

SAN DIEGO UNIFIED SCHOOL DISTRICT

STRATEGIC SOURCING AND CONTRACTS DEPARTMENT



2351 Cardinal Lane, Building M, San Diego, CA 92123

RFP NO. CZ21-0873-39

**REQUEST FOR PROPOSALS (RFP) FOR
CONSTRUCTION SERVICES
WANGENHEIM MIDDLE SCHOOL RE-ROOF
AND HVAC REPLACEMENT
LEASE-LEASEBACK (LLB)**

ADVERTISEMENT DATES:

**APRIL 8, 2021
APRIL 13, 2021**

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**Request for Proposals (RFP) for
Construction Services
Wangenheim Middle School Re-Roof and HVAC Replacement
Lease-Leaseback (LLB)**

The San Diego Unified School District (“District”) is requesting sealed proposals for construction services through this document (“RFP”) for **Wangenheim Middle School Re-Roof and HVAC Replacement (“Project”)** and as further described in **Attachment No. 1 (“Project Description and Scope of Work”)**.

Wangenheim Middle School Re-Roof and HVAC Replacement	
Type of LLB:	Construction Services
Estimated Construction (Hard Cost) Budget:	\$8,500,000-\$9,900,000
Estimated Total Amount Contractor will Finance for the Project:	5% of hard construction costs
Anticipated Duration:	9 months of construction. Substantial Completion date of February 14, 2022.
Anticipated Schedule:	Construction beginning on or about May 26, 2021 and upon issuance of a written Notice to Proceed (NTP).

Through this RFP, the District intends to select one (1) Contractor for the Project and intends the Project will be issued under a separate Notice to Proceed (NTP) with that one Contractor. Therefore:

- By submitting a Proposal, the Contractor shall commit to performing the Project if selected by the District and to enter into a contract for the Project.

Your firm was one of the qualified Contractors that responded to the District’s Request to Prequalify and for Statement of Qualifications (“RFPQ”) for Preconstruction and Construction Services for Certain District Projects (Lease-Leaseback) solicitation, dated **November 12, 2020 (“Groups F & G”)** (“Firm” or “Contractor” or “Proposer”). As indicated in the RFPQ, the District intends to award this Project utilizing the lease-leaseback delivery method (Education Code §17406).

Contract Documents: The RFP Documents are available at Crisp Imaging, 8375 Camino Santa Fe, Unit B, San Diego, CA 92121 (858-535-0607) or online from PlanWell. Hard copy proposal documents are available for a refundable payment of Seven-Hundred Dollars (\$700) per set; CD’s are available for a non-refundable charge of \$50, and; online documents are available for download on PlanWell through Crisp Imaging www.crispimg.com (click on Public Planroom). Payments shall be made by check payable to San Diego Unified School District. If the deposit for the RFP Documents is refundable, refunds will be processed by the District only if the RFP Documents, including all addenda, are returned intact and in good order to Crisp Imaging within ten (10) days of submitting proposal.

Mandatory Pre-Proposal Conference and Site Walk: A mandatory pre-proposal meeting and site walk will be held at the date/time indicated in the RFP Schedule. **All participants are required to meet at Wangenheim Middle School, 9230 Gold Coast Dr, San Diego, CA 92126, Main Office.** The meeting will begin at the **entrance of the Wangenheim Middle School Main Office** for a general project overview, followed by a tour of the school site. The pre-proposal meeting and site walk is expected to take approximately two (2) hours. Failure to attend, extreme tardiness, or to sign in will render a Contractor’s Proposal ineligible.

COVID-19 Site Walk Safety Guidelines: Contractors are required to preregister with the District prior to attending the site walk. This is a two (2) step process: First, contact mmoyers1@sandi.net to preregister. Second, all attendees will be provided a link 24-hours prior to the site walk, in which, attendees must complete a brief COVID-19 Self-Certification form.

NOTE: Only one representative per company will be allowed and registration must be for the individual attending. An attendee who does not self-certify that s/he has been symptom free for a period of seven (7) days, must stay home or will be asked to exit the job site immediately and will not be allowed to submit a proposal for the project. Check-in at the mandatory site walk will be used as the official sign-in sheet for the Project.

Proposal Submission: Contractors interested in submitting a Proposal must go to <https://www.planetbids.com/portal/portal.cfm?CompanyID=43764> then search under "Bid Opportunities" for "Invitation number" **CZ21-0873-39 Wangenheim Middle School Re-Roof and HVAC Replacement**. For new vendors, register under "New Vendor Registration".

A. Submit Your Proposal through PlanetBids with the following documents and by the date in the RFP Schedule:		Partial	Completed
RFP Response	One (1) electronic copy in PDF with bookmarks (NOTE: 50 MB size limit)		✓
Attachment No. 3	Contractor Statement of EBE Commitment		✓
	DVBE Bidders Declaration Form *	✓	
	Subcontractor Listing *	✓	
Attachment No. 4	GMP and Other Cost Components	✓	
B. Within 24-Hours of Proposal Due Date submit by email to Mason Moyers:		Partial	Completed
Attachment No. 3	DVBE Bidders Declaration Form		✓
	Subcontractor Listing		✓
Attachment No. 4	GMP and Other Cost Components (refer to RFP section 2.2.1 information)		✓
Attachment No. 5	Schedule of Values		✓

*Adheres to Public Contract Code §4100 et seq. Subletting and Subcontracting Fair Practices Act for listing requirements. Reference Attachment No. 3 for more information.

District / Contract Specialist: The Contract Specialist for this RFP is **Mason Moyers**. The Contract Specialist is the only individual authorized to make any modifications via addenda or otherwise to this RFP and the resulting contract(s), if any. All correspondence to the Contract Specialist shall be via email to mmoyers1@sandi.net. The Contract Specialist is the ONLY individual to contact regarding this RFP. See Cone of Silence below.

If you do not intend to submit a proposal for this Project, inform the Contract Specialist immediately.

Questions: Questions regarding this RFP must be in writing and directed only to the Contract Specialist by the date indicated in the RFP Schedule. Contractors with questions or comments about this RFP or the project should not contact any other district representative, board member, consultant, employee, or person. Attempts by a Contractor to contact any other person may result in disqualification of that Contractor.

RFP Addenda: Contractors are solely responsible for checking the District's online planroom at www.crispimg.com and obtaining access via PlanWell to determine if the District has issued any addenda to this RFP. Contractors must acknowledge receipt of all addenda in their Proposal. Failure to acknowledge and respond to any addenda issued by the District may, at the District's sole discretion, render the Contractor's Proposal non-responsive or incomplete and may be rejected.

Subcontractor's Prequalification (NON-MEP & MEP):

- Every subcontractor to the Contractor seeking to perform work valued at more than one-half of one percent (1/2 of 1%) of the value of the Contract is required to meet the minimum criteria as outlined herein. Each non-MEP subcontractor shall complete the form that is referenced in this RFP in **Attachment No. 2 ("District's Subcontractor Prequalification Application")**.
- All mechanical, electrical and plumbing subcontractors that hold a C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 California Contractors' License(s) ("**MEP Subcontractor(s)**") and that intend to perform work under those license classification(s) and intend to bid as first-tier Subcontractors to the Contractor, must be prequalified with the District to be eligible to be included in the Contractor's Proposal. Every MEP Subcontractor performing in the respective trade must be prequalified by submitting the application (that is referenced in this RFP in **Attachment No. 2**) to the District no later than the date indicated in the RFP Schedule.

RFP Schedule: Contractors must adhere to the following RFP Schedule that the District has established. The District reserves the right to modify this RFP Schedule and will issue an addendum if it modifies this RFP Schedule.

Event	Time / Date / Deadline
District Issues RFP and Contract Documents Available	April 8, 2021
Mandatory Pre-Proposal Conference and Site Walk	April 15, 2021
Deadline for MEP and NON-MEP Subcontractors to complete and submit Prequalification Application	April 16, 2021
Deadline for Contractors to submit RFI questions regarding this RFP	April 16, 2021
District to respond to Contractors' RFI questions regarding this RFP	April 22, 2021
District to provide all Contractors with list of all prequalified Subcontractors	April 22, 2021
Deadline for Contractors to submit Proposal	April 30, 2021
Contractor Interviews (If Needed)	May 10, 2021
District Negotiations with Contractor	May 10, 2021-May 17, 2021
District Board approves successful Contractor	May 25, 2021

This RFP is a formal request for proposal. This is not an offer by the District to contract with any party responding to this RFP. The District reserves the right to amend this RFP as necessary, and to reject any and all proposals if deemed in the best interest of the District. No employee, officer, agent, or representative of the District is authorized to provide oral clarifications or modifications to the RFP and Contractors shall not rely on any oral clarification or modification to the RFP. All Proposals and attachments submitted to the District in response to this RFP shall remain property of the District.

