

Woodville Union School District
16563 Rd. 168
Porterville, CA 93257

Request for Sealed Lump Sum Price Proposals and Qualifications
For Lease-Leaseback Construction Services

Construction of the Woodville Elementary School Kindergarten Wing Project

RFP Issued: July 22, 2019

Deadline for Submittal of Questions: August 7, 2019, at 4:00 p.m.

Responses to the Questions Submitted: August 14, 2019

Prequalification Applications Due: August 19, 2019, at 4:00 PM

Sealed Proposals Due: September 3, 2019, at 2:00 PM

Selection by Governing Board: September 17, 2019, at 5:30 PM

Request for Sealed Lump Sum Proposals and Qualifications
For Lease-Leaseback Construction Services

Construction of the Woodville Elementary School Kindergarten Wing Project

The Governing Board (the "Board") of the **Woodville Union School District** (the "District" or "Owner") is seeking qualifications and proposals from qualified providers of lease-leaseback construction services ("Contractors") for the construction of the **Woodville Elementary School Kindergarten Wing Project** ("Project") within the District. Contracts will be awarded by the Board under the provisions of Education Code 17406 *et seq.*

I. Critical Dates

A. Prequalification Applications Due Date:

All Contractors submitting proposals must be prequalified pursuant to Public Contract Code section 20111.5 prior to submitting a proposal. Prequalification applications are available on the District's website or at the District's main office located at: **16563 Rd. 168, Porterville, CA 93257**. A proposal submitted by a Contractor that is not prequalified will not be accepted and will not be considered by the District. To be prequalified for the Project, prequalification application packets must be completed and returned to the following person/address by no later than 4:00 p.m., August 19, 2019:

Woodville Union School District
District Office
16563 Rd. 168
Porterville, CA 93257
Attention: Joe Ramirez, Business Manager

Contractors are encouraged to submit prequalification packages earlier than the date set forth above, so that they may be notified of prequalification status well in advance of any applicable proposal deadline.

B. Questions

All questions, requests for explanation or clarifications of any kind with regard to this RFP or the Project must be made in written form, and submitted via email to jramirez@woodville.k12.ca.us by no later than August 7, 2019, at 4:00 p.m. Contractors are prohibited from contacting any other representatives of the District, including the members of its Board. A response will not be provided to any late questions, or requests for explanation or clarifications.

All addenda and clarifications will be posted on the District's website and provided to those Contractors that have requested a copy of the RFP no later than August 9, 2019.

C. Sealed Proposals Due Date:

An original + six (6) copies of each Contractor's sealed proposal for the Project shall be delivered to the following address **no later than September 3, 2019, at 2:00 p.m.** on the clock designated by the District or its representative as the governing clock:

Woodville Union School District
District Office
16563 Rd. 168
Porterville, CA 93257
Attention: Joe Ramirez, Business Manager

Facsimile (FAX), e-mail, or other electronic copies of the proposal will not be accepted. Only hard copies will be accepted.

Proposals not received by the deadline or in the proper format will be returned unopened.

D. Selection Date:

The governing Board of the District is planning to select a contractor for the Project at its Special Board meeting on September 17, 2019. The Board reserves the right to postpone or cancel this selection. The meeting will be held at 5:30 p.m. at Woodville Elementary School, Room 36, 16541 Rd. 168, Porterville, CA 93257.

II. Project Description, Plans, and Specifications

The District plans to construct the Project, which is a new kindergarten classroom wing, on a District-owned site located at 16541 Rd. 168, Porterville, CA 93257 in Tulare County, California, and the District is soliciting proposals for the construction of the Project.

The District has retained DKJ Architects, Inc. of Visalia, California, as its architect for the Project ("Architect"). DSA approval of the plans and specifications for the Project was issued on March 21, 2019. Draft plans and specifications ("Project Documents") may be obtained from DKJ Architects, Inc., 1736 S. Central St., Ste. A, Visalia, CA 93277, Ph: 559-738-0309, for one hundred twenty-five dollars (\$ 125.00) or can be obtained electronically through DKJ, the TK Builders' Exchange or in hard copy form from Cara's Blueprint Service(559) 636-2459. Addenda and clarifications will be posted on the District's website

III. Contract Parameters

A. Financing

The successful Contractor will be financing the construction of the Project through a lease-leaseback arrangement, and the District will be paying Contractor for its construction and financing through monthly lease payments that will extend beyond the completion of the

construction.

