



**San Diego Unified School District**  
**August 11, 2022**

---

**Request for Statement of Qualifications and Proposals**  
**PS23-0300-11**  
**ELECTRICAL CHARGING SYSTEM AND BATTERY**  
**ENERGY STORAGE SYSTEM**

---

**TRANSPORTATION FACILITY**

Electronic Proposals Due via  
PlanetBids™ ONLY  
2:00 P.M.  
September 13, 2022

Mandatory Pre-Proposal Conference  
via Zoom  
August 17, 2022  
9:00 AM

Mandatory Site Walk:  
August 18, 2022  
10:00 AM

Sarah Moreno, Contract Specialist  
Strategic Sourcing and Contracts  
2351 Cardinal Lane, Building M  
San Diego, California 92123-3743  
[smoreno1@sandi.net](mailto:smoreno1@sandi.net)

---



## Table of Contents

List of Attachment .....	3
Definitions of Terms.....	4
1. REQUEST FOR STATEMENT OF QUALIFICATIONS & PROPOSALS (RFQ/P) OVERVIEW.....	6
1.1. Schedule .....	6
1.2. Overview & Background.....	6
1.3. PRE-QUALIFICATION for subcontractors.....	7
1.4. Project Site Information.....	7
1.5. Distribution of This Document.....	8
1.6. District / Contract Administrator .....	8
1.7. Examination of Site and RFQ/P Documents.....	8
1.8. REFERENCE FORM & REFERENCE QUESTIONNAIRE .....	9
2. PROPOSAL PROCESS AND REQUIREMENTS .....	9
2.1 Mandatory Pre-Proposal Conference and Site Walk .....	9
2.2 Questions Relating to RFQ/P Process.....	9
2.3 Proposal Requirements and Format .....	10
2.4 Proposal Evaluation.....	11
2.5 Award Process.....	12
2.6 District Rights.....	12
2.7 Public Record .....	12
Table 1-1: Project Milestone Schedule .....	6
Table 2-1: Proposal Submittal Format .....	10



### Attachments (Attached as Separate Documents, Download from AERO Server)

- A. CONTRACT DOCUMENTS
  - A.1 Sample Master Contract
  - A.2 Overview of Scope of Work
  - A.3 Design-Build General Conditions
- B. PROPOSAL DOCUMENTS
  - B.1 Proposal Form
  - B.2 Cost Proposal
  - B.3 Response Checklist
  - B.4 Exceptions Form
  - B.5 DVBE Participation Form
  - B.6 DVBE Bidder Declaration
  - B.7 Workers Compensation Certificate
  - B.8 Non-Collusion Declaration
  - B.9 Subcontractor List
  - B.10 Reference Form & Reference Questionnaire
- C. SITE INFORMATION
  - C.1 AERIAL PHOTOGRAPHY
    - C.1.1 Aerial\_Project Area Rev 1
  - C.2 CONSTRUCTION SPECS  
See **00 01 10 Table of Contents** for complete list of Guide Specifications
  - C.3 DRAWINGS
    - C.3.1 1992 Transportation\_Arch
    - C.3.2 1992 Transportation\_Elect
    - C.3.3 1992 Transportation\_Struct
    - C.3.4 1992 Transportation\_Title\_Civil\_Landscape
    - C.3.5 2013 Transportation
    - C.3.6 UTILITY SHUT-OFF PLAN
    - C.3.7 UTILITY UNDERGROUND
- D. SITE DATA & REPORTS
  - D.1 ENERGY DATA
    - D.1.1 SDG&E Bills
    - D.1.2 2021 Solar 15 min Data
    - D.1.3 Charging equipment and vehicle list
    - D.1.4 Daily Solar Data 2017-2022
    - D.1.5 Transportation Interval Data Meter 669
    - D.1.6 Yearly Solar Data 2017-2022
  - D.2 EQUIPMENT CUTSHEETS AND NAMEPLATE RATINGS
    - D.2.1 Mower 35 AMP charger name plate
    - D.2.2 Mower 50 AMP charger name plate
    - D.2.3 XL-XLP\_ChevySilverado\_GMCSierra25003500HD\_FLY
  - D.3 REPORTS
    - D.3.1 2021 Transportation Geotech Report
    - D.3.2 Right of Way use Agreement SDG&E
    - D.3.3 Right of Way Consent Agreement SDG&E