1. GENERAL INSTRUCTIONS, REQUIREMENTS AND INFORMATION

- 1.1. **License:** Contractor is required to possess one or more of the following State of California Contractor License(s): **B.** The Contractor's license(s) must be active and in good standing at the time of submitting its Proposal and must remain so throughout the term of the Contract.
- 1.2. **Labor Code Requirements:** Pursuant to Labor Code §1773, the Director of the Department of Industrial Relations (DIR) of the State of California has determined the generally prevailing rates of wages in the locality in which the Work is to be performed. To perform work on this project, Contractor and all of its subcontractors are required to be registered as public works contractors with the Department of Industrial Relations (DIR) pursuant to Labor Code §1725.5. All contractors' registration must remain active throughout the term of the agreement. The rates are set forth in a schedule, which may be found on the DIR website <http://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.
- 1.3. **PREVAILING WAGE DETERMINATION:** Prevailing wage requirements apply to all public works projects and must be followed per Article 17 of the General Conditions of the request for proposals. The applicable wage determination for this contract is 2021-1, and will be 2021-1 for the duration of the contract. This includes amendments, change orders, and warranty work relating to this contract number. The following is a link to the Department of Industrial Relations website to obtain rate information, and any applicable predetermine increases www.dir.ca.gov/oprl/dprevagedetermination.htm
- 1.4. **Project Stabilization Agreement (PSA):** As mentioned in RFPQ Solicitation **CZ20-0965-42**, this project is subject to the Project Stabilization Agreement (PSA) adopted by the Board of Education on July 28, 2009 and as subsequently amended. The complete agreement is available for viewing and downloading at <https://sandiegounified.org/PSA>. The successful Contractor (and all Subcontractors) will be required to execute a PSA Letter of Assent (LOA), whereby Contractor and subcontractors agree to conform to all terms and conditions set forth in the PSA.
- 1.5. **Skilled and Trained Workforce:** Contractors performing on District projects must comply with the District's PSA, which alleviates the Contractor's statutory requirement to provide a "skilled and trained workforce" as defined in Public Contract Code section 2601, and required by Education Code §17407.5. Contractors should review the "**Project Stabilization Agreement and Skilled and Trained Workforce**" section of the Master Facilities Lease in the **Sample Master Site Lease and Master Facilities Lease Agreements**.
- 1.6. **Withdrawal of Proposals:** Proposals may not be withdrawn by any Contractor for a period of **one-hundred fifty (150) days** after the opening of Proposals. During this time, all Contractors shall guarantee prices quoted in their respected Proposals.
- 1.7. **Examination of Contract Documents:** Each Contractor shall become fully acquainted with conditions relating to the Work to fully understand the facilities, difficulties, and restrictions related to the execution of the Work. Contractors shall thoroughly examine and be familiar with the Drawings and Specifications and all other Contract Documents. The failure of any Contractor to receive or examine any of the Contract Documents, forms, instruments, addenda, or other documents or to visit the site(s) and be acquainted with the existing conditions shall in no way relieve any Contractor from obligations with respect to its Proposal or to the contract. The submission of a Proposal shall be taken as prima facie evidence of compliance with this section.

- 1.8. **Project Geotechnical Report:** Geotechnical reports have been prepared for the Project(s) and are available for information and reference only with the rest of the digital Contract Documents. The report, in its entirety, is not part of the Contract Documents. The geological boring logs and boring site location plan are a part of the Contract Documents (See Appendix of the Technical Specifications). The opinions expressed in the report are those of the geotechnical engineer and represent interpretations of the subsurface soil conditions, text, and results of the analyses conducted by the geotechnical engineer. The District (Owner) will not be responsible for interpretations or conclusions drawn from this data by the Contractor.
- 1.9. **Interpretation of Contract Documents:** If any person contemplating submission of a Proposal for the proposed Project is in doubt as to the true meaning of any part of the Drawings, Specifications, or other portions of the Contract Documents, or finds discrepancies in, or omissions from the Drawings, Specifications, or other portions of the Contract Documents, a written request for an interpretation or correction thereof shall be submitted as a request for information (“RFI”) to the District as indicated in the RFP Schedule. Any Contractor submitting such a request is solely responsible for its prompt delivery. Any interpretation or correction, or other modification of any portion of the Contract documents will be made only by Addendum duly issued by or on behalf of the District and the District will provide a copy of each Addendum, if any, to each Contractor that has obtained a set of the Contract Documents. The District will not be responsible for any other explanations or interpretations of the Contract Documents. No Contractor may rely upon any oral interpretation, correction or modification. Failure of a Contractor to request interpretation, correction or modification of known discrepancies in, or omissions in the Drawings, Specifications or other portions of the Contract Documents shall be deemed an acknowledgment by the Contractor that if awarded the Contract for the Work, the Contractor will remedy any discrepancies and omissions at no additional cost to the District.
- 1.10. **Addenda and Amendments:** This document and any attachments, appendices and addenda will be available online from PlanWell. Contractors are 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, Contractors are responsible for following up with the District by e-mail at mmoyers1@sandi.net. Contractor is responsible for obtaining and verifying all addenda issued by the District. Failure of a Contractor to obtain and acknowledge all addenda in its Proposal may result in its proposal being deemed as non-responsive or incomplete. Addenda issued pursuant to the above shall be made a part of the Contract Documents.
- 1.11. **Delivery of Bonds and Certificates:** Unless otherwise specified, the successful Contractor shall, within five (5) business days after written notification by the District, sign and deliver to the District: the Labor and Material Payment Bond, Performance Bond, certificates of insurance, and other required documents. In the event the successful Contractor fails or refuses to so deliver such documents by the deadline date, the District may award the work to the next qualified Contractor. *The penal sums of the Labor and Materials Payment Bond and the Performance Bond shall each be in an amount equal to 100% of the Contract Price by school site. The District will determine if the amount of a particular bond can be less than the total Contract Price depending on the phases of each of the Projects, but the successful Contractor must be prepared to provide bonds in an amount equal to 100% of the Contract Price.* Bonds required by the Contract Documents shall be accepted by the District on District provided forms, only if issued and duly executed by a responsible corporate surety, authorized to issue such bonds in the State of California, and financially secured through an authorized agent with an office in California.
NOTE: *One Bond will be required for all phases of the construction GMP for the Project.*
- 1.12. **Inspection of Facilities:** The District reserves the right to inspect the facilities of the

Contractor, including but not limited to its office located within seventy-five (75) miles of District's main offices, prior to award of the contract. If the District determines that after such inspection the Contractor is not capable of performance within the District's standards, its proposal will not be considered. The findings and decisions of the District shall be final.

- 1.13. **EBE Participation Program Policy:** All Proposers must comply with the District's Emerging Business Enterprise (EBE) Program attached hereto as **Attachment No. 7**.
- 1.14. **Public Records:** All Proposals and other documents responding to the RFP will become the exclusive property of the District and subject to the California Public Records Act, Government Code §6250, *et seq.* Those elements in a Proposal that are trade secrets as that term is defined in Civil Code §3426.1(d) or otherwise exempt by law from disclosure and which are prominently marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY" may not be subject to disclosure. The 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 the Court. A Contractor that indiscriminately identifies all or most of its RFP or subsequent proposal as exempt from disclosure without justification may be deemed non-responsive. In the event the District is required to defend an action on a Public Records Act request for any of the contents of an RFP or subsequent proposal marked "Confidential," "Proprietary," or "Trade Secret," the Contractor agrees, by submission of Proposal, to defend and indemnify the District from all costs and expenses, including attorneys' fees, in any action or liability arising under the Public Records Act.
- 1.15. **Cone of Silence:** During the evaluation of the Responses and at any point leading up to award of a contract, contact shall only be through the Contract Specialist identified in the RFP. Contractors shall neither contact (directly or indirectly) nor lobby (directly or indirectly) evaluators, Board of Education Trustees, District Management, or anyone else at the District during the process. Attempts to contact, lobby, and/or influence the District, in any form, are strictly prohibited and may result in disqualification of that Contractor.

