



**SAN DIEGO UNIFIED SCHOOL DISTRICT
STRATEGIC SOURCING AND CONTRACTS DEPARTMENT
2351 CARDINAL LANE, BUILDING M
SAN DIEGO, CA 92123**

NO. CZ20-0340-23

**REQUEST FOR SEALED PROPOSALS
FOR PRECONSTRUCTION SERVICES FOR
WEGEFORTH ELEMENTARY SCHOOL WHOLE SITE MODERNIZATION PROJECT
(LEASE-LEASEBACK)**

**ADVERTISEMENT DATE:
AUGUST 6, 2019**

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(LEASE-LEASEBACK)**

The San Diego Unified School District (“**District**”) is requesting sealed proposals for Preconstruction and Construction services through this document (“**RFP**”) for Wegeforth Elementary School as further described in **Attachment No. 1** (“Project Description”).

- Estimated Construction (Hard Cost) Budget : \$21,500,000
- Estimated Total Amount Contractor will Finance for the Project: \$1,075,000
- Anticipated Duration of Project: Thirteen (13) months of pre-construction services, eighteen (18) months of construction only

Your firm was one of the qualified firms that responded to the District’s Request to Prequalify and for Statement of Qualifications for Preconstruction and Construction Services for Certain District Projects (Lease-Leaseback), dated April 9, 2019 (Groups D & E) (“Firm” or “Contractor”). As indicated in the Request to Prequalify (“RFQ”), the District intends to award this Project utilizing the lease-leaseback delivery method (Education Code section 17406. et. seq.).

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 Plan Well. Hard copy proposal documents are available for a refundable payment of Five-Hundred Dollars (\$500) per set; CD’s are available for a non-refundable charge of \$50, and; online documents are available for download on Plan Well through Crisp Imaging www.crispimg.com, click on Public Plan room. 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 in front of the school, corner of Edihar Ave. and Hammond Dr., at Wegeforth Elementary School, 3443 Edihar Ave., San Diego, CA 92123.** The meeting will begin in the **Multi-Purpose** Building for a general project overview, followed by a site walk of the school site. The pre-proposal meeting and site walk is expected to take approximately two (2) hours. Failure to attend or extreme tardiness and to sign in will render a Contractor’s Proposal ineligible.

Proposals: RFP Responses must be received by the respective dates indicated in the RFP schedule with:

3-ring binder: one (1) original and five (5) copies	RFP Response
Flash drive: One (1) electronic copy in PDF format with Bookmarks	RFP Response
In a Sealed Envelope: Six (6) copies of each:	Attachment No. 3 – Contractor Statement of EBE Commitment Attachment No. 4 – GMP and Other Cost Components

Deliver to: San Diego Unified School District, 2351 Cardinal Lane, Building M, San Diego, CA 92123, Attn: Jennifer Almond, Contracts Specialist, Construction.

Electronically transmitted Proposals or Offers will not be considered.

If you do not intend to submit a proposal for this Project, please inform the Contracts Specialist, Jennifer Almond ASAP at (858) 522-5822 or jalmond@sandi.net.

Questions: Questions regarding this RFP must be in writing and directed only to **Jennifer Almond at jalmond@sandi.net** 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 FIRM.

RFP Addenda: Firms are solely responsible for checking the District's online plan room at www.crispimg.com and obtaining access via Plan Well to determine if the District has issued any addenda to this RFP. Firms 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 and 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 attached to this RFP as **Attachment No. 2** ("NON-MEP SUBCONTRACTOR'S PREQUALIFICATION FORM"). In addition, if components of the Project will be performed by mechanical, electrical, or plumbing ("MEP") subcontractors regardless of value of their work, then each of those MEP subcontractors with the following license classifications that intend to propose as a subcontractor performing work under one or more of the following license classifications, is 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. Every MEP subcontractor performing in the respective trade must be prequalified by submitting the application that is attached to this RFP as **Attachment No. 2**, to the District no later than the date indicated in the RFP Schedule.