B. Proposed Budget

The District will require an open book policy with the successful Contractor and its construction team on the entire Project, meaning that all costs included in the Contractor's Total Lease Amount and each monthly Sublease Payment shall be clearly set forth to the District's satisfaction, including soft costs, site improvements, and the construction of the buildings. The District shall be entitled to have access to subcontractor bids, value engineering back-up, contingency breakdown and tracking, general conditions breakdown and tracking, documentation of Contractor's fees, and all other information necessary to verify construction costs.

The Project is subject to the payment of prevailing wages under the California Labor Code and applicable regulations, and the Project will be subject to compliance monitoring and enforcement by the California Department of Industrial Relations.

C. Cost Estimate

The District estimates that the total cost of the Project will be Eight Hundred Thousand dollars (\$800,000). This estimate is based solely on the Architect's most recent estimate of the total Project costs and is subject to change.

D. Scope of the Lump Sum Price Proposal

All proposals shall be in the form of a lump sum price. The lump sum price proposed by Contractors shall be the Total Sublease Amount in the Contract Documents, which shall constitute the total compensation to Contractor for constructing the Project and performing the Work. Each Contractor's proposed lump sum price for the Project must cover all of Contractor's profit, and all of its costs of construction of the Work specified in the Contract Documents, including but not limited to the following:

1. General conditions and general requirements, including but not limited to temporary facilities, utilities, structures, fences, dust control, scheduling, safety, scaffolding, and SWPPP.
2. All subcontractor costs and material and equipment supplier costs.
3. Contractor's overhead, supervision of subcontractors and other management responsibilities, and its materials, equipment, and employees/labor (including but not limited to wages, salaries, and benefits) costs, for any work performed by the Contractor.
4. All bonds and insurance, including but not limited to payment and performance bonds.
5. All other costs incurred in performance of Contractor's obligations under the terms of the Contract Documents, including but not limited to the Lease-Leaseback Agreement, Site Lease Agreement, and Sublease Agreement.

IV. Scope of Work

A. Scope

In accordance with the Drawings and Specifications prepared for this project, the Scope of Work for the Site Contractor includes (but is not limited to):

1. Temporary facilities, portable toilets, trash removal, site protection (maintaining temporary fences, security, access, repair of damaged turf areas, fire watches (if needed), any dust or storm water pollution control
2. Demolition and/or removal of existing relocatable buildings, metal ramps, utilities and their wood foundations.
3. Earthwork in preparation for new footings/foundations required for the new modular buildings as defined in the DSA approved drawings for the buildings.
4. Building Plumbing as required for the new modular buildings as defined in the DSA approved drawings for the buildings.
5. Reinforced concrete slab, footings/foundations required for the new modular buildings as defined in the DSA approved drawings for the buildings including all reinforcing, anchorages and steel embeds.
6. Fire Alarm devices, components and wiring.
7. Interior Flooring,
8. Interior Casework
9. ADA and building signage
10. Window Coverings
11. Hardscape, concrete walks, fencing, fence modifications.
12. Preparation of Playyard areas
13. ADA path of travel upgrades as defined on the drawings, Accessible Parking upgrades,
14. Utility connections to the buildings (power feeders, low voltage, fire alarm, water, sewer) stubbed up through the slab
15. Networking and data wiring inside the buildings
16. Security and surveillance systems
17. Clocks
18. Preparations for Smartboards (smartboards are an equipment item purchased in the F&E portion of their budget)

The modular building will be procured separately.

The Contractor whose proposal is determined to offer the best value to the District pursuant to this RFP must promptly execute the Lease-Leaseback Agreement, the Site Lease, and the Sublease no later than ten (10) business days following selection.

B. Project Schedule

It is anticipated that construction will start on or about October 8, 2019. The Work must be completed within 109 calendar days. See the Lease-Leaseback Agreement and other Contract Documents for additional details.

C. Pre-Construction Services

No pre-construction services will be included.

D. Construction and Post-Construction Services

The Contractor shall perform all Work and obligations described in the Contract Documents, including the following construction and post-construction services:

1. Construction of the Project in accordance with the plans and specifications.
2. Coordinate and expedite record drawings and specifications.
3. Compile operations and maintenance manuals, warranties/guarantees, and certificates.
4. Prepare final accounting and close-out reports.
5. Other responsibilities necessary for the completion of the Work of the Project in accordance with the plans and specifications.

E. Subcontractors

Contractor shall establish reasonable qualification criteria and standards for subcontractors and shall provide public notice of availability of work to be subcontracted in accordance with the publication date applicable to the District's competitive bidding process, including a fixed date and time on which qualifications statements, bids, or proposals will be due.