2. CONTENTS OF PROPOSAL

Contractors must review this RFP and especially this section carefully to understand how to prepare the separate components of their Proposal. Each Proposal must include 1 (One):

- **Wangenheim Middle School Re-Roof and HVAC Replacement:** Final Guaranteed Maximum Price ("GMP")

2.1. GENERAL REQUIREMENTS

- 2.1.1. **Cover Letter:** Provide a cover letter for the proposal. Letter to include the following:
- 2.1.1.1. License Number and a copy of CSLB license status
 - 2.1.1.2. DIR Number and a copy of DIR registration status
 - 2.1.1.3. Acknowledgement of Addenda
- 2.1.2. **Proposed Contractor Team:** Include all key and support personnel and other members of your team that will be involved in this Project. Include specifically the résumés of all personnel who would be performing services for construction related to the Project. Define the role of each person and outline his or her availability,

individual experience, responsibilities, and relevant similar project experience. Indicate personnel who will serve as primary contact(s) for the District. Include the name(s), résumé(s), project experience summary, addresses, telephone numbers, email addresses of the company manager and staff member(s) in your organization who will be assigned to work with the District and who will be authorized to make recommendations and decisions regarding work.

2.1.3. **Current Work Commitments / Project Limitations.** Specify the current and projected workload of Contractor for the duration of this project. Provide a statement of all recent, current, or anticipated contractual obligations with general anticipated schedules and values.

2.1.3.1. **Contractor’s limitation or surety restrictions:** Provide a letter from the Contractor’s Surety that indicates Contractor’s bonding capacity, limitations, and/or Surety restrictions related to the value of Project that Contractor can contract for and can effectively perform.

2.1.4. **Exceptions to the LLB Contract Documents:** Pursuant to the Contractor Acknowledgement of Master Site and Facilities Leases for RFPQ CZ20-0965-42, each Contractor has agreed to be bound by the terms and conditions set forth in the District’s standard lease-leaseback contract form, and is only permitted to negotiate, if needed, related to Project-specific scope items in this RFP. **NOTE: The District will not consider any substantive changes to the Contract Documents.**

2.1.5. **Emerging Business Enterprise (EBE) Program:** The District has an Emerging Business Enterprise (EBE) Program, attached hereto as part of **Attachment No. 7** that recognizes Small Business Enterprises (SBEs) and Minority- (MBE), Women- (WBE), Disabled Veteran-Owned (DVBE) business enterprises, and other broadly recognized designations. EBE goals and requirements are listed in the Request for Proposals and Qualifications.

2.1.5.1. Contractors are required to provide an EBE Participation Plan as indicated in **Attachment No. 7**, listing the following:

2.1.5.1.1. Contractors own EBE designation (if applicable) and its EBE sub-consultants and teaming partners.

2.1.5.1.2. Identify Contractor’s EBE Small Business Liaison Officer (SBLO) and provide contact information and résumé. Contractor shall inform the District of any personnel changes in advance of the meetings and/or deliverables described below.

2.1.5.1.3. Contractor’s proposed EBE outreach and participation strategy specific to meeting the EBE goals for this Project. This Plan should also include a project specific schedule of outreach activities.

2.1.5.1.4. Signed Contractor Statement of EBE Commitment form, provided in **Attachment No. 3**.

2.2. **CONSTRUCTION SERVICES**

2.2.1. **Detailed Guaranteed Maximum Price:** Provide a Guaranteed Maximum Price (“GMP”) on **Attachment No. 4** to include all materials, labor, and all other costs to perform all work to construct the Project. Contractors must completely fill out the

following information (2.2.1.1. and 2.2.1.2.), including all pricing components required on the form. If any lines are left blank, the District will calculate that line at the highest category rate submitted by the Contractor. Contractor may enter zero (\$0.00 / 0%), however, Contractor will not be allowed to modify this value at the GMP submission or a later date. **To be determined "TBD", Not Applicable "N/A", "To Be Negotiated", or a range of values will not be accepted.** **NOTE:** *The District has revised the GMP structure of incorporating Allowance(s) and a Contractor Contingency (if used) without any mark-up at Contract initiation. Contractors will request mark-up during the construction phase of the Project, using predetermined District-directed values.*

2.2.1.1. **Interest Charge for Financing Portion of the GMP:** Contractors must be prepared to finance a portion of the GMP for a period of time. Although the exact amount and duration may be adjusted at the District's discretion, it is anticipated that the financing for the Project GMP will be for twelve (12) months, after completion of the Project GMP, during which time the District will make monthly Lease Payments of 1/12 of the total financed amount, plus an agreed-upon interest charge. Provide the District with your proposed interest charge for the amount financed in **Attachment No. 4**.

2.2.1.2. **Designated Subcontractors List:** Contractors must submit one copy with the Proposal, of the Designated Subcontractors List attached hereto as **Attachment No. 3** for those subcontractors that will perform services in excess of one half of one percent ($\frac{1}{2}$ of 1%) of the GMP for any portion of the Project, including labor, rendering of service, or specially fabricating and installing a portion of the Project or improvement. Failure to submit this list when required shall result in the Proposal being deemed non-responsive or incomplete and the Proposal will not be considered. The identified subcontractors shall be afforded the protections of the Subletting and Subcontracting Fair Practices Act. (Public Contract Code §4100, et seq.) See also Section 1.12 of this RFP.

2.2.2. **Schedule of Values:** Contractors must submit their proposed preliminary Schedule of Values attached hereto as **Attachment No. 5**. The District expects your Schedule of Values to include the information indicated in the attached form.

2.2.3. **Value Engineering:** Provide a list of potential Value Engineering (VE) and or enhancement items for the Project GMP as part of the Proposal, as referenced in **Attachment No. 4**. The District is seeking a Contractor that has direct experience and ability to demonstrate an aptitude to "value engineer" or analyze a project's plans, components, and features, and find more efficient and cost-effective means, methods or alternatives. Provide costs for each item included within the VE list. **NOTE: To be determined "TBD", Not Applicable "N/A", "To Be Negotiated", or a range of values will not be acceptable** in the "Cost Savings" column.

2.2.3.1. **Accessories, Additional Components, and Upgrades:** Provide your pricing list/catalogue of optional accessories, additional components and enhancements available to the District for each of the Projects as referenced in **Attachment No. 4**.

2.2.4. **Construction Schedule:** Provide a preliminary construction schedule for the Project, indicating significant milestones, all critical path items, and durations for scopes of work. Include in your Proposal a detailed written statement of the proposed methodology and timeline for providing the full spectrum of construction services required to successfully implement and support the scope of work and services detailed in this RFP. Describe your method of communication to District

staff concerning progress of the implementation. Contractors shall state their responsibilities and state any requirements of the District necessary for the successful execution and completion of the scope of work and services to the acceptance of the District. Contractor to provide, at a minimum, the following information:

- 2.2.4.1. Statement of understanding related to the scope of work.
- 2.2.4.2. Timeline and description of implementation process and key milestones. Reference Specification Section 01 10 00 "Summary" and phasing plans for additional information on proposed key milestone dates.
- 2.2.4.3. Description of how the Project will be managed according to priority of work and identified sequencing and phasing.
- 2.2.4.4. Describe any challenges/obstacles associated with the implementation of the Project scope.
- 2.2.4.5. Provide Suggestions to the timeline or obstacles that could benefit the overall cost to implement the Project. Provide suggestions to key milestone dates to phases that appear difficult to achieve.
- 2.2.4.6. Provide Gantt chart (or similar) proposed schedule for construction. Provide enough detail to identify significant milestones, all critical path items, durations, sequencing and/or phasing for major scope of work components.

3. DISTRICT'S EVALUATION CRITERIA

- 3.1 The Contractor will be selected based on the "best value" as determined by the District based on the following factors:

Wangenheim Middle School Re-Roof and HVAC Replacement		
Contents of Proposal	Item	Possible Proposal Points

2.1.2	Proposed Contractor Team	40
2.1.3	Current Work Commitments / Project Limitations	60
2.1.5	Emerging Business Enterprise (EBE) Program	10
2.2.1 – 2.2.2	Compensation	60
2.2.3	Value Engineering	35
2.2.4	Schedule/Timeliness	75
Total Possible Points		280

- 3.2 The District may, at its sole discretion, interview some or all of the Contractor(s) that submit a Proposal.
- 3.3 The District reserves the right to investigate the qualifications of all Contractors under consideration and to confirm any part of the information furnished by the Contractor, or to require other evidence of managerial, financial or technical capabilities, which are considered necessary for the successful performance of the work. Proposals will be evaluated according to the entire responses provided.
- 3.4 Once the Proposals have been reviewed, District staff may choose to begin negotiations with the Contractor that District staff, in its opinion, believes offers the best value to the District based on receiving the highest best value score, and may commence negotiations of services with that Contractor. The final scope specific exceptions for this project will be mutually agreed upon by both parties and will be memorialized in the Master Site Lease and Master Facilities Lease within the specific item as well as documented in **Exhibit H, Supplementary Conditions (including Negotiated Changes and Clarifications to the Contract)**.
- 3.5 If the District is unable to successfully negotiate a satisfactory contract with terms and conditions that the District determines to be fair and reasonable, the District may then commence negotiations with the next Contractor that it believes offers the next best value, in sequence, until a contract is reached or determination is made to reject all Proposals.
- 3.6 Final selection of a Contractor shall be at the sole discretion of the District's Board of Education at a public meeting after recommendation from District staff. A single Contractor will be selected for delivery and financing of the Project.
- 3.7 If a commitment is made, it will be to the most qualified respondent meeting the evaluation criteria of this RFP, and with whom the District is able to successfully negotiate the terms and conditions of the required Contract, as **Attachment No. 6** to this RFP.