NOTE: *Subcontractor prequalification is not required at the preconstruction phase of the Project. However, subcontractor prequalification will be required for each GMP phase of the Project.*

RFP Schedule: The District has set the following RFP Schedule that all Contractors must adhere to. 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	August 6, 2019
Mandatory Pre-Proposal Conference and Site Walk	9:00 AM, August 8, 2019
Deadline for Contractors to submit RFI questions regarding this RFP	3:00 PM, August 19, 2019
District to respond to Contractors' questions regarding this RFP	August 29, 2019
Deadline for Contractors to submit Proposal	2:00 PM, September 10, 2019
District Negotiations with Contractor	September 23 – September 27, 2019
District Board approves successful Contractor	October 29, 2019

This RFP is not a formal request for bids or an offer by the District to contract with any party responding to this RFP. The District reserves the right to reject any and all Proposals. The District also reserves the right to amend this RFP as necessary. District will not provide any oral clarifications or modifications to the RFP or the requirements hereof. No employee, office, agent or representative of the District is authorized to

provide oral clarifications or modifications to the RFP. 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 the submitting it's 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 a 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. **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.
- 1.4. **Substitute Security:** In accordance with the provisions of California Public Contract Code §22300, substitution of eligible and equivalent securities for any monies withheld by the District to ensure the Contractor's performance under the Contract will be permitted at the request and expense of the Contractor and in conformity with California Public Contract Code §22300.
- 1.5. **Examination of Contract Documents:** Each Contractor shall become fully acquainted with conditions relating to the Work to fully understand the facilities, difficulties, and restrictions attending 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, form, instrument, addendum, or other document or to visit the Sites and be acquainted with the conditions there existing 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.
- 1.6. **Project Geotechnical Report:** A geotechnical report has been prepared for this Project and is available for information and reference only from the Facilities Management Department. Copies can be obtained from Todd Kerr at the Facilities, Planning and Construction Department, 4860 Ruffner Street, San Diego, CA 92111, or via email at tkerr@sandi.net. 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.

- 1.7. **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 and 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: Bonds are not required at the preconstruction phase of the Project. However, bonds will be required for each GMP phase of the Project.

- 1.8. **Interpretation of Contract Documents:** If any person contemplating submission of a Proposal for the proposed Contract 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 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 a copy of such Addendum will be mailed, facsimiled, or otherwise delivered to each Contractor who has theretofore obtained a set of the Contract Documents. The District will not be responsible for any other explanations or interpretations of the Contract Documents. No oral interpretation, correction or modification of any portion of the Contract Documents will be made to any Contractor and no Contractor may rely upon any such oral interpretation, correction or modification. Addenda issued pursuant to the above shall be made a part of the Contract Documents. All interpretations, corrections or modifications made by the Strategic Sourcing and Contracts Department, San Diego Unified School District, shall be final and binding. 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 said discrepancies and omissions at no additional cost to the Owner.

- 1.9. **Addenda and Amendments:** This document and any attachments, appendices and addenda will be available online from Plan Well. 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 jalmond@sandi.net.

Contractor is completely responsible for obtaining and verifying all addenda issued by the District. Failure of a Contractor to obtain and acknowledge in the RFP all addenda may result in their proposal being deemed as non-responsive or incomplete.

Any addenda issued during the time of the RFP solicitation shall form a part of the RFP.

- 1.10. **Inspection of Facilities:** The District reserves the right to inspect the facilities of the Contractor 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, their proposal will not be considered. The findings and decisions of the District shall be final.

- 1.11. **Emerging Business Enterprise (EBE):** The District has an Emerging Business Enterprise (EBE) Program that recognizes Small Business Enterprises (SBEs) and Minority- (MBE), Women- (WBE), Disabled Veteran-Owned (DVBE) business enterprises, and other broadly recognized designations. Responding firms 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.