Definition of Terms

ACSE	American Society of Civil Engineers
ADA	Americans with Disabilities Act
AISC	American Institute of Steel Construction
ANSI	American National Standards Institute
API	Application Program Interface
ASTM	American Society for Testing and Materials
AWS	American Welding Society
BESS	Battery Energy Storage System
CAD	Computer Aided Design
CAL-OSHA	Occupational Safety and Health Administration
CBC	California Building Code
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CPUC	California Public Utilities Commission
CGS	California Geological Survey
CREBs	Clean Renewable Energy Bonds
Contract	Master Contract For Design and Construction (including all attachments and exhibits) between the District and successful Proposer for the Project.
Contract Schedule	The graphical representation of a practical plan to complete the work on the Project within the agreed-upon time as a part of the Notice to Proceed. The Contract Schedule shall be provided and maintained utilizing the most recent version of Primavera P6 scheduling software.
DAS	Data Acquisition System
DIR	Department of Industrial Relations
EPA	Environmental Protection Agency
EPC	Engineering, Procurement, and Construction
EV	Electric Vehicle
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FMV	Fair Market Value
Firm	An individual proprietorship, partnership, limited liability company, corporation or joint venture that is part of a team responding to this RFQ/P.
GPR	Ground Penetrating Radar
ICC	International Code Council
IEC	International Electrotechnical Commission
IEEE	Institute of Electrical and Electronics Engineers
IESNA	Illuminating Engineering Society of North America
IOU	Investor-Owned Utility (California: PG&E, SCE or SDG&E)
LESLI List	State of California Department of Insurance List of Eligible Surplus Lines
Local Utility (Utility)	San Diego Gas & Electric (SDG&E), the local utility to whose electrical distribution system the Project shall be interconnected.
NEC	National Electric Code
NEM	Net Energy Metering
NEMA	Net Energy Metering Aggregation or National Electrical Manufacturers Association
NFPA	National Fire Protection Association
NRTL	Nationally Recognized Testing Laboratory
Notice to Proceed (NTP)	The written notice issued by or on behalf of the District to the Contractor authorizing the Contractor to proceed with commencement of the Work or portions of the Work. The scope, value and schedule of such NTP shall be defined by the Contractor's signed proposal which shall be incorporated into the NTP, except in the case of a Unilateral Change as described in Article 2.11 of the Terms and Conditions of the Contract.
O&M	Operations and Maintenance