ATTACHMENT NO. 1 – PROJECT DESCRIPTION AND SCOPE OF WORK

1. BACKGROUND

San Diego Unified School District’s capital improvements are funded by Three General Obligation bond measures, Propositions S, Z, and Measure YY. In an effort to provide a quality school in every neighborhood, the district is using Propositions S, Z, and Measure YY funds to repair, renovate and revitalize district schools. As part of the General Obligation bond measures, **Wangenheim Middle School** has been identified and approved for the **Wangenheim Middle School Re-Roof and HVAC Replacement**.

2. PROJECT NAMES AND GMPS

This Project involves **One (1)** DSA package:

2.1 Wangenheim Middle School Re-Roof and HVAC Replacement A#04-118591–GMP #1

a. Re-roofing and HVAC replacement at Buildings 100, 200, 400, 500, 700, and Administration. IDF room cooling at Buildings 600, 800, and 900. Scope also includes miscellaneous associated electrical and structural work. Provide a list of long-lead items and their anticipated lead times in the RFP response.

Work is to be performed in Phases. Refer to A-0.2 Phasing Plan and Specification Section 01 10 00 Summary for information.

3. PRELIMINARY ANTICIPATED PROJECT SCHEDULE (Subject to change at the District’s discretion prior to issuance of construction NTP)

Construction GMP	May 2021 – February 2022
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Wangenheim Middle School Re-Roof and HVAC Replacement

DSA approval has been obtained for this project.

4. CONSTRUCTION SERVICES:

The LLB Contractor shall not proceed with any work unless and until the GMP is approved by the Board of Education at a public meeting and a Notice to Proceed with Construction Phase work is issued by the District. No work for which a contractor is required to be licensed in accordance with Article 5 (commencing with Section 7065) of Chapter 9 of Division 3 of the Business and Professions Code, and for which Division of the State Architect approval is required, can be performed before receipt of the required Division of the State Architect approval.

The construction phase is anticipated to be Nine (9) months.

Please also provide a list of long-lead items and anticipated lead times in the RFP response.

ATTACHMENT NO. 2 – DISTRICT'S SUBCONTRACTOR PREQUALIFICATION APPLICATION

PREQUALIFICATION REQUIREMENTS. Every subcontractor to the Contractor seeking to perform work for this Contract is required to meet the minimum criteria as outlined herein. Prequalifications are due in accordance with the date / time indicated in the RFP schedule and remain in good standing throughout the duration of this RFP.

MEP SUBCONTRACTORS: Mechanical, electrical, or plumbing (“MEP”) subcontractors, regardless of value of their work, with the following license classifications are required to have been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46.

NON-MEP SUBCONTRACTORS: Each Non-MEP subcontractor shall complete the one page Non-MEP Subcontractor Prequalification form.

PREQUALIFICATION STATUS. Subcontractors are solely responsible to verify their current prequalification status. Subcontractors may verify their prequalification status by sending an email to the contact below or go to the link provided below.

NEW OR RENEWAL OF EXISTING PREQUALIFICATIONS. Subcontractors looking to become prequalified or to renew their current prequalification can request the application by sending an email to the contact below or go to the link provided below.

PREQUALIFICATION SUBMISSION. Prequalification Applications must be received by the respective dates indicated in the RFP Schedule, via email to the contact below. **Responses submitted after the date and time indicated in the RFP Schedule may not be approved in time for this solicitation.**

PREQUALIFICATION CONTACT: All applications and inquiries must be submitted to the Construction Contracts Assistant at Prequal@sandi.net. Note in your email the specific project you are interested in. All Pre-qualification Questionnaires may be found online at: https://www.sandiegounified.org/departments/facilities_planning_and_construction/doing_business_with_facilities_planning/contractor_prequalifications

NOTE: *Subcontractor prequalification is not required at the preconstruction phase. However, subcontractor prequalification will be required for each Guaranteed Maximum Price (GMP) phase of the Project(s).*

**ATTACHMENT NO. 3 – DESIGNATED DVBE/SDVOB PARTICIPATION DOCUMENTATION AND
DESIGNATED SUBCONTRACTORS LIST**

**DISABLED VETERAN BUSINESS ENTERPRISE ("DVBE")
PARTICIPATION PROGRAM OVERVIEW AND RESOURCES**

1. **DVBE Participation Program Policy.** The District is committed to achieving the administratively established Participation Requirement for Disabled Veteran Business Enterprises ("DVBEs") in accordance with Resolution In Support of Service Disabled Veteran-Owned Businesses (SDVOB) and Disabled Veteran Business Enterprises (DVBE) approved on May 10, 2011 by the Board of Education Resolution. Through the DVBE participation program, the District encourages contractors to ensure maximum opportunities for the participation of DVBE's in the Work of the Contract. The District's commitment to the achievement of DVBE Participation Requirement for the Work of the Contract shall not, however, result in the District's discrimination in the award of the Contract on the basis of ethnic group identification, ancestry, religion, age, sex, race, color, or physical or mental disability.

Contractor participation is mandatory for all construction jobs with the District.

Information regarding the DVBE participation program, including a listing of DVBE certified businesses, is available on the internet at the State of California Department of General Services website at: <https://caleprocure.ca.gov/pages/sbdvbe-index.aspx>.

2. **Definitions.**

- 2.1 **Broker.** A certified DVBE contractor that does not have title, possession, control, and risk of loss of materials, supplies, services or equipment provided, unless one or more of the disabled veteran owners has at least 51-percent (51%) ownership of the quantity and value of the materials, supplies and equipment provided [Military and Veterans Code (MVC) Section 999.2(b)].
- 2.2 **Commercially Useful Function (CUF).** A "commercially useful function" (CUF) provides services or goods that contribute to the fulfillment of the contract requirements. It is not a CUF if the DVBE's role is limited to that of an extra participant in a transaction, contract or project through which funds are passed in order to obtain the appearance of DVBE participation. A CUF is a person or entity doing all of the following:
- a. is responsible for the execution of a distinct element of the work of the contract;
 - b. carries out the obligation by actually performing, managing or supervising the work involved;
 - c. performs work that is normal for its business services and functions; and,
 - d. is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry standards.
- 2.3 **Disabled Veteran.** A "Disabled Veteran" means a veteran of the military, naval, or air service of the United States with at least ten percent (10%) service-connected disability who is a resident of the State of California.
- 2.4 **Disabled Veteran Business Enterprise.** 51% owned by one or more disabled veterans, management and daily operations are controlled by one or more disabled veterans but need not be those who own the business; and home office located in the United States, which is not a branch or subsidiary of a foreign corporation. See California Military & Veterans Code, §999(b)(7)(A).

District accepts, both, the DGS Disabled Veteran Business Enterprise (DVBE) certification and the Department of Veterans Affairs Center for Veterans Enterprise (CVE) Service Disabled Veteran-Owned Business Enterprises (SDVOB) verification with CVE letter.

2.5 **Front.** A Subcontractor providing artificial or incidental participation to meet the objective of a Contract (e.g., DVBE participation requirement), or a provider who does not own the equipment they are providing, but going to an outside source.

2.6 **Pass-through.** A supplier providing access to materials and supplies for which they are not specifically certified/verified. Also see “Front” above.

3. **Participation Requirement.**

3.1 **Participation Requirement Defined.** The term "Participation Requirement" is a numerically expressed condition of DVBE participation in performing the Work of the Contract.

3.2 **DVBE Participation.** The Proposal of a Contractor shall be deemed responsive only if the Contractor achieves or exceeds the DVBE Participation Requirement of three percent (3%) of total amount of Contractor's GMP. The Contractor's achievement of the Participation Requirement will not by itself render the Proposal of such contractor to be qualified; in accordance with the information for Contractor, the entirety of the Proposal must be the qualified Contractor whose responses conform to the RFP.