1.11.1 Contractor shall also include the following tasks as part of its EBE Participation Plan:

- a. Identify Contractor's EBE participation liaison (SBLO) and contact information. Contractor shall inform the District of any personnel changes in advance of the meetings and/or deliverables described below.
- b. Contractor will submit each month with its Pay Application a completed EBE Participation Report form sample provided in 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 contract award value(s), description of EBE's Work, copy of EBE Notice to Proceed cover page or relevant portion of subcontract or Purchase Order Acknowledgement clearly identifying the project information. EBE certification designations, contract amendments and EBE participation values (\$ and %). The tier stops at the highest level of EBE. 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.
- c. 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 Firm meet its goals.
- d. District Business Outreach staff will review and assess monthly reports. The following meetings will be held if the Contractor is not meeting or is not on track to meet its EBE participation goals.
 - 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) 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.

- e. Past performance summary of EBE and DVBE Participation results, or progress update, for any Contract or Agreement awarded Contractor by the District since May 10, 2011. Please include participation percentages and dollar amount of the overall Contract.
- f. Submit Contractor Statement of EBE Commitment form, form provided in Attachment No. 3.

1.12. **EBE Goals and Requirements:**

As of 2019, District EBE goals for architects, engineers and construction are as follows:

EBE Business Classification	EBE Participation Goals
Overall EBE Goal*	50%
Disabled Veteran-Owned Business Enterprise (DVBE)	6.0%
Minority-Owned Business Enterprise (MBE)	10.0%
Women-Owned Business Enterprise (WBE)	4.5%
Small Business Enterprise (SBE)	46%
<i>*District tracks each EBE certification held; therefore, the total EBE goal may differ from the sum of the EBE categories</i>	

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

- a. 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 (SB605) Glagiani*. California Government Code §14837(B).

District also accepts SBE certifications from: 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. Self-certification is not accepted.

- b. 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.

- c. 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 and 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. Self-certification is not accepted.

- d. 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 that from the Women's Business Enterprise National Council (WBENC), and other federal, state and local certification agencies. Self-certification is not accepted. .

- 1.13. **Disabled Veteran Business Enterprise Participation Program:** 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 San Diego Unified School District has replaced the good faith effort with a *mandatory requirement* of 3% for DVBE participation in all District construction bids/RFPs, regardless of size. In order to be responsive, the successful Contractor *must meet or exceed* 3% DVBE participation either directly through the General Contractor or a subcontractor or supplier as evidenced by DVBE/SDVOB Contractor Declaration submitted at time of Guaranteed Maximum Price (GMP). The failure of any Contractor to strictly comply with the District's DVBE Participation Program Policy will result in rejection of a Contractor's GMP Submittal(s) for non-responsiveness or incompleteness.

All Contractors will be required to submit a *complete* DVBE/SDVOB Contractor Declaration attached to this RFP as **Attachment No. 3** ("DESIGNATED DVBE/SDVOB PARTICIPATION DOCUMENTATION AND DESIGNATED SUBCONTRACTORS LIST"), including the subcontractor/supplier's full address and contact information and work to be performed or supplies to be provided, at time of submitting its GMP Submittal(s). See also Section 2.10 of this RFP. Also, Contractors will be required to submit a Prime DVBE Sub Report at project Substantial Completion, sample provided in Exhibit K, excel version available upon request to business outreach team.

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

DVBEs need to have a current and valid certification from the State of California Department of General Services. SDVOBs 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. Eligibility must be current at time DVBE submitted Proposal and contract award.

- 1.14. **Project Stabilization Agreement (PSA):** 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 www.sandiegounified.org/node/1097. 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.
- 1.15. **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 sections 6250, *et seq.* Those elements in 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 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.
- 1.16. **Drug Free Workplace Certificate:** In accordance with California Government Code §§8350 *et seq.*, the Drug Free Workplace Act of 1990, the successful Contractor will be required to execute a Drug Free Workplace Certificate concurrently with execution of the Contract. The successful Contractor will be required to implement and take the affirmative measures outlined in the Drug Free Workplace Certificate and in California Government Code §§8350 *et seq.* Failure of the successful Contractor to comply with the measures outlined in the Drug Free Workplace Certificate and in California Government Code §§8350 *et seq.* may result in penalties, including without limitation, the termination of the Agreement, the suspension of any payment of the Contract Price otherwise due under the Contract Documents and/or debarment of the successful Contractor.
- 1.17. **Compliance With Immigration Reform and Control Act of 1986:** The Contractor is solely and exclusively responsible for employment of individuals for the Work of the Contract in conformity with the Immigration Reform and Control Act of 1986, 8 USC §§1101 *et seq.* (the “IRCA”); the successful Contractor shall also require that any person or entity employing labor in connection with any of the Work of the Contract shall so similarly comply with the IRCA.
- 1.18. **Contents of Proposal:** Contractors must review this RFP and especially this section carefully to understand how to prepare the separate components of their Proposal.
- Wegeforth Elementary School – Stage 1 Preconstruction Services
 - Wegeforth Elementary School – Stage 2 Whole Site Modernization Project

