans to work directly with a furniture vender, not the selected A/E, for the design and procurement of all new furniture. At this time it is expected that existing furniture will not be re-used in the new facility.

24. *The design schedule seems quite ambitious to us. If design starts in late March, that leaves a little over five or six months for programming through construction documents. Is the fall of 2018 a hard construction start deadline, is there some flexibility?*

MaineHousing has a drop-dead deadline for occupancy. To the extent there is room for adjustment in the construction time line (to be determined by the Construction Manager once part of the project team) the design time might be somewhat flexible. However, based on the scope defined; the constraints and opportunities of the existing building and site; and the completed and ongoing work to define space needs and adjacencies, desired lighting, finishes, fixtures, and furniture; the design team should be in a position to accomplish meaningful work very early on. With the addition of a Construction Manager at the onset of design this too should help keep the project on track and focused. MaineHousing committee members are also committed to meeting the time frames.

25. *The RFP states that the proposal must be “in a format that corresponds and refers to the section numbers and headings used in this RFP, and must be presented in the same order”. While the structure of the RFP is logical and clear, it is not fully applicable to a proposal. For example, the last three sections do not seem necessary for a proposal. So, we could take some liberties, or, structure the proposal by using the following sections from the RFP:*

*I. Introduction*

*II. Scope of work*

*III. General Requirements & Statement of Qualifications*

*IV. Company Information*

*V. Cost Proposal*

MaineHousing Acknowledges that sections VI, VII, and VIII are informational sections of the RFP and, therefore, they need not be specifically addressed in respondent's proposals.

26. *Will the Construction Manager (CM ) be on board from the DD level on, and be responsible for construction cost estimating?*

*Has a Construction Manager been appointed?*

MaineHousing will be issuing an RFP for CM services very soon after the A/E firm is selected with the expectation that they will be retained prior to any substantial building design work gets underway.

27. *Will there be multiple prime contracts?*

MaineHousing is looking for firms that can provided complete A/E services as outlined in the RFP with one contract. A separate contract will be negotiated with the Construction Manager.

28. *Should we assume that windows on the ground floor of the remaining building will be required?*

Yes

29. *What portion of the new space will be open to the public? Will any or all the office spaces have a need for privacy?*

The building program is not yet completed. The finished facility will have varied needs and levels of public/private interaction and privacy.

30. *Does MaineHousing want to keep the raised flooring?*

MaineHousing will discuss the advantages and disadvantages of the raised floor system with in-house staff and the selected A/E to determine its fate.

31. *Would MaineHousing like a report to improve the building envelope?*

Study of, and improvements to, the building envelope will be the responsibility of the selected A/E's scope.

32. *What form of security does MaineHousing need, is a security consultant available and do we need to harden the building for security?*

MaineHousing will determine its securing needs as the building program is finalized. We are not understanding of the "need to harden the building" so likely this isn't a concern for MaineHousing. If a separate "security consultant" is needed MaineHousing will retain such services directly.

33. *Is the project tax exempt?*

Yes

34. *Would MaineHousing benefit from movable interior walls or partitions?*

It is likely that the use of moveable walls and/or partitions will be a design consideration in some areas of the building. MaineHousing expects to work closely with the A/E and separate furniture vendor to achieve the overall project design goals.

35. *Is this an AIA or BGS contract?*

MaineHousing will utilize a standard AIA contract form with appropriate modifications specific for the project.

36. *Can we see MaineHousing's program study before we submit our proposal?*

MaineHousing will work with the selected A/E to formalize and finalize the building program. What has been done to date was used to define the raw space needs for a new facility. The existing study will require updating and more definitive planning based on the existing building SF, constraints, and configuration.

37. *Are there specific CAD or Specification softwares that MaineHousing would like us to use to produce the DSs? Are there softwares that we should use to manage the cost development and submittals processes?*

No.

38. *Does MaineHousing have specific needs for artist renderings or other concept level drawings: Do we need to provide these as part of our proposal, or would they be an additional service? How many and what type are needed?*

MaineHousing expects that the selected A/E will provide documents that are necessary to describe proposed designs both for presentation to MaineHousing's Committees, the Augusta Planning Board, as well as for construction purposes.

39. *Will the CM be responsible to provide design level cost estimating for the project, or is that a responsibility of the Design Consultant?*

The Construction Manager will be responsible for all hard-cost estimating.