DVBE's need to have a current and valid certification from the DGS for the business type and classification as listed on the proposal. SDVOB's need to have a current and valid verification letter from the CVE relevant to the bid (e.g., NAICS Code); self-certification will not be accepted. DVBE eligibility is a two-year period; SDVOB eligibility is a three-year period. Eligibility must be current at time of DVBE proposal and contract award.

3.3 **Exclusions.** The District expressly prohibits pass-throughs and fronts.

3.4 **DVBE Specific Substitution Requirements.** See Exhibit G Article 5 Sub-Section 5.2.2 for DVBE specific substitution process requirements.

4. **DVBE Resource Information.**

The Elite Service Disabled Veteran-Owned Business (SDVOB) Network, San Diego Chapter:	www.elitesdvob.org
Disabled Veteran Business Alliance:	www.dvba.org
Veterans In Business Network:	www.vibnetwork.org
Federal SDVOB Database:	www.vip.VetBiz.va.gov
State of California DVBE Database:	https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx
District's Disabled Veteran Business Participation Tip Sheet:	https://tinyurl.com/sdusd-dvb-info

- 4.1 **Outreach Team.** The District's Business Outreach Team can also be reached for assistance:
- a. Karen Linehan, Outreach Program Manager at klinehan@sandi.net; or
 - b. Alma D. Bañuelos, Business Outreach Coordinator at abanuelos@sandi.net; or
 - c. Sidney Hucklebridge-Key, Lease-Leaseback Outreach Coordinator at shucklebridge@sandi.net.
5. **List of Attachment No. 3 Documents.** Electronic forms are available upon request by email to LLB-Outreach@sandi.net.
- 5.1 **Lease-Leaseback Contractor Statement of Emerging Business Enterprise Commitment.**
 - 5.2 **DVBE/SDVOB Contractor Declaration.**
 - 5.3 **Subcontractors List.**



SAN DIEGO UNIFIED
BUILDING QUALITY
NEIGHBORHOOD SCHOOLS
Props. S&Z • Meas. YY

Business Outreach, Lease Leaseback Projects
Facilities, Planning and Construction
LLB-Outreach@sandi.net

**LEASE-LEASEBACK CONTRACTOR
STATEMENT OF EMERGING BUSINESS ENTERPRISE COMMITMENT**

Company Name: _____

Project Name: _____

Information/Instructions:

Pursuant to the Request for Proposal and Master Site and Master Facility Lease documents, Contractor is required to develop a project specific Emerging Business Enterprise (EBE) Participation Plan on this Agreement. EBEs include small business and woman-, minority-, and disabled veteran-owned business enterprises. Contractor shall hereby commit to the following (affirm by checking the boxes next to the statements and execute below):

- Contractor understands that the San Diego Unified School District (District) has a mandatory three percent (3%) requirement for Disabled Veteran Business (includes DVBE and SDVOSB) participation on all construction projects regardless of value.
- Contractor understands that the District's goals for Lease-Leaseback project are as follows: EBE is 50%, DVBE is 5%, MBE is 8%, WBE is 7% and SBE is 40%. While EBE goals are not mandatory, Contractor understands that the District's Board of Education strongly supports and encourages engaging EBEs in District construction projects.
- Contractor commits to engaging EBE subcontractors, suppliers, equipment providers, and manufacturers in this project to the fullest extent possible.
- Contractor commits to proactively working with the District's Business Outreach Team in an effort to engage EBEs in this project.
- The Contractor's EBE participation commitment shall be based upon the anticipated net Guaranteed Maximum Price, including; Preconstruction services, all Subcontract costs, Contractor self-performed work, General Conditions, Fees, Allowances, Overhead and Profit, Bonds and Insurance, and any awarded alternatives.
- By signing this Statement of EBE Commitment, I agree to the above statements and certify under penalty of perjury that the information provided is true and correct.

Printed Name: _____

Title: _____

Signature: _____

Date: _____

**ELECTRONIC TEMPLATE AVAILABLE VIA REQUEST TO LLB-OUTREACH@SANDI.NET
FACILITIES PLANNING & CONSTRUCTION :: 4860 Ruffner Street San Diego, CA 92111**



DVBE/SDVOB CONTRACTOR DECLARATION

1. **General Information:**

a. Company Name: _____

b. Total Contract Price: \$ _____

2. **DVBE Participation Achieved:**

Minimum Participation Requirement
 DVBE's: **3%**

Participation Achieved
 DVBE's: _____%

3. **Prime Contractor Information:**

a. Identify current California certification(s) (MB, SB, SB/NVSA, DVBE): _____ Or None: _____

b. Will DVBE/SDVOB subcontractors or suppliers be used for this contract? Yes: _____ No: _____

c. If you answered No, skip to **Item 5. Certification** (below).

4. **Subcontractor/Supplier Information:**

a. If you answered Yes to 3.b. above, have you verified whether your DVBE/SDVOB subcontractors/suppliers have current and valid CA DVBE certification or SDVOB Center for Veterans Enterprise (CVE) Verification Letters? Yes: _____ No: _____

b. If you answered Yes, list your DVBE/SDVOB firms in **Item 6. DVBE/SDVOB Subcontractor/Supplier List** (below).

c. You must list only qualified DVBE's possessing a current and valid certification or SDVOB possessing a current and valid verification letter from the CVE. Any listed subcontractors/suppliers found to not have either a certification or verification letter will render your proposal non-responsive. No exceptions.

5. **Certification:** By signing this Declaration, I certify under penalty of perjury that the information provided in the DVBE/SDVOB Contractor Declaration items 1, 2, 3, 4, and 6 are true and correct.

Printed name: _____

Signature: _____

Date: _____

6. **DVBE/SDVOB Subcontractor/Supplier List:** Proposer shall submit at time of proposal due date this form with completed columns A, C, and E, along with the completed Contractor DVBE Statement of Emerging Business Enterprise Commitment. Proposers shall submit within 24 hours of proposal due date this form with ALL columns completed.

A	B	C	D	E
DVBE/Subcontractor/Supplier: Company Name & Address Contact Person: Phone & Email	Hiring Contractor	CA DVBE Certification # or SDVOB Verification Letter Date	Work to be Performed or Supplies Provided For This Contract	Corresponding % of Total Contract Price (1.b)

Proposer's Company Name: _____

DVBE/Subcontractor/Supplier: Company Name & Address Contact Person: Phone & Email	Hiring Contractor	CA DVBE Certification # or SDVOB Verification Letter Date	Work to be performed or supplies provided for this contract	Corresponding % of Total Contract Price (1.b)

Proposer's Company Name: _____

DVBE/Subcontractor/Supplier: Company Name & Address Contact Person: Phone & Email	Hiring Contractor	CA DVBE Certification # or SDVOB Verification Letter Date	Work to be performed or supplies provided for this contract	Corresponding % of Total Contract Price (1.b)

SUBCONTRACTORS LIST

Proposer's Company Name: _____

Trade/Portion of the Work	Subcontractor Name and CSLB License Number	CSLB License Classification	Subcontractor Business Address	% of Total Contract Price	DVBE SBE MBE WBE?	DIR Registration Number
Bldg Demo						
Abatement						
Rough Carpentry						
Roofing						
Plaster						
Painting						
Plumbing						
HVAC						
Electrical						
Low Voltage						
Fire Alarm						

Trade/Portion of the Work	Subcontractor Name and CSLB License Number	CSLB License Classification	Subcontractor Business Address	% of Total Contract Price	DVBE SBE MBE WBE?	DIR Registration Number

Trade/Portion of the Work	Subcontractor Name and CSLB License Number	CSLB License Classification	Subcontractor Business Address	% of Total Contract Price	DVBE SBE MBE WBE?	DIR Registration Number

Trade/Portion of the Work	Subcontractor Name and CSLB License Number	CSLB License Classification	Subcontractor Business Address	% of Total Contract Price	DVBE SBE MBE WBE?	DIR Registration Number

NOTE: Under Public Contract Code §4100 *et seq.* known as the Subletting and Subcontracting Fair Practices Act, all subcontractors (defined under Public Contract Code §4113 and Business & Professions Code §7026) to the prime Contractor performing work in excess of one half of one percent (½ of 1%) of the Proposal must be listed. Contractor **at time of submitting proposal and or GMP Submittal** must list the name and location of business, Contractor’s CSLB license number, portion of work, and pursuant to SB854, the DIR Registration Number of every listed subcontractor. LIST ALL DVBE SUBCONTRACTORS ON THE DVBE/SDVOB DECLARATION FORM, AS WELL AS, ON THIS SUBCONTRACTORS LIST, WHICH IS DUE WITHIN 24 HOURS OF SUBMITTING PROPOSALS AND/OR GMP SUBMITTAL.