# San Diego Unified School District

## ELECTRICAL CHARGING SYSTEM AND BATTERY ENERGY STORAGE SYSTEM

RFQ/P No. PS23-0300-11



OCPD	Over-Current Protection Devices
Operator	Entity responsible for system operation and management and the financial capability
Premises	Location of the System(s)
Project	The electrical charging system (ECS) and battery energy storage system (BESS), related equipment, structures, and contractual obligations, as described in Attachment A and Attachment B, and as may be otherwise agreed to by the District and the successful Proposer of the Design-Build Contract.
Project Term	The duration of the relevant Contract between the successful Proposers and District
Proposer	An individual proprietorship, partnership, Limited Liability Company, corporation or joint venture that is responding to this RFQ/P. Proposer may also be referred to as "Firm", "Vendor" and "Contractor" in the RFQ/P and attachments.
Proposal For Additional Services	A written request prepared by the Contractor requesting that the District issue a revised or amended NTP based upon a proposed change to the Work or Services.
Permission to Operate (PTO)	Notification from the Local Utility to which the Project is interconnected that the Project may be operated and connected with the Local Utility grid.
REC	Renewable Energy Certificate. Renewable Energy Credit, one REC is equivalent to 1 MWh of energy produced from a renewable energy source.
Price Request	A written request prepared by the District requesting the Contractor to submit to the District an estimate of the effect of a proposed change in the Work on the Contract Price and the Contract Time.
System	The batteries, level 2 electric vehicle chargers, racking system, mounting hardware, footers, structure, wiring, conduits, the monitoring equipment, metering equipment and any and all materials and equipment required to construct a turnkey, operational battery energy storage and electric charging system which meets any and all applicable laws and the Contract Documents.
System Startup	The date the System is (1) capable of storage and delivery of energy to the full extent of its designed capacity, (2) accepted as substantially complete by the District, (3) has received Permission to Operate from the Utility, and (4) commences delivery of energy for sale or use.
SWPPP/WPCP	Storm Water Pollution Prevention Plan/Water Pollution Control Plan. A written plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the stormwater, and a description of measures or practices to control these pollutants. It must be prepared and approved before construction begins.
TOU	Time of Use
WREGIS	Western Renewable Energy Generation Information System
<b>COMPLETION DEFINITIONS</b>	
Substantial Completion	The date at which the electrical charging system (ECS) and battery energy storage system (BESS) are completely installed and operational such that all requirements for PTO have been completed, Inspector of Record has signed off on the Project sufficient to achieve PTO, and PTO has been formally requested from the Local Utility.
Commercial Operation Date (COD)	The date, when the electrical charging system (ECS) and battery energy storage system (BESS) systems are commissioned and receives PTO from the Local Utility. For the Contract, COD includes formal acceptance by the District to begin the terms of the Contract.
Formal Acceptance	Includes a commissioning report for District inspection after the work has been completed, operations staff training, turnover of all as-built drawings, and operation and maintenance materials.
Final Completion	The date at AFTER Substantial Completion has been achieved, COD has occurred, all punch lists have been completed to the satisfaction of the inspector(s) and District representatives, all documentation (i.e commissioning report, AHJ inspection reports, as-built drawings, and operation and maintenance materials) has been delivered to the District, all other Contract items have been completed, delivered and accepted by the District and final authorities having jurisdiction approvals are obtained (i.e. the Project is certified and closed out with all authorities having jurisdiction.)
Notice of Completion (NOC)	The notice filed by the District, in the County Recorder's Office, stating that construction has been finally completed. NOCs will be filed upon Final Completion of all Work performed under a Construction NTP.



1. REQUEST FOR STATEMENT OF QUALIFICATIONS & PROPOSALS (RFQ/P) OVERVIEW

1.1. SCHEDULE

Table 1-1: Project Milestone Schedule – Subject to Change

Event	Time	Date
RFQ/P Advertised		August 11 & 16, 2022
<b>Pre-Registration Link for Mandatory Pre-Proposal Conference and Site Walk:</b> All contractors and subcontractors must preregister with the District prior to attending the pre-proposal conference and site walk at <a href="https://sandiegounified.org/sitewalks">https://sandiegounified.org/sitewalks</a> . **Contractors are highly encouraged to invite subcontractors to the site visit**		
<b>Mandatory Pre-Proposal Conference – Via Zoom</b> <b>Link will be sent with site walk pre-registration information.</b>	10:00 am	August 17, 2022
Mandatory Site Walk	10:00 am	August 18, 2022
Deadline for Questions from Proposer (Via PlanetBids™ Only)	2:00 pm	August 23, 2022
Response to Questions – Final Addendum Published		September 1, 2022
SDUSD Subcontractors Prequalification Form Due The following contractor mechanical, electrical and plumbing (MEP) classifications must be prequalified to work for a prime contractor: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43 and C-46.	11:59 pm	August 29, 2022
Subcontractors List Posted		September 6, 2022
<b>Proposals Due via PlanetBids™</b>	2:00 pm	September 13, 2022
Proposal Reviews		September 16 – 29, 2022
Potential Interviews		TBD
District Board of Education Meeting for Contract(s) Approval		November 15, 2022
NTP Issued for Design		November 2022
NTP Issued for Construction		December 2022
Construction Begins		January 3, 2023
COD		January 31, 2023
Final Completion		February 17, 2023

These dates are provided for Proposer's convenience and, while the District does not anticipate changing the dates at this time, this schedule may be revised at the sole discretion of the District.