2. CONTENTS OF PROPOSAL

2.1. GENERAL REQUIREMENTS

2.1.1. **Cover Letter**

2.1.2. **Description of Firm:** Proposer must provide in their Proposal an active and valid contracting license number, in the proper classification(s) issued by the California

State License Board; a current registration number issued by the Department of Industrial Relations; and provide acknowledgement of all addenda included in this RFP:

2.1.2.1. License Number and a copy of CSLB License status

2.1.2.2. DIR Number and a copy of DIR registration status

2.1.2.3. Acknowledgement of Addendum

2.1.3. **Proposed Contractor Team:** If different from your SOQ, include key personnel and other members of your team specifically assigned to the Project. Please include the resumes of all personnel who will be performing services for both stage 1 and stage 2 for the District on the Project. Define the role of each person and outline his or her individual experience and responsibilities. Indicate personnel who will serve as primary contact(s) for the District. Include the name(s), résumé(s), project experience summary, addresses, telephone numbers, fax 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.

2.1.4. **Contractor's Experience:** Describe the Contractor's experience performing projects with similar scopes of work as the District's Projects described in **Attachment No.1** and whether those projects were pursuant to a lease-leaseback structure or alternative delivery method. Provide details for a minimum of three (3) and a maximum of five (5) past projects. For Group D: (not required to be LLB delivery) this portion of the Proposal should include all other similar services performed by your firm, especially those performed for large, California K – 14 School Districts. Information should include the location and size of each service, a management level contact representative at the organizations referenced along with contact telephone number. The District reserves the right to interview, and if appropriate, visit referenced clients.

2.1.4.1. Include projects that have Preconstruction Design Services Experience and include narrative of preconstruction design services performed for each project.

2.1.5. **Firm's Methodology:** Describe how the Firm will provide services and fulfill the requirements and expectations of the District and this RFP. Use this section to address the ability of your Firm to provide support services and training to the District, undertake and accomplish the required scope of services while meeting deadlines, the Firm's record of meeting schedules and deadlines of other clients, advantages over other firms in the same industry, Safety program implementation, strength and stability as a business, and supportive client references. Describe the Firm's ability to provide pre-construction and lease-leaseback services exclusively and in a timely manner for the District and the Firm's commitment to providing experienced personnel assigned to District's Project.

2.1.6. **Value Engineering**

2.1.6.1. **Narrative of Value Engineering Process:** Value Engineering: Provide a written narrative of the Contractor's Value Engineering (VE) process and approach. 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 methods or alternatives.

2.1.6.2. **3-5 Past Examples:** Contractor's Experience: Describe the Contractor's experience performing Value Engineering (VE) on projects with similar scopes of work as the District's Projects described in **Attachment No.1** and delivery method of each project. Please include a narrative that describes your value engineering items and savings. Provide details for a minimum of three (3) and a maximum of five (5) past projects. This portion of the Proposal should include all other similar services performed by your firm, especially those performed for large, California K – 14 School Districts. Information should include the location and size of each service, a management level contact representative at the organizations referenced along with contact telephone number. The District reserves the right to interview, and if appropriate, visit referenced clients.