40. *Will a commissioning Agent be engaged by the Owner to participate in the project?*

The discipline has not yet been discussed by MaineHousing's Building Committee so a definitive answer cannot be provided at this time.

41. *Will MaineHousing be hiring an on-site representative (clerk of the works) separate from the CM, or will the CM provide this service?*

The discipline has not yet been discussed by MaineHousing's Building Committee so a definitive answer cannot be provided at this time.

42. *As written, our duties in the Construction Administration phase are those that are standard in a non-CM project. What will be the Construction Manager's role during the Construction Administration phase? Will the CM also be reviewing submittals, RFI's, Change Orders and Pay Requisitions? Do we manage this phase, or does the CM?*

While admittedly some of the roles may need more definition as part of final contract negotiations, the intent is to have both the A/E and the CM as separately contracted firms to MaineHousing and be integral parties on the project team. The CM will manage the construction project; the A/E will review the work for compliance with the contract documents, assure a level of quality control, and advise the owner of the acceptability of work when payments are requested. The CM will prepare and submit documents normally required during construction; the A/E will review, comment, and approve documents consistent with standard practices.

43. *Regarding the yet-to-be-determined site improvements scope should proposers provide a fee for State and Federal environmental permitting as an alternate (outside of the base bid) in their proposals?*  
Current site scope anticipates maximizing the use of the existing site improvements and, therefore, additional permitting should not be necessary. If desired, proposers may address how such a scope could be accomplished if need.
44. *It is not known if the existing roof insulation is acceptable to MaineHousing. Therefore, should proposers carry the cost of designing structural improvements related to potential snow load increases in the base proposal, or as an alternate item outside of the base proposal?*  
It is likely that the existing roofing has served its useful life and as part of a reroofing scope the roof insulation would be expected to be brought up to current-day standards at a minimum. The A/E should include all necessary design and engineering disciplines to appropriately analyze existing vs. new loadings on the structure such that all improvements can be evaluated on a cost vs. benefit basis.

End of Responses to Questions



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

PAUL MERCER  
COMMISSIONER

December 21, 2017

Maine State Housing Authority  
Attn: John Bobrowiecki, Jr., Counsel  
353 Water Street  
Augusta, Maine 04330

Re: 26 Edison Drive, Augusta, Maine--No Further Action Assurance Letter – Voluntary Response Action Program (VRAP)

Mr. Bobrowiecki:

The Maine Department of Environmental Protection ("Department") has reviewed your application to the Department's Voluntary Response Action Program ("VRAP"). The application and associated reports were submitted to the Department with the request that the property referred to as "ERC II" in the Department's VRAP records, located at 26 Edison Drive in Augusta, identified on Augusta Tax Maps 16 and 17 as Lots 56 and 18, respectively, and further described in **Book 3243, Page 33** at the Kennebec County Registry of Deeds ("Site"), participate in the VRAP and the Maine State Housing Authority ("Applicant"), as an applicant to the VRAP, receive the protections provided by the VRAP Law, 38 M.R.S. § 343-E.

The Site consists of two parcels totaling 15.26 acres that has historically been used as commercial office building. The Site and surrounding area are served by public water and sewer.

Department staff has reviewed the following reports and supporting documents for the Site (hereinafter collectively referred to as the "Reports"):

- Phase I Environmental Site Assessment Report for 26 Edison Drive, Augusta, Maine, prepared by CES, Inc., October 16, 2017;
- Phase II Environmental Site Assessment, 26 Edison Drive, Augusta, Maine, prepared by CES, Inc., October 30, 2017; and
- Voluntary Response Action Program (VRAP) Application, 26 Edison Drive, Augusta, Maine, prepared by CES, Inc., November 8, 2017.

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The Reports documented a historical spill of petroleum (#2 fuel oil) from a heating oil tank in 2006, which is documented in Department spill report A-529-2006. A total of 770 tons of petroleum impacted soil and 16,000 gallons of mixed liquid media (oil and water) were removed from the site and abutting property during the response actions.

The existing building on the Site consists of two portions. The original portion, constructed in 1967, will be demolished as part of the planned redevelopment of the Site. A 1986 addition will be renovated for use as office space. After the original portion of the building is demolished, the area where it stood will be graded and paved and used as a parking area/drop-off point at the new front entrance to the newly-renovated portion of the building.