1.2. OVERVIEW & BACKGROUND

The District is issuing this RFQ/P pursuant to California Government Code section 4217.10 *et seq.* to solicit written proposals for a design-build entity capable of designing and constructing an Electrical Charging System (ECS) and Battery Energy Storage System (BESS). The ECS is dedicated to electric/hybrid landscape vehicles and electric landscape equipment for use in the Lincoln cluster. The BESS is dedicated to serving the vehicle maintenance building at the District's transportation facility, located at 4770 Cardin St., San Diego, CA 92111, also known as Transportation Yard.



The ECS and BESS will be at the west (or east) end of the transportation facility. They will be contained within an area of approximately 5,000 square-feet as the design permits. The landscape equipment will be housed in a secure lockable container designed to prevent theft (See Attachment C.1.1 for aerial view).

10 Nuvve PowerPort Level 2 AC chargers or equivalent will be installed as part of the ECS design and construction. See Attachment A.2, Summary of Work for details of Nuvve PowerPort Level 2 AC chargers.

The BESS at a minimum must be able to provide the vehicle maintenance building with 1 day (24 continuous hours) of backup power when fully charged, but primarily it will be used to provide electricity demand peak shaving.

The project needs to be executed as soon as possible to provide charging for electric/hybrid landscape vehicles and to meet the intentions of the CARB Grant, construction is anticipated to be completed by January 2023.

See Attachments A-G for complete details on summary of work.

### **1.3. PRE-QUALIFICATION FOR SUBCONTRACTORS**

Any subcontractor performing the license classifications of A, B [if performing the work of] C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43 and C-46 wishing to submit a bid to a prime contractor must be prequalified in order to bid.

Any subcontractor who is not already prequalified must submit a complete District provided Pre-qualification Questionnaire at least ten (10) business days prior to the RFQ/P opening due date. Any Questionnaire received less than ten (10) business days before the RFQ/P opening due date will not be considered. Any Questionnaires submitted incomplete will be put aside to process completed Questionnaires first and may result in an incomplete Questionnaire not being processed within the required timeline of five (5) business days prior to the RFQ/P opening due date. Such action will render the subcontractor who submitted the incomplete Questionnaire to be ineligible to be included on the project for which it submitted the Questionnaire.

The District strongly encourages all subcontractors performing any of the classifications listed above to submit a Pre-qualification Questionnaire well in advance of the RFQ/P in order to avoid the consequence of not being eligible to be included on a project. Pre-qualification Questionnaires may be found online at <https://www.sandiegounified.org/cms/one.aspx?portalId=27732478&pageId=31520560>.

### **1.4. PROJECT SITE INFORMATION**

The attachments to the RFP provide historical electricity consumption data, site information and constraints sufficient for qualified respondents to prepare thorough conceptual design and proposals. Site layouts, detailed electrical consumption information, and geotechnical reports are in Attachments C and D.

The successful Proposer should not rely entirely upon the District's site plans or geotechnical reports. It shall be the sole responsibility of the successful Proposer to independently verify the District's site plans and perform their own geotechnical investigations as required and site due diligence prior to design and construction. In addition, during design, the successful Proposer will need to include evaluation of the site's District hazmat reports as needed. In submitting its proposal, the successful Proposer warrants and accepts that the District shall not be liable for any misrepresentations or inaccuracies set forth in the District's site plans, geotechnical studies or other informational documents provided with this RFQ/P.