All subcontractors who will perform more than 0.5% of the construction Work must be selected by a competitive bidding process or best value process as described in Education Code section 17406(a)(4). The process must comply with the DVBE requirements of Education Code section 17076.11. All subcontractors shall be afforded the protections of the Subletting and Subcontracting Fair Practices Act (commencing with Public Contract Code section 4100).

V. Format of Proposal

The proposal should be clear, concise, complete, well organized, and demonstrate Contractor's qualifications, ideas, and ability to follow instructions.

An original + two (2) copies of the proposal must be provided, with no more than 30 single-sided pages in total length. An electronic copy must also be provided on a USB flash drive. All respondents are requested to follow the order and format specified below. Please tab each section of the submittal to correspond to the numbers/headers shown below.

Contractors are solely responsible for providing all information in order to permit the District to score the proposal in accordance with Article VI. Failure to follow the specified order and format may result in rejection of a proposal. The District reserves the right to reduce a Contractor's score for failure to follow instructions.

A. Proposal Cover

The proposal shall include a cover page, which cover page shall set forth the RFP's title and submittal due date, the name, address, fax number, and the telephone number of responding firm (or firms if there is a joint venture or association).

B. Content of Proposal

The following should be included in the proposal in the order listed:

1. Price Proposal.
2. Subcontractor Designation.
3. Worker's Compensation Certification.
4. Iran Contracting Act Certification (if Contractor's total lump sum price exceeds \$1,000,000)
5. DVBE Certification.
6. DVBE Worksheet.
7. Non-collusion Declaration.
8. Sufficient Funds Declaration.
9. Roof Project Certification.
10. Fingerprinting Notice and Acknowledgement.
11. Drug-Free Workplace Certification.
12. For all projects over twenty-five thousand dollars (\$25,000), proof of public works contractor registration to perform public work under Labor Code section 1725.5.

VI. Selection Procedures and Guidelines

The purpose of this Request for Proposals is to enable the District to select the Contractor that submitted the proposal that is the best value to the District for the Project as required by Education Code section 17406. The term "best value" as used in this RFP is defined in Education Code section 17400, and is inclusive of a competitive procurement process whereby the Contractor is selected on the basis of objective criteria for evaluating qualifications with the resulting selection representing the best combination of price and qualifications.

The District will use the selection process outlined below, which conforms to Education Code section 17406 and ensures that the best value selection by the District is conducted in a fair and impartial manner. A review and selection committee composed of key District officials and consultants will review and evaluate all proposals.

Proposals will be opened privately to assure confidentiality and to avoid disclosure of the contents to competing Contractors prior to and during the review and evaluation process. Following selection of a Contractor pursuant to this RFP, proposals may be subject to disclosure in accordance with applicable law.

Selection Process

Qualification Portion

For the qualifications portion of the best value analysis, the District will evaluate the specific criteria listed below and each Contractor's qualifications will be scored on a one hundred (100) point scale using the District's Proposal Scoring Sheet. Each criterion has a point value that corresponds to a weighted percentage, which are listed next to the criterion. Each criterion will be evaluated by the District and the District will award a point value to Contractor for each criterion. The maximum cumulative number of points available to any Contractor is 100 points. The criteria, their weighted percentages, and their corresponding point values are as follows:

- Bonding Capacity (weighted percentage: 10%; points possible: 10)
- Percentage of Credit Line Used (weighted percentage: 10%; points possible: 10)
- Number of Audit Exceptions (weighted percentage: 10%; points possible: 10)
- Experience (weighted percentage: 10%; points possible: 10)
- Financial History & Licensing (weighted percentage: 10%; points possible: 10)
- Disputes (weighted percentage: 20%; points possible: 20)
- Insurance and Bonding (weighted percentage: 10%; points possible: 10)
- Compliance with Law (weighted percentage: 10%; points possible: 10)
- Prevailing Wage and Apprenticeship Record (weighted percentage: 10%; points possible: 10)

For the qualifications portion of the best value analysis and for the purpose of evaluating Contractors' qualifications pursuant to the criteria set forth above, the District will evaluate each Contractor on the basis of the responses provided in the Contractor's completed Prequalification application, which was required to be completed and submitted to District as part of the prequalification process and as a condition precedent to submitting a proposal for the Project.