2.1.7. **Current Work Commitments / Project Limitations**

2.1.7.1. **Current / Projected Workload:** Specify the current and projected workload of Contractor for the duration of the Project. If applicable, provide a statement of all recent, current, or anticipated contractual obligations (anticipated schedule and value) that relate in any way to similar work for the District that may have a potential to impede Contractor's ability to provide the Services described herein to the District.

2.1.7.2. **Contractors Limitation or Surety Restrictions:** Indicate Contractor's limitation or Surety restrictions related to the size of Project that Contractor can contract for and can effectively perform.

2.1.8. **Approach to Local and Diversity Outreach**

2.1.8.1. EBE Approach, see section 1.11.1 for guidelines

2.1.8.2. DVBE Approach

2.1.9. **Exceptions to the Lease-Leaseback Contract Form:** If a Contractor has any comments or objections to the Lease-Leaseback Contract Documents attached as **Attachment No. 6** ("CONTRACT") to this RFP, a Contractor shall provide those comments or objections in its Proposal. **PLEASE NOTE: The District will not consider any substantive changes to the Contract if they are not submitted at or before this time.**

2.2. **STAGE 1**

2.2.1. **Total Charges for Preconstruction Services and Other Pricing Factors:** Please provide your total charge for Preconstruction Services for the Project on the Form attached to this RFP as **Attachment No. 4**. Also include all pricing components required in **Attachment No. 4**.

2.2.2. **Preconstruction Services Schedule**

2.2.2.1. Statement Understanding the District's scope of work specified herein;

2.2.2.2. Description of how Stage 2 will be managed according to priority of work.

2.2.2.3. Describe any challenges/obstacles associated with the implementation

2.2.2.4. Provide Suggestions to timeline or obstacles that could benefit the overall cost to implement the Project or suggestions to key milestone dates to phases that could be more difficult or impossible to achieve.

- 2.2.3. **Detailed Guaranteed Maximum Price:** NO Guaranteed Maximum Price at this time. Unless the contract for the Project has been otherwise terminated, the District will direct the Contractor to provide a final GMP at a later date after DSA has approved the plans and the Contractor and District agree on the timing and structure to advertise and solicit subcontractor pricing. The Contractor must submit their GMP Stage 2 proposed cost percentages as part of Attachment 4. For reference only, section 2.3 below describes the final GMP and related requirements pertinent to Stage 2 of the Project.
- 2.2.4. **Designated Subcontractors List:** NO Subcontractors List required at time of submitted Proposal for the Project.

2.3. **STAGE 2 (FOR REFERENCE ONLY, NOT REQUIRED AS PART OF THE STAGE 1 PRECONSTRUCTION SERVICES PROPOSAL)**

- 2.3.1. **Detailed Guaranteed Maximum Price:** Please provide a Guaranteed Project Cost / Guaranteed Maximum Price (“GMP”) to provide all materials, labor, and all other costs to perform all work to construct Stage 2 of the/each Project. Please provide a GMP on the GMP Form attached to this RFP as **Attachment No. 4** (“GMP FORM”). Also include all pricing components required in **Attachment 4**, Exhibit A, Sample.
 - 2.3.1.1. **Interest Charge for Financing Portion of the GMP:** Firms 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 Stage 2 of the Project will be for twelve (12) months, after completion of Stage 2 of the Project, during which time the District will make monthly Lease Payments of 1/12 of the total financed amount, plus an agreed-upon interest charge. *Please provide the District with your proposed interest charge for the financed in Attachment 4*, Exhibit A, Sample.
 - 2.3.1.2. **Designated Subcontractors List:** Contractors must submit one copy with the Proposal a Designated Subcontractors List attached hereto as **Attachment No. 3**, Exhibit A, Sample, for those subcontractors that will perform Services in excess of ½ 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.
- 2.3.2. **Schedule of Values:** Please provide a preliminary schedule of values for Stage 2 of the Project. A form for each Firms’ use, in spreadsheet format, is included in this RFP as **Attachment No. 5**. You may use this form or your firm’s own form. In either case, the District expects your Schedule of Values to include the information indicated in the attached spreadsheet. After DSA approval the District will provide an **updated Attachment No. 5** for the contractor to complete and submit with their GMP. Reference **Attachment No. 5** Exhibit A, Sample.
- 2.3.3. **Value Engineering (Specific to Stage 2):** Provide a list of potential Value Engineering (VE) and or enhancement items for Stage 2 of the Project as part of the Proposal as referenced **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 methods or alternatives.