The District is providing and will provide all relevant information actually known to the District, in good faith without any known defects in the information. However, the District cannot and does not guarantee the completeness or accuracy of information provided, for which the Proposer will be required to take appropriate measures, subject to limitations and evaluation of each Proposal's Best Value.



Note that there are existing PV systems at Transportation Yard. The As-Builts for these PV systems can be found in Attachments. Contractor should seek to maintain existing TOU and NEM grandfathering at this site, where feasible.

Respondents to this RFQ/P shall be responsible for determining and justifying the appropriate ECS and BESS system sizes of their proposed design to meet the load targets of the Charging equipment and vehicle list (E.3) and peak-shaving use for the.

#### **1.5. DISTRIBUTION OF THIS DOCUMENT**

This document and any attachments, appendices and addenda will be distributed electronically via PlanetBids™. All requests for access and questions on this RFQ/P shall be submitted via PlanetBids™.

Proposer is responsible for ensuring that electronic communication is functioning and that online documents are accessible. Should there be any questions or uncertainty that documents cannot be accessed, or questions are not being received, Proposer is responsible for following up with the District by e-mail at [smoreno1@sandi.net](mailto:smoreno1@sandi.net).

#### **1.6. DISTRICT / CONTRACT ADMINISTRATOR**

The Contract Administrator for this RFQ/P and the resulting contract(s) is Sarah Moreno, Senior Contracts Specialist at the District. The Contract Administrator is the only individual authorized to make any modifications via addenda or otherwise to this RFQ/P and the resulting contract(s), if any.

The District expressly reserves the right to modify any portion of this RFQ/P prior to the latest date/time for submission of proposals, including without limitation, the cancellation of this RFQ/P. Modifications, if any, made by the District to the RFQ/P will be in writing; potential Proposer who have obtained this RFQ/P from the District prior to any such modifications will be issued any modifications to the RFQ/P by written addenda via PlanetBids™. Any and all addenda issued by the Contract Administrator shall be incorporated into this RFQ/P and are a part herein as if originally set forth in this RFQ/P.

The District will not provide any oral clarifications or modifications to the RFQ/P or the requirements hereof. No employee, office, agent, or representative of the District is authorized to provide oral clarifications or modifications to the RFQ/P.

Any attempts by Proposer to lobby or influence the District decision, in any form, are strictly prohibited. During the course of the Proposal submission and evaluation periods, there shall be no contact with the District Board of Education or District staff regarding this project or RFQ/P, except for the designated Contracts Specialist. Failure to comply with these requirements will result in the disqualification of the Proposer.

#### **1.7. EXAMINATION OF SITE AND RFQ/P DOCUMENTS**

Each Proposer shall, at its sole cost and expense, inspect Site and become fully acquainted with the RFQ/P Documents and conditions affecting the Work. The failure of a Proposer to receive or examine any of the RFQ/P Documents or to inspect the site, or any portion thereof, shall not relieve such Proposer from any obligation with respect to the proposal, or the Work required under the RFQ/P Documents. The District assumes no responsibility or liability to any Proposer for, nor shall the District be bound by, any understandings, representations or agreements of the District's representatives, agents, employees or officers concerning the RFQ/P Documents, or the Work made prior to execution of the Contract which are not in the form of RFQ/P Addenda duly issued by the District. The submission of a proposal shall be deemed prima facie evidence of the Proposer's full compliance with the requirements of this section.

After the initial site walk, the District will try to accommodate all reasonable Proposer requests to access a site with adequate notice.





All Proposer must comply with the contracting requirements specified in Attachment A in submitting their proposals. Each Proposer represents and agrees to be bound by the terms and conditions set forth in Attachment A, as may be applicable. Any proposed deviations from the terms and conditions set forth in Attachment B.4 or to other requirements of this RFQ/P must be identified by Proposer as "exceptions" in Attachment B.4. Any exceptions listed in Attachment B.4 shall be considered proposed changes and shall not alter the requirements of the RFQ/P or contract documents until agreed upon and formally accepted by the District and the successful Proposer.