The Contractor shall designate/identify the listed subcontractors as DVBE’s on the DVBE/SDVOB Declaration form and Subcontractors List at **time of submitting proposal and/or submitting GMP(S)**. Failure of a Contractor to meet the 3% DVBE participation percentage requirement pursuant to Resolution

In Support of Service Disabled Veterans Owned Businesses (SDVOB) and Disabled Veteran Business Enterprises (DVBE) approved on May 10, 2011 by Board of Education shall result in rejection of the Contractor's Proposal for non-responsiveness. DVBE's need to have a current and valid certification from the State of California Department of General Services. SDVOB's need to have a current and valid verification letter from the Department of Veteran's Affairs Center for Veterans Enterprise; self-representation will not be accepted. DVBE and SDVOB eligibility must be current at time of submitting proposal and contract award. Failure of a Contractor to submit the designation/identification of subcontractors pursuant to the preceding may result in rejection of the Contractor's Proposal for non-responsiveness. For purposes of the preceding, the following definitions shall apply:

1. Small Business Enterprise (SBE): an independently owned and operated business, which is not dominant in its field of operation, the principal office of which is located in the United States, which is not a branch or subsidiary of a foreign corporation, and which, together with affiliates, has 200 or fewer employees, and average annual gross receipts of thirty six million dollars (\$36,000,000) or less over the previous three years. See Senate Bill 605 (SB 605) (Galgiani), California Government Code §14837(B).

District accepts SBE certifications from: California Department of General Services (DGS), the City of San Diego's Small Local Business Enterprise (SLBE) and Emerging Local Business Enterprise (ELBE) programs, the Small Business Administration's (SBA's) Certified 8(a) Program, and other federal, state and local certification agencies.

2. Disabled Veteran Business Enterprise (DVBE): 51% owned by one or more disabled veterans, management and daily operations are controlled by one or more disabled veterans *but need not be those who own the business*; and home office located in the United States, which is not a branch or subsidiary of a foreign corporation. See California Military & Veterans Code, §999(b)(7)(A).

District accepts both the DGS Disabled Veteran Business Enterprise (DVBE) certification and the Department of Veterans Affairs Center for Veterans Enterprise (CVE) Service Disabled Veteran-Owned Business Enterprises (SDVOB) verification with CVE letter.

3. Minority Business Enterprise (MBE): 51% owned by one or more minorities, management and daily operations are controlled by one or more minorities who own the business; and home office located in the United States, which is not a branch or subsidiary of a foreign corporation. See California Public Contract Code, §10115.1(e).

District accepts the California Public Utilities Commission (CPUC) Supplier Clearinghouse MBE, the California Unified Certification Program (CUCP/Caltrans) Disadvantaged Business Enterprise (DBE) and MBE certifications, that from the Minority Supplier Development Council (MSDC), and other federal, state and local certification agencies.

4. Women Business Enterprise (WBE): 51% owned by one or more women, management and daily operations are controlled by one or more women who own the business; and home office located in the United States, which is not a branch or subsidiary of a foreign corporation. See California Public Contract Code, §10115.1(e).

District accepts the CPUC and CUCP/Caltrans WBE certifications, the Women's Business Enterprise National Council (WBENC), and other federal, state and local certification agencies.

Percentage of Total Contract Price: The Proposer shall stipulate what percentage of work a Subcontractor will perform in relation to the total contract price.

ATTACHMENT NO. 4 – GMP AND OTHER COST COMPONENTS
 (To be submitted as part of each Contractor’s Proposal)

PROPOSER’S COMPANY NAME: _____

WANGENHEIM MIDDLE SCHOOL RE-ROOF AND HVAC REPLACEMENT
--

Contractor hereby submits the following **Guaranteed Maximum Price** for the construction of the project, which includes, without limitation, all necessary labor, materials, tools, equipment, apparatus, facilities, utilities, services, transportation, overhead, supervision, general conditions and administration costs, permits, fees, taxes and profit.

GMP SUMMARY.

DIRECT COSTS:		
Divisions 02 00 00 - 28 31 11	\$	
Division 01 00 00 (General Conditions & General Requirements)	\$	
Direct Costs Subtotal		\$
INDIRECT COSTS:		
Fee/Profit (as a percentage of direct costs) if any, that is in addition to any mark-up	%	\$
Contractor Bond Cost (as a percentage of direct costs)	%	\$
Subcontractor Bond Cost (If applicable, as a percentage of direct costs)	%	\$
Insurance Cost (as a percentage of direct costs)	%	\$
Indirect Costs Subtotal		\$
Contractor Contingency (as a percentage of direct costs). May be used at the Contractor’s request only upon obtaining the District’s prior written approval as further defined in Exhibit C of the Master Facilities Lease. <i>Not to exceed 3%.</i>	%	\$
Allowances		\$600,000
Grand Total (Direct Costs + Indirect Costs)		\$
Post-Construction Estimated Financed Amount is anticipated to be less than five percent (5%) of the GMP over twelve (12) months, financed and paid over the post construction period. State the Contractor’s proposed interest charge (financing percentage) for this Project.		%

PROPOSER’S COMPANY NAME: _____

Rebates/Benefits. Describe in detail all terms and conditions of any rebate program and/or any other offering or benefit to the District available with your proposed solution. *Provide on separate sheet if necessary.*

Name of Rebate Program	Terms and Conditions of Rebate	Savings/Benefit to the District

Value Engineering/Accessories/Optional Products/ Modifications.

Item No.	Spec Section	Description	Cost Savings
1.			\$
2.			\$
3.			\$
4.			\$
5.			\$
6.			\$
7.			\$
8.			\$
9.			\$
10.			\$
11.			\$
12.			\$
13.			\$
14.			\$
15.			\$
		Add additional pages, or catalogue of products.	

ATTACHMENT NO. 5 – SCHEDULE OF VALUES

NOTE: “TBD”, “N/A”, “to be negotiated”, or a range of values will not be accepted. Contractors must completely fill out the information below. If any lines are left blank, the District will calculate that line at the highest category rate submitted by the Contractor. Contractor may enter zero (\$0.00 / 0%) however, Contractor will not be allowed to modify this value at a later date.

WANGENHEIM MIDDLE SCHOOL RE-ROOF AND HVAC REPLACEMENT

PROPOSER’S COMPANY NAME: _____

DIRECT COSTS:		
SPEC. SECTION	COST OF WORK	
02 00 00	Existing Conditions	\$
	Demolition	\$
	Hazardous Materials	\$
05 00 00	Metals	\$
	Metal Fabrications	\$
06 00 00	Wood, Plastics and Composites	\$
	Rough Carpentry	\$
	Sheathing	\$
07 00 00	Thermal & Moisture Protection	\$
	Roofing	\$
	Sheet Metal	\$
	Fireproofing	\$
	Joint Sealants	\$
09 00 00	Finishes	\$
	Plaster	\$
	Painting	\$
23 0 000	HVAC	\$
	Controls	\$
26 0 000	Electrical	\$
	Low Voltage	\$
28 00 00	Safety & Security	\$
	Digital, Addressable Fire - Alarm System	\$

Divisions 02 00 00 – 28 00 00 (Cost of Work) Subtotal		\$
SPEC. SECTION	GENERAL CONDITIONS & GENERAL REQUIREMENTS	
01 31 10	Project Executive	\$
01 31 10	Sr. Project Manager	\$
01 31 10	Project Manager	\$
01 31 10	Assistant Project Manager	\$
01 31 10	Sr. Project Engineer	\$
01 31 10	Project Engineer	\$
01 31 10	Sr. Superintendent	\$
01 31 10	Superintendent	\$
01 31 10	Assistant Superintendent	\$
01 31 10	Project Accountant	\$
01 31 10	Project Coordinator	\$
01 31 10	Labor Compliance Admin	\$
01 31 10	BIM Manager	\$
01 31 10	Constructability Reviewer	\$
01 31 10	Safety Manger	\$
01 31 10	Quality Control Manger	\$
01 31 10	Scheduler	\$
01 31 10	Sr. Estimator	\$
01 31 10	Estimator	\$
01 31 10	Estimating Coordinator	\$
01 31 10	Small Business Liaison Officer	\$
01 32 04	Schedule	\$
01 32 33	Photographs / Videos	\$
01 33 00	Submittals, Shop Drawings	\$
01 50 00	Field Offices	\$
01 50 00	Equipment	\$
01 50 00	Office Supplies	\$
01 73 00	Franchise Utility Coordinator	\$
01 77 00	Close-Out Documentation	\$
01 77 00	Punch List	\$
01 78 23	O & M	\$
01 78 39	Record Documentation	\$
01 79 00	Demonstration and Training	\$
01 81 13	CHPS	\$
01 91 13	General Commissioning	\$
01 31 00	BIM	\$
01 40 02	Testing	\$
01 50 00	Fencing / Barricades	\$
01 50 00	Dust Control	\$
01 50 00	Noise Barrier	\$
01 50 00	Temporary Utilities	\$
01 50 00	Project Sign	\$
01 50 00	Support Facilities	\$
01 50 00	Temporary Toilet Facilities & Handwash	\$