2.3.3.1. **Accessories, Additional Components, and Upgrades:** Contractor must submit within 24 hours of its Proposal Contractor’s pricing list/catalogue of optional accessories, additional components and enhancements available to the District for each of the Projects.

2.3.4. **Stage 2 Construction Schedule:** Please provide a preliminary construction schedule for Stage 2 of 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 provide, 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 and work and services to the acceptance of the District. Contractor to provide, at a minimum, the following information:

2.3.4.1. Statement understanding scope of work.

2.3.4.2. Timeline and description of implementation process and key milestones Reference Specification Section 01 10 00 “Summary” for additional information on proposed key milestone dates.

2.3.4.3. Description of how Stage 2 will be managed according to priority of work.

2.3.4.4. Describe any challenges/obstacles associated with the implementation.

2.3.4.5. Provide Suggestions to timeline or obstacles that could benefit the overall cost to implement Stage 2 of the Project or suggestions to key milestone dates to phases that could be more difficult or impossible to achieve.

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:

WEGEFORTH ELEMENTARY SCHOOL WSM PROJECT		
Contents of Proposal	Item	Possible Proposal Points
2.1.3	A. Proposed Contractor Team (Specific to Stage 1). For the specific persons listed in the RFP response and related to specific project within the RFP	25
	B. Proposed Contractor Team (Specific to Stage 2). For the specific persons listed in the RFP response and related to specific project within the RFP	20
2.1.4	Contractor's Experience. Experience performing projects with similar scopes of work and an emphasis on preconstruction design services.	25
2.1.5	Firm's Methodology. With particular focus on the Firm's ability to provide Preconstruction and lease-leaseback services	20
2.1.6	Value Engineering. With particular focus on the specific project within the RFP	15
2.1.7	Current Work Commitments / Project Limitations. With particular focus on all then-current projects and District's reasonable determination of current workload on Contractor's demonstrated ability to meet project requirements	15
2.1.8	Approach to Local and Diversity Outreach. Demonstrated ability to meet EBE Participation Plan goals and DVBE requirement	15
2.1.9	Exceptions to the Lease-Leaseback Contract Form.	10
2.2.1	A. Stage 1 Compensation. Pricing components for Preconstruction Services	10
	B. Stage 2 Compensation. cost percentages for Construction services	30
2.2.2	Schedule/Timeliness. Demonstrated ability to complete project on time and to prepare and meet achievable construction schedules	15
Total Possible Points		200

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 a 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 and may commence negotiations of services with that Contractor.
- 3.5. If the District is unable to successfully negotiate a satisfactory contract with terms and conditions 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 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 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 Prop. S, Prop Z, and Measure YY funds to repair, renovate and revitalize district schools. Wegeforth Elementary School was originally built in 1957. While the schools received extensive upgrades and improvements over the years, the Long Range Facility Master Plan showed that the site needs significant improvements. Based on the comprehensive planning study, the District concluded that Wegeforth Elementary School is to have a Whole Site Modernization.

2. PRELIMINARY ANTICIPATED PROJECT SCHEDULE (Subject to change at the District’s discretion)

Stage 1: Preconstruction Services	November 2019 – November 2020
Stage 2: Construction	December 2020

WEGEFORTH ELEMENTARY SCHOOL WSM PROJECT

Wegeforth Elementary School is an existing elementary school being modernized with a current enrollment of 212 students. The design of Wegeforth Elementary School needs to be further developed. The scope which is not completely developed in the drawings is described in Specification Section 01 10 00 Summary and in this attachment, and will be required to complete as part of the contract. Once the design is completed the Project Documents will require DSA review and approval before construction of this work can begin. Public Improvements work adjacent to Wegeforth Elementary School will require further review with the City of San Diego in order to obtain approval prior to the start of construction. Franchise Utility Coordination will also require further review with the Utility Companies.