### **1.8. REFERENCE FORM & REFERENCE QUESTIONNAIRE**

On the included form titled "Reference Form," provide a minimum of three (3) references to whom Firm provided similar support services listed herein within the past five (5) years.

Proposals must include references and the contact information so that the District may speak with each reference about:

- Quality of the entity's services and deliverables
- Service responsiveness
- Overall satisfaction with the service program and support team

NOTE: Include completed Reference Form and one completed Reference Questionnaire from each reference source. Failure to adequately complete the Reference Form for Similar Services in the Past Five Years & Reference Questionnaire forms may cause a submittal to be deemed non-responsive or incomplete and removed from further consideration.

## **2. PROPOSAL PROCESS AND REQUIREMENTS**

### **2.1 MANDATORY PRE-PROPOSAL CONFERENCE AND SITE WALK**

A mandatory pre-proposal conference is scheduled for August 17, 2022 at 9:00 am via Zoom and a mandatory site visit is scheduled for August 18, 2022 at 10:00 am outside the main entrance of the District's transportation facility located at 4770 Cardin St., San Diego, CA 92111.

**ALL CONTRACTORS MUST PREREGISTER WITH THE DISTRICT PRIOR TO ATTENDING THE SITE WALK AT <https://sandiegounified.org/sitewalks>.**

Site walks will follow the latest District COVID-19 policies which can be found at [https://sandiegounified.org/covid-19\\_status](https://sandiegounified.org/covid-19_status).

Prime Contractors are highly encouraged to invite subcontractors to the site visit. Subcontractors should contact the qualified Prime Contractors to submit their bids to be incorporated into their proposals.

All attendees must arrive on time for the site walk and sign-in to meet the requirements of the mandatory site walk. Attendees shall park off-site as parking is limited at site.

### **2.2 QUESTIONS RELATING TO RFQ/P PROCESS**

All questions pertaining to this RFQ/P must be submitted electronically via PlanetBids™ by date and time noted in Table 1-1. However, if a Proposer: (i) encounters errors or discrepancies in this RFQ/P or portions hereof; or (ii) requires clarifications of any portion of the RFQ/P, the Proposer shall immediately provide written e-mail notice of such to the Contract Specialist noted on the cover page of this RFQ/P. Responses of the District to the notice of any errors or discrepancies herein, or request for clarification, will be in writing. If, in the sole judgment of the District, any clarification response affects the RFQ/P or Proposer, the District will issue the clarification response by a written addendum distributed to all potential Proposers who have theretofore obtained this RFQ/P from the District.



**2.3 PROPOSAL REQUIREMENTS AND FORMAT**

Single PDF Electronic Files must be submitted as set up in PlanetBids™ in response to this RFQ/P utilizing the forms provided in Attachment B. Proposer must submit electronic files with all required materials in each folder of the required documentation for as specified in Table 2-1.

Table 2-1: Proposal Submittal Format

Submittal Item/Format	Document	Description
Single PDF Electronic Files must be submitted as set up in PlanetBids™	Cover Letter	Introduction/Cover Letter with full business address and contact details of the Proposer, signed by an individual with authority to bind Firm.
	Form B.1	Qualifications & Proposal Form with all questions addressed and signed and dated proposal certification.
	Form B.1 Attachments	Minimum Attachments shall include: <ul style="list-style-type: none"> <li>- A Conceptual Design of the PV Facilities</li> <li>- Performance Modeling Output</li> <li>- A Detailed Schedule</li> <li>- Description of Proposed Alternates</li> </ul>
	Form B.2	Cost Proposal, PDF format
	Form B.3	Response Completion Checklist
	Form B.4	Exceptions to the RFQ/P
	Form B.5	DVBE Participation Form
	Form B.6	DVBE Bidder Declaration
	Form B.7	Worker's Comp Certificate
	Form B.8	Non-Collusion Declaration
	Form B.9	Subcontractors List
Form B.10	Reference Form & Reference Questionnaire	
MS Excel File	Form B.2	Cost Proposal, MS Excel format. PDF must be included in the main proposal. The Excel files must exactly match the PDF documents.