01 50 00	Security and Protection	\$
01 50 10	Moving	\$
01 57 23	Storm Water Pollution Prevention Plan	\$
01 73 00	General Site / Street cleanup	\$
01 73 00	Surveyor	\$
01 74 19	Construction Waste Management	\$
01 77 00	Final Cleaning	\$
	GCs & GRs Subtotal	\$
	Direct Costs (Division 02 00 00 – 28 00 00 + GCs & GRs) Subtotal	\$
INDIRECT COSTS:		
	Fee/Profit (as a percentage of direct costs) if any, that is in addition to any mark-up	\$
	Contractor Bonds (as a percentage of direct costs)	\$
	Subcontractor Bonds (If applicable, as a percentage of direct costs)	\$
	Insurance (as a percentage of direct costs)	\$
	Indirect Costs Subtotal	\$
SPEC. SECTION	CONTRACTOR CONTINGENCY	
01 21 00	Contractor Contingency (as a percentage of direct cost). May be used at the Contractor's request only upon obtaining the District's prior written approval as further defined in Exhibit C of the Master Facilities Lease. <i>Not to exceed 3%.</i>	\$
SPEC. SECTION	ALLOWANCES	
01 21 00	Allowance No. 1: For Unforeseen roofing replacement including plywood sheathing replacement required which exceed the 25% replacement indicated on the drawings; roof framing replacement, and associated finish repair not shown on the drawings, as directed by District	\$50,000
01 21 00	Allowance No. 2: For unforeseen hazardous materials removal and repair not indicated in Appendix A or within the drawings, as directed by District	\$50,000

01 21 00	Allowance No. 3: For unforeseen ductwork including interior ductwork repair and replacement, and associated finish repair, as directed by District	\$50,000
01 21 00	Allowance No. 4: For unforeseen plumbing including repair and replacements, and associated finish repair not shown on the drawings, as directed by District.	\$50,000
01 21 00	Allowance No. 5: For unforeseen electrical and low voltage including repair and replacements and associated finish repair not shown on the drawings, as directed by District.	\$50,000
01 21 00	Allowance No. 6: For unforeseen finishes, including interior and exterior repair and replacement not shown on the drawings, as indicated by the District	\$100,000
01 21 00	Allowance No. 7: For unforeseen mechanical and temporary heating, ventilation, and air conditioning as directed by District	\$90,000
01 21 00	Allowance No. 8: For unforeseen carpentry including repair and replacement and associated finish repair not shown on the drawings	\$50,000
01 21 00	Allowance No. 9: For unforeseen structural including repair and replacement and associated finish repair not shown on the drawings	\$90,000
1 21 00	Allowance No. 10: For unforeseen F&E moves	\$20,000
Allowances Subtotal		\$600,000
Grand Total (Direct Costs + Indirect Costs) \$		

ATTACHMENT NO. 6 – LEASE-LEASEBACK CONTRACT DOCUMENTS

MASTER SITE LEASE

- EXHIBIT A** Description of the School Site
- EXHIBIT B** Description of Project Site and Description of the Project

MASTER FACILITIES LEASE

- EXHIBIT A** Description of the School Site
- EXHIBIT B** Description of Project Site and Description of the Project
- EXHIBIT C** GMP, Other Project Cost, Funding, and Payment Provisions
- EXHIBIT D** RFP/GMP Attachment No. 4 GMP and Other Cost Components
- EXHIBIT E** RFP/GMP Attachment No. 5 Schedule(s) of Values for Each of the Project Site(s)
- EXHIBIT F** RFP/GMP Attachment No. 3 Designated DVBE/SDVOB Participation Documentation and Designated Subcontractors List
- EXHIBIT G** General Conditions
- EXHIBIT H** Supplementary Conditions (Including Negotiated Changes and Clarifications to the Contract)
- EXHIBIT I** Terms and Conditions for Preconstruction Services
- EXHIBIT J** RESERVED FOR FUTURE USE
- EXHIBIT K** Emerging Business Enterprise (EBE) Documents
- EXHIBIT L** Memorandum of Commencement Date
- EXHIBIT M** Construction Schedule(s) for the Project Site(s)
- EXHIBIT N** Executable Documents, Insurance Certificates, and Bonds to LLB Documents:

Page No.	Document
E-1	Non-Collusion Declaration
E-2	Iran Contracting Act Certification
E-3	Workers' Compensation Certification & Prevailing Wage Certification
E-4	Drug-Free Workplace Certification
E-5	Tobacco-Free Environment Certification
E-6	Lead-Based Materials Certification
E-9	Hazardous Materials Certification
E-10	Imported Materials Certification
E-11	Criminal Background Investigation/Fingerprinting Certification and Contractor Certification Regarding Background Checks
E-13	Roofing Contract Financial Interest Certification
E-14	Project Stabilization Agreement (PSA) & Prime Contractor Letter of Assent
E-15	Electronic Signature Acknowledgement & Agreement
E-16	Performance Bond (100% of Total GMP Minus the Interest Due on Lease Payments)
E-18	Payment Bond (100% of Total GMP Minus the Interest Due on Lease Payments)
E-20	Guarantee - Once Project is Substantially Complete
E-21	Contractor's Commitment to Megan's Law (Sex Offender) Verification
E-22	Proof of Electricians' Certification
E-23	Certificate of Insurances:
	<i>Professional Liability \$1,000,000</i>
	<i>General Liability \$5,000,000/occurrence; \$10,000,000/Aggregate</i>
	<i>Automobile \$2,000,000/Accident</i>
	<i>Workers' Compensation</i>

	<i>Employers Liability 1,000,000/ea. accident; \$1,000,000/policy limit bodily injury by disease; \$1,000,000/ea. employee bodily injury by disease</i>
	<i>Builders Risk for Value of Project with no coinsurance penalty provisions</i>
	<i>Earthquake Insurance, if applicable</i>
	<i>Pollution Liability \$1,000,000/Occurrence; \$2,000,000 Aggregate</i>
E-24	Proof of DIR Registration:
	<i>General Contractor's Proof of DIR Registration (SB 854)</i>
	<i>Subcontractor's Proof of DIR Registration (SB 854)</i>

EXHIBIT O Division 1 Table of Contents

CONSTRUCTION DOCUMENTS

Plans, Technical Specifications, and Drawings are Incorporated Under Separate Cover

ATTACHMENT NO. 7 – EBE PARTICIPATION PROGRAM POLICY

The District has an Emerging Business Enterprise (EBE) that recognizes Small Business Enterprises (SBE) and Minority- (MBE), Women- (WBE), Disabled Veteran-Owned (DVBE) business enterprises, and other broadly recognized designations. Prospective Contractors are required to provide an EBE Participation Plan listing its own EBE designation (if applicable) and its EBE subconsultants and teaming partners, and describing the method for meeting the District's EBE participation goals.

Pursuant to Resolution In Support of Service Disabled Veterans Owned Businesses (SDVOB) and Disabled Veteran Business Enterprises (DVBE) approved on May 10, 2011 by the Board of Education, the District has replaced the good faith effort with a mandatory requirement of 3% for DVBE participation in all construction related contracts, regardless of size. Contractor must meet or exceed 3% DVBE participation either directly through the General Contractor or a subcontractor or supplier. The failure of any Contractor to strictly comply with the District's DVBE Participation Program Policy will result in rejection of a Contractor's Guaranteed Maximum Price (GMP) submittal(s) for non-responsiveness or incompleteness. If Contractor still needs DVBE participation to meet the 3% mandate, DVBE lower tier participation to a higher tier EBE may be counted, if the related higher tier EBE participation is adjusted to account for the lower tier DVBE contract value in EBE reporting forms. Businesses that act as Fronts and Pass-throughs are not permitted; all EBEs and DVBEs must provide a Commercially Useful Function.

1. EBE Reporting Requirements.

- 1.1. Contractor will submit each month with its Pay Application a completed EBE Participation Report form in PDF and Excel format, sample provided in this Exhibit K, excel version available upon request to Business Outreach team. Data to be provided will include, but not be limited to, project information, EBE name(s) and information, EBE tier, EBE contract award value(s), description of EBE's Work, EBE certification designation(s), contract amendments and EBE participation values (\$ and %).
- 1.2. Contractor will submit each month to the Business Outreach Team back-up documentation for the EBE Participation Report including copies of EBE Notice to Proceed cover pages, or relevant portions of Subcontract or Purchase Order Acknowledgements, or financial statements clearly identifying the EBE Contract Values/existence of a bona fide professional relationships, EBE certification designation(s) supporting documentation, and proof of contract amendments.