The Services for Wegeforth Elementary School is divided into Preconstruction Stage and Construction Stage Services. Refer to attached Project Stage Timeline.

Stage 1 of the Project continues through approval of the Project plans by the Division of the State Architect (“DSA”), development, and Board approval of the GMP for the Project, and is anticipated to be 13 months.

3. STAGE 1 PRE-CONSTRUCTION PHASE SERVICES FOR PROJECT

Stage 1 of the project shall be preconstruction services, as defined in Education Code section 17400(b)(4), to include the services generally described below in **Attachment 6**, Preconstruction Stage Services including but not limited to design/constructability and coordination review, value engineering, BIM coordination, detailed cost estimating, including variables and options in order to meet District’s budget, including variables and options in order to meet District’s EBE goals, development of different trades scope of work, and bidding and preparation of the Total Guaranteed Maximum Price (GMP) and lease payment schedule.

Commencement or completion of the Stage 1, Preconstruction Services, does not obligate the District to proceed with Stage 2, Construction and Post-Construction Services, with the selected LLB Entity. The approximate duration for the design phase is 8 months, followed by a 4 month

period for DSA and City of San Diego Approvals. The Scope of Work is anticipated to include the following:

- a. Input to and review of design and construction documents, constructability review – not code level plan checks - for clarity, consistency, coordination, schedule, phasing, budget- (one formal Constructability report for each increment expected after DSA submission). Back-checks to be performed once design team has addressed review comments and prior to DSA approval for the different increments. The LLB Entity will work in a collaborative manner during the design process with the district staff, the Architect and the CM, as applicable. The LLB Entity should provide input on construction methodology and detailing based on the goals and objectives of the design to incorporate the strengths of their team.
- b. Undertake value engineering analysis and prepare report with recommendations to the District to maintain established construction budget.
- c. Perform detailed estimates at each design phase milestone, using the District's Unifomat cost estimating template (Excel format).
- d. Attend regular meetings biweekly with the Design Team, and District Representatives.
- e. BIM Coordination.
- f. Assist in developing the construction phasing and sequencing plan of the project. Per the current plan, Phase 1 of the project includes the demolition and modernization of Classroom Building 2 and the Kindergarten Building. Per the current plan, Phase 2 represents all construction that needs to be completed during summer 2021 in order to avoid impacting students or staff during the instructional year. Phase 2 includes the full demolition and reconstruction of the Administration Building and the minor work required in the library building. Site work in Phase 2 includes the ADA upgrades at the site entrance, playground replacements and the concrete site paving replacement. Per the current plan, Phase 3 represents the demolition and modernization of Classroom Building 1 and the MPR Building, in which the primary scope is the kitchen. Site work in Phase 3 would include the asphalt repair and restriping of the sports courts. We request input on alternate viable project construction sequence/phasing strategies for Phase 1-3 of the project that could potentially benefit the overall project schedule and cost.
- g. Provide a detailed Construction CPM schedule that identifies the critical path within the Construction Phase.
- h. Develop Scopes of Work for the different trade contractors and advertise for bids to obtain a minimum of 3 bids for each trade package. The GMP shall be developed through a public competitive sub-bid selection process. A minimum of three bids is expected for each trade. If the LLB Entity plans to self-perform any work, LLB Entity must submit a sealed bid directly to the District a minimum of 48 hours in advance of the bid due date for the subcontractors. LLB Entity will provide the District with a copy of their bid advertisement and subsequent addenda. Entity will be required to submit a detailed estimate for any work less than ½ of 1 percent of the construction project. Generally speaking, preparation of the GMP will require a minimum of nine weeks, broken down as follows:
 - Two (2) weeks for bidding of trade contractors by LLB Entity.
 - One (1) week for preparation of initial GMP by LLB Entity.
 - One (1) week for review of GMP by District.
 - One (1) week for District and LLB Entity to further clarify issues with Design Team and review proposed Value Engineering ideas.
 - One (1) week for LLB Entity to make revisions and submit final GMP and associated supporting documents for Board approval.