Price Proposal Portion

For the price proposal portion of the best value analysis, the District will evaluate the amount of Contractor's lump sum price. The price proposal portion of the best value analysis will also be scored on a one hundred (100) point scale. District will score Contractors on the basis of the lowest to highest price proposal submitted. All Contractors submitting a price proposal will

receive points, in increments of ten (10), based on the amount of the price proposal, with the Contractor with the lowest price proposal receiving the most points available and the Contractor with the highest price proposal receiving the fewest points available. Specifically, the Contractor with the lowest price proposal will receive 100 points, the Contractor with the second lowest price proposal will receive 90 points, the Contractor with the third lowest price proposal will receive 80 points, and so forth until all Contractors have received points. In the event two Contractors submit price proposals with the same overall price, both Contractors shall be awarded the same amount of points.

Total Best Value Score

After the District has allocated points to qualifying Contractors for both the qualification and price proposal portions of the best value analysis, the District will combine the points received by each Contractor based on Contractor's qualifications and price proposal to create each Contractor's best value score. District will then rank all Contractors based on each Contractor's best value score. The Contractor with the highest best value score (highest combined point total from the qualifications and price proposal analysis) shall be ranked highest, and all remaining Contractors shall be ranked in descending order based on the Contractor's best value score, such that the Contractor receiving the lowest best value score receives the lowest ranking.

The District expects to complete and announce its best value analysis, and ranking of proposals from highest best value score to lowest best value score, within thirty (30) days of the deadline for submittal of the proposals.

VII. Award

The District reserves the right to reject any or all proposals, or waive any irregularities in any of the proposals submitted pursuant to this RFP. The Lease-Leaseback Agreement shall be awarded to the responsive Contractor with the highest best value score. In the event of a tie (more than one Contractor have the same highest best value score), District may award the Lease-Leaseback Project to the Contractor of its choice.

The Board is expected to make its selection at its special meeting on September 17, 2019. The meeting will be held at 5:30 p.m. at Woodville Elementary School, Room 36, 16541 Rd. 168, Porterville, CA 93257. The District will issue a statement regarding the basis of the award.

If the Contractor to which the Board awards the Lease-Leaseback Contract refuses to execute the Lease-Leaseback Agreement and submit a payment bond, performance bond, proof of required insurance, and other required documents within ten (10) business days following award, the Board may revoke the award to that Contractor and award to the Contractor that submitted the next highest ranked proposal.

VIII. General Information

A. Amendments

The District reserves the right to cancel or revise this RFP in part or in its entirety. If the District cancels or revises the RFP, all Contractors will be so notified by addenda. The District also reserves the right to extend the date on which responses are due, the date on which it announces the results of its best value analysis, or the date on which the award will be made.

B. Inquiries

Any questions concerning this RFP or selection process may be directed to Joe Ramirez, Business Manager, Woodville Union School District; telephone: 559-686-9712; Fax: 559-685-0875. Replies involving any substantive issues will be issued by addenda and mailed to all parties recorded by the District as having received the RFP documents. Only answers provided by formal written addenda will be binding.

IX. Special Conditions

A. Non-Discrimination

The District does not discriminate on the basis of race, color, national origin, religion, age, ancestry, medical condition, disability, or gender in consideration for an award of contract.

B. Costs

Costs of preparing a proposal in response to this RFP are solely the responsibility of the responding Contractor.

C. Prevailing Wages

Respondents are advised that this Project is a public work for purposes of the California Labor Code, which requires payment of prevailing per diem wages, as well as wages for legal holidays and overtime. These rates are set forth in a schedule, which may be found on the California Department of Industrial Relations website at www.dir.ca.gov. Any Contractor to which a contract is awarded must pay the prevailing rates, post copies thereof at the job site, provide payroll records when required, and otherwise comply with applicable provisions of state law.

D. State Registration

For all projects over twenty-five thousand dollars (\$25,000): the proposing Contractors and any proposed subcontractors shall not be qualified to submit a proposal, or to be listed in a proposal, for the Project, and shall not be qualified to enter into, or engage in the performance of, the Lease-Leaseback Agreement, unless currently registered and qualified under Labor Code section 1725.5 to perform public work as defined by Division 2, Part 7, Chapter 1 (§§ 1720 *et seq.*) of the Labor Code.

E. Limitations

This RFP does not commit the District to award a contract, to defray any costs incurred in the preparation of a proposal pursuant to the RFP, or to procure or contract for work. The District reserves the right to waive any irregularities in the proposals received pursuant to this RFP, or in the process outlined herein for selection of a contractor for the Project.

F. Validity of Proposals

All proposals will be considered valid and prices will be considered fixed for a period of sixty (60) days following submission.