Each proposal must conform to the following described format and must include the content described in Table 2-1. Proposer is not prohibited from submitting materials in addition to those specifically responding to the matters described below; however, the Proposer shall submit all such additional materials separately from the Proposal. Failure of a Proposer to submit its Proposal in a format and with content conforming to the following requirements may be a basis for the District's rejection of such Proposal:

- The forms and format provided in Table 2-1 (Proposal Submittal Format for Attachment B) shall be utilized with all required signature pages.
- All Proposals must, at a minimum, address the base summary of work provided in Attachments.

Proposer shall submit a realistic critical path design and construction schedule for site with their proposal that seeks to meet the Project Milestone Schedule. The District will work with the selected Proposer to establish an acceptable schedule for both parties.

Submittals should be concise and responsive to the District's goals and formatted as outlined in this RFQ/P. Innovative and creative solutions are encouraged to be included as additive alternate. All costs for proposals and design are entirely the responsibility of the proposing firm and shall not be charged to the District.



Proposer must provide only complete and accurate information. Proposer acknowledge that the District is relying on the truth and accuracy of the responses contained herein. Each Proposal must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Proposer on whose behalf that person is signing. If any information provided by a Proposer becomes inaccurate, the Proposer must immediately notify the District and provide updated accurate information in writing, under penalty of perjury. Should a Proposer omit requested information or falsify information, the District may reject the Proposal. Accepting an award based on false or misleading information may expose the Proposer to various legal liabilities.

Prior to contract execution, certificates of all insurances at the levels specified in the specific contract as well as payment and performance bonds will be required. Fingerprinting and clearance through the California Department of Justice of all personnel who will visit the site is also required.

The Proposer accepts all risk and cost associated with the completion of the Proposal without financial guarantee.

Once the District receives the Proposals, they will remain valid and may not be withdrawn for a period of six (6) months. Proposals received after the deadline will not be accepted or reviewed. The Proposer is responsible for ensuring that the responses are submitted on time via PlanetBids™. All responses to the RFQ/P will become the property of the District and will not be returned.

**2.4 PROPOSAL EVALUATION**

District has established qualifying criteria for Proposer on this Project, including minimum criteria and experience with similar projects. An Evaluation Committee will review, evaluate, and rank the most qualified Proposals according to “Best Value” for the District, based upon several substantive variables, including but not limited to:

<u>Scoring Criteria</u>	<u>Total Points</u>
Cost Proposal (B.2)	25
Technical Proposal (B.1)	25
Technical Expertise (B.1)	15
Schedule (B.1)	15
Recent Project Experience (B.1)	10
References & Questionnaire	5
Exceptions (B.4)	5

The District will rank all Proposers under the best value methodology described above and create a short list of finalists based on the highest best value scores. During the course of the Proposal evaluation, the District may request clarification of, or information about, any item in the Proposal. The Proposer must respond within the time requested. If the clarification or information is not forthcoming, the District may, at its sole discretion, disqualify a Proposal if it determines that evaluation of the Proposal cannot proceed in the absence of clarification. The District may elect to forgo interviews and select the final candidates based only on the scores from the written proposals.

However, the top ranked firms may be asked to interview with the District prior to final ranking of proposals. If the District conducts interviews, then all selected contractors shall start with a clean state. In other words, the District will NOT combine the score from the written proposals and the interviews to determine the Proposer recommended for award of contract. The top ranked Proposer will be offered the opportunity to negotiate a Contract with the District that includes terms and conditions outlined in the proposed terms as set forth in Attachment A, subject to further modification and revision by the District, as necessary. If the top ranked Proposer is unable to successfully negotiate a Contract with the District, the District may enter



into negotiations with the next highest ranked Proposer. The District reserves the right to award the contract to one firm or more than one firm if this is deemed in the best interest of the District.