2. EBE Program Milestones.

- 2.1. District Business Outreach staff will attend the project preconstruction meeting and present information about the reporting schedule, EBE Participation goals and requirements, review the Contractor's proposed outreach Plan and methods, and identify any areas/trades where District Business Outreach staff could provide assistance in helping the Contractor meet its goals.
- 2.2. District Business Outreach staff will review and assess monthly reports.
- 2.3. The following meetings will be held if the Contractor is not meeting or is not on track to meet its EBE participation goals.
 - 2.3.1. 50% completion EBE Status meeting with District Business Outreach staff to review Contractor's EBE Participation results to date, subcontractors and/or suppliers proposed to complete the project, project schedule and subcontractors timing, and identify any areas/trades that require support from the District Business Outreach staff to meet Contractor's goals.

2.3.2. Substantial completion EBE Status meeting with District Business Outreach staff to review Contractor’s EBE Participation results, goals and proposed outreach efforts; and identify any areas/trades that require support from the District Business Outreach staff to meet Contractor’s goals. A follow-on meeting may be set as deemed necessary and at the convenience of District Business Outreach staff to provide the Contractor with every opportunity to meet its EBE participation goals.

3. EBE Goals and Requirements.

3.1. As of 2020, all District EBE Participation Goals for Lease-Leaseback projects with bid advertisement dates after (August 24, 2020) are as follows:

EBE Business Classification	EBE Participation Goals
Overall EBE Goal*	50%
Disabled Veteran-Owned Business Enterprise (DVBE)	5% <i>3% minimum</i>
Minority-Owned Business Enterprise (MBE)	8%
Women-Owned Business Enterprise (WBE)	7%
Small Business Enterprise (SBE)	40%
<i>*District tracks each EBE certification held; therefore, the total EBE goal may differ from the sum of the EBE categories</i>	

4. **EBE Definitions.** “Emerging Business Enterprise” (EBE) is an umbrella term that includes minority-, women-, disabled veteran-owned and small business enterprises, which are defined as follows:

4.1. Small Business Enterprise (SBE): District defaults to California Department of General Services (DGS) definition as an independently owned and operated business, which is not dominant in its field of operation; the principal office of which is located in the United States, which is not a branch or subsidiary of a foreign corporation; and which, together with affiliates, has 200 or fewer employees; and average annual gross receipts of thirty six million dollars (\$36,000,000) or less over the previous three years. See Senate Bill 605 (SB 605) (Galgiani), California Government Code §14837(B). District also accepts SBE certifications from the City of San Diego’s Small Local Business Enterprise (SLBE), Emerging Local Business Enterprise (ELBE) programs, the Small Business Administration’s (SBA’s) Certified 8(a) Program, and other federal, state and local certification agencies.

4.2. Disabled Veteran Business Enterprise (DVBE): 51% owned by one or more disabled veterans, management and daily operations are controlled by one or more disabled veterans but need not be those who own the business; and home office located in the United States, which is not a branch or subsidiary of a foreign corporation. See California Military & Veterans Code §999(b)(7)(A). District accepts both the DGS Disabled Veteran Business Enterprise (DVBE) certification and the Department of Veterans Affairs Center for Veterans Enterprise (CVE) Service Disabled Veteran-Owned Business Enterprises (SDVOB) verification with CVE letter.

4.3. Minority Business Enterprise (MBE): 51% owned by one or more minorities, management and daily operations are controlled by one or more minorities who own the business, and home office located in the United States, which is not a branch or subsidiary of a foreign

corporation. See California Public Contract Code §10115.1(e) District accepts the California Public Utilities Commission (CPUC) Supplier Clearinghouse MBE, the California Unified Certification Program (CUCP/Caltrans) Disadvantaged Business Enterprise (DBE), MBE certifications, the Minority Supplier Development Council (MSDC), and other federal, state and local certification agencies.

- 4.4. Women Business Enterprise (WBE): 51% owned by one or more women, management and daily operations are controlled by one or more women who own the business; and home office located in the United States, which is not a branch or subsidiary of a foreign corporation. See California Public Contract Code, §10115.1(e). District accepts the CPUC and CUCP/Caltrans WBE certifications, the Women’s Business Enterprise National Council (WBENC), and other federal, state and local certification agencies.
- 4.5. Broker: A Contractor that does not have title, possession, control, and risk of loss of materials, supplies, services or equipment provided to an awarding department, unless one or more of the owners qualifying for EBE certification has at least 51-percent (51%) ownership of the quantity and value of the materials, supplies and equipment provided [Military and Veterans Code (MVC) Section 999.2(b)].
- 4.6. Commercially Useful Function (CUF): A “commercially useful function” (CUF) provides services or goods that contribute to the fulfillment of the contract requirements. It is not a CUF if the EBE’s role is limited to that of an extra participant in a transaction, contract or project through which funds are passed in order to obtain the appearance of EBE participation. A CUF is a person or entity doing all of the following:
 - 4.6.1. is responsible for the execution of a distinct element of the work of the contract;
 - 4.6.2. carries out the obligation by actually performing, managing or supervising the work involved;
 - 4.6.3. performs work that is normal for its business services and functions; and
 - 4.6.4. is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry standards.
 - 4.6.5. Front: A Subcontractor providing artificial or incidental participation to meet the objective of a Contract (e.g., DVBE participation requirement), or a provider who does not own the equipment they are providing, but going to an outside source.
 - 4.6.6. Pass-through: A supplier providing access to materials and supplies for which they are not specifically certified/verified. Also see “Front” above.
- 5. **Disabled Veteran Business Enterprise Participation Program.** The District is committed to achieving the administratively established Participation Requirement for Disabled Veteran Business Enterprises ("DVBEs") in accordance with Resolution In Support of Service Disabled Veteran-Owned Businesses (SDVOB) and Disabled Veteran Business Enterprises (DVBE) approved on May 10, 2011 by the Board of Education Resolution. Through the DVBE participation program, the District encourages Contractors to ensure maximum opportunities for the participation of DVBE's in the Work of the Contract. The District's commitment to the achievement of DVBE Participation Requirement for the Work of the Contract shall not, however, result in the District's discrimination in the award of the Contract on the basis of ethnic group identification, ancestry, religion, age, sex, race, color, or physical or mental disability.

Contractor participation is mandatory for all construction jobs with the District.

- 5.1. Participation Requirement Defined. The term "Participation Requirement" is a numerically expressed condition of DVBE participation in performing the Work of the Contract.
- 5.2. DVBE Licensing and Certification Requirements. DVBE's need to have a current and valid certification from the State of California Department of General Services for the business type and classification as listed on the bid documents. SDVOB's need to have a current and valid verification letter from the Department of Veteran's Affairs Center for Veterans Enterprise relevant to the bid (e.g., NAICS Code); self-representation will not be accepted. DVBE eligibility is a two-year period and must be renewed annually; SDVOB eligibility is a three-year period. Eligibility must be current at time of bid and contract award.
- 5.3. Exclusions. The District expressly prohibits Pass-Throughs and Fronts.
- 5.4. DVBE Specific Substitution Requirements. See Exhibit G Article 5 Sub-Section 5.2.2 for DVBE specific substitution process requirements.

6. Disabled Veteran Business Enterprise Program Reporting:

- 6.1. DVBE Contractor Declaration. All Contractors will be required to submit a complete "DVBE/SDVOB CONTRACTOR DECLARATION" element of **Attachment No. 3**, including the subcontractor/supplier's full address, contact person and contact information, work to be performed or supplies to be provided, CA DVBE Certification Number or SDVOSB Verification Letter Date, and corresponding percentage of Total Proposal Price at the time of submitting its GMP Submittal(s).

NOTE: Designated DVBE/SDVOB Participation Documentation is not required for Preconstruction Services-only elements of the Work. However, it will be required at time of GMP development/submittal(s). If Contractor has incorporated DVBE subconsultant(s) as part of their preconstruction team, submit a copy of DVBE/SDVOB CONTRACTOR DECLARATION as a part of your Preconstruction RFP submittal, form available from Contract Specialist upon request.

- 6.2. DVBE Subcontracting Report. All Contractors will be required to submit a "PRIME CONTRACTOR'S DVBE SUBCONTRACTING REPORT" within 30 days of Final Completion payment, excel version available upon request to business outreach team.