The assessments conducted at the property by CES, Inc. in 2017 determined that residual petroleum contamination of soils existed at depth along the overburden/bedrock interface. The levels of petroleum contamination, however, were below the Department's guidance for Excavation/Construction worker, the appropriate exposure category for the at-depth soils. The assessments also evaluated vapors beneath the building near the location of the 2006 spill. All three sub-slab vapor samples were below the guidance for Commercial exposure. During an assessment of the building floor-drains, the oil/water separator was found to be clogged. Building plans show that the separator is likely connected to the storm water system. The discharge point of the separator will be confirmed during upcoming building renovations.

Analytical results of a soil vapor sample taken from the portion of the building to be demolished indicated the presence of naphthalene at a level above the Department's residential Remedial Action Guidelines. Because this area of the Site will not be located within an occupied structure and will be paved, it will not pose an exposure threat to building occupants. Accordingly, no use restrictions or limitations for the building or the Site are warranted.

No recognized environmental conditions other than those described in the Reports were reported to the Department in the Applicant's VRAP application.

Based on the information presented in the Reports, the Department considers no further investigations or remedial actions are necessary at the Site at this time, provided conditions of approval 1 – 5 below are followed:

1. The extraction of groundwater at the site is prohibited without the express written permission of the Department.
2. The identified petroleum impacted soils must remain onsite and cannot be removed without the express written permission of the Department.
3. The discharge point of the oil/water separator will be determined and, if necessary, brought into compliance with municipal rules.
4. A Declaration of Environmental Covenants, in accordance with the Maine Uniform Environmental Covenants Act as defined in 38 M.R.S. §§ 3001–3013, incorporating

conditions 1 through 3 above, and that is subject to Department review and approval, must be executed for the Site and must be recorded at the Kennebec County Registry of Deeds. A copy of the recorded Declaration of Environmental Covenants must be supplied to the Department's VRAP within thirty (30) days of being recorded.

5. A copy of this letter shall be recorded at the Kennebec County Registry of Deeds. A copy of the recorded document must be supplied to the Department's VRAP within thirty (30) days of being recorded.

The VRAP's evaluation of the environmental risks present at the Site was based on the conditions listed above. Prior to undertaking any activity or land use that would alter the conditions of approval listed above, the Applicant, or their successors, assigns and/or affiliates must obtain the VRAP's written approval and must obtain the Department's written consent to amend or terminate the Declaration of Environmental Covenants described above, if needed to complete the proposed activity.

The VRAP will not require further remedial actions by the Applicant or their successors, assigns and/or affiliates, and the persons qualified for protection under 38 M.R.S. § 343-E (6), provided they comply with the conditions of this letter.

Therefore, the Applicant, or their successors, assigns and/or affiliates, and the persons qualified for protection under 38 M.R.S. § 343-E (6) are entitled to protection from liability to the extent provided by 38 M.R.S. § 343-E. This protection from liability will be limited to the matters addressed by and identified by the Reports, including the extent and concentration of existing contamination by petroleum and/or hazardous constituents described in the Reports, and is subject to the qualifications and conditions set forth in this letter and in 38 M.R.S. § 343-E. VRAP liability protections under 38 M.R.S. § 343-E do not limit the Department's enforcement authorities for non-compliance with other laws administered by the Department, including, but not limited to, lead abatement and asbestos regulations.

Given the age of portions of the onsite structure, it must be assessed for the presence of asbestos containing material ("ACM") and lead-based paint prior to demolition or renovation. In the event that ACM and/or lead-based paint are identified, these materials must be handled, abated, removed, or disposed of in accordance with all applicable regulations. For more information please contact the Department's Asbestos Hazard Prevention Program staff at (207) 287-7688.

If you have any questions regarding this letter, please feel free to call Nick Hodgkins of my staff at (207) 592-0882.

Sincerely,  
  
David E. Burns  
Director  
Bureau of Remediation & Waste Management


cc: Dennis Kingman, CES  
Nick Hodgkins, Maine DEP

STATE OF MAINE  
KENNEBEC, ss.,

December 21<sup>st</sup>, 2017

Then personally appeared the above-named David E. Burns, Director, Bureau of Remediation & Waste Management of the Maine Department of Environmental Protection and duly authorized delegee for the Commissioner, and acknowledged the foregoing instrument to be his free act and deed, and the free act and deed of the Department of Environmental Protection.

Before me,

  
Notary Public

Laura L. Gay  
(Print name)

My commission expires: 9/24/2022