District will provide Contract Administration and support immediately after the highest ranked Proposer is determined. District reserves the right to investigate the qualifications of all Proposers under consideration and to confirm any part of the information furnished by a Proposer, including contacting other public agencies for whom the Proposer has performed work, in order to research the Proposer's quality of work, timeliness of performance, adherence to safety requirements, adherence to predetermined schedule, and maintenance of budget. District also reserves the right to require other evidence of managerial, financial, or technical capabilities which are considered necessary for the successful performance of work and completion of the Project. District may, in its sole discretion, factor the findings into its final selection of a Proposer.

## **2.5 AWARD PROCESS**

District intends to award a Contract to the qualified Proposer whose offer substantially conforms to the RFQ/P, whose Proposal outlines a project which will provide the best value to the District, best meets the District's needs and is most likely to assist the District in achieving its objectives, which the District shall determine in its sole discretion. In the event that the successful Proposer is unable and/or unwilling to execute the Contract as negotiated by the District, the District, in its sole discretion, may begin negotiations with the next highest ranked Proposer.

District reserves the right, at its sole discretion, to accept a response that sufficiently demonstrates the ability to produce, deliver, design, permit and install the Project and to satisfy the substantive requirements set forth in this RFQ/P. District expects to complete its evaluation process to select a qualified Proposer but reserves the right to change key dates and action as the need arises. Only the District Board of Education possesses the authority to award the Design-Build Contract, in its sole discretion, and any recommendation by District staff for contract award shall not be binding on the District.

The District intends to award this project one Proposer; however, the District retains the right to award, or to not award any Contract, in the District's sole discretion.

## **2.6 DISTRICT RIGHTS**

District reserves the right to accept or reject any and all submittals, or any portion or combination thereof, to contract services with whomever and in whatever manner the District decides, to abandon the services entirely, to award on the basis of the total submittal, and to waive any informality or non-substantive irregularity, as the interests of the District may require.

The Proposal, its completion and submission by the Proposer, and its use by the District, shall not give rise to any liability on the part of the District to the Proposer or any third party or person. This is not a solicitation for bid. No guarantees are made or implied that the Project will be constructed, either in part or whole.

District reserves the right to award a contract any time up to six months from the date of opening the submittals. The award of a contract is at the sole discretion of the District acting through the Board of Education. District also reserves the right to contract independently with other entities/firms for any of the services listed herein, as the need arises.

District shall not be liable for any costs incurred in preparing and submitting responses to this RFQ/P and makes no representation that a contract will be awarded. Furthermore, District reserves the right to consider additional firms for this RFQ/P if it is found to be in the best interest of the District. All Proposers should note that the execution of any contract pursuant to this RFQ/P is dependent upon successful negotiation of terms and fees and approval by the Board.

## **2.7 PUBLIC RECORD**

All proposals will become property of the District and upon contract award to successful Proposer, they will be subject to California Public Records Act (California Government Code, Sections 6250 *et seq.*). Parts of a proposal that are trade secrets as that term is defined in Civil Code section 3426.1(d) or otherwise exempt by law from disclosure and which are prominently

# San Diego Unified School District

ELECTRICAL CHARGING SYSTEM AND BATTERY ENERGY STORAGE SYSTEM

RFQ/P No. PS23-0300-11



marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY" may not be subject to disclosure. District shall not be liable or responsible for the disclosure of any such records including, without limitation, those so marked if disclosure is deemed to be required by law or by an order of a court. A Proposer who indiscriminately marks all or most of its proposal as exempt from disclosure without sufficient justification may be deemed non-responsive. For the purposes of this RFQ/P, pricing and service elements of the successful proposal are not considered proprietary information.

If the District is required to defend an action on a Public Records Request for any of the contents of a proposal marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY," the Proposer agrees, by submission of its proposal, to indemnify and defend the District from all costs and expenses, including but not limited to attorney's fees, in any action or liability arising under the Public Records Act