- Three (3) weeks for Board review and approval.
- i. District expects the LLB Entity to engage with different subcontractors during the Preconstruction Phase to seek input. Please identify what trades you plan to include for this phase (by increment and discuss it in the approach section. Any costs associated with subcontractor input will be included in the LLB Entity's Preconstruction Phase cost. The District expects the LLB Entity to seek competitive bids and will not be obligated to use any of the subcontractors engaged during the Preconstruction Phase during the Construction Phase, which subcontractor(s) must be identified in the Proposal and used during any Construction Phase.
- j. Develop the proposed GMP and proposed lease payment schedule. The GMP proposal shall include the written rationale for the price and objectively verifiable documentation of the costs to perform the services under the Facilities Lease, including documentation of the costs to perform any subcontract work reserved to a designated subcontractor in the proposal.

4. STAGE 2. CONSTRUCTION AND POST-CONSTRUCTION SERVICES

FOR INFORMATION ONLY. WILL BE PRICED AFTER ALL PLANS ARE DSA APPROVED AND CONTRACTOR AND DISTRICT AGREE TO ADVERTISE AND SOLICIT SUBCONTRACTOR PRICING.

The LLB Entity shall not proceed with any work unless and until the GMP is approved by the Board 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.

Includes a construction and post-construction phase, and will not commence until after DSA approval of the plans and Board approval of the GMP, and will proceed only upon Notice to Proceed with Stage II by the District. The construction phase is anticipated to be 18 months, followed by a post-construction occupancy phase of 12 months

- a. Refer to attached Existing, Proposed and Increment Site Plan Exhibits A, B, C and D at the end of the project Design Development set.

Construction off/on site work as necessary to support the buildings and associated improvements. Services generally required are execution of subcontracts, provide on-site support and logistics including but not limited to temporary construction office trailers and equipment, supervise and direct the work, ensure a safe project/site, participate in project meetings, manage the construction costs, coordinate the work with the different subcontractors in an efficient manner, update the monthly construction schedule, coordinate equipment start-up and acceptance testing, training, prepare record construction documents and close-out of the project. Reference Division 1 Specification Requirements. The school site will be occupied during the construction phase.

The LLB Entity shall not proceed with any work unless and until the GMP is approved by the Board 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.

5. PROJECT DESIGN FEATURES

Wegeforth Elementary School will be an active educational campus, therefore, noise, safety, dust control, language, appearance, smoking, alcohol consumption, testing schedules, no work days or hours, comingling with students and staff, etc will be strictly enforced by the district.

The whole site modernization of Wegeforth includes the replacement of all finishes including flooring, casework, tile, ceilings, and paint throughout the site with the exception of the library building. A percentage of wall finishes will be replaced in each building. The scope also includes the reorganization and expansion of the administration area and the conversion of the existing main campus Custodial Storage/Supply Room into additional teacher prep and instructional space. The existing kitchen will be remodeled to provide an updated food service facility for the students and relocated custodial and storage space for the maintenance staff. Existing MEP in the admin and kitchen will be revised as required by the new layouts. Doors and windows will be replaced in every building with the exception of the Library. The Fire Alarm system and Data, Communication, Security systems will also be upgraded throughout.

The exterior of all building will be patched, repaired and repainted. New entry stairs and ramp and ADA compliant path of travel will be constructed. All utility services such as water, sewer, drainage, power, data, communication, security, fire alarm, etc. shall remain operational and undisturbed during the course of construction. The site design also includes new ornamental and chain link fencing and gates, new site lighting and security camera system.

SUMMARY OF WORK BY BUILDING

Administration

Description: Existing single story accommodating Admin and Custodial
 Floor Area: 3,380 SF
 Construction: The demo and reconfiguration of all interior walls except for shear walls
 Reconfigure/bury existing electrical pathways
 Remove custodial program, replace with teacher's lounge and educational spaces

Classroom 1

Description: Existing single story accommodating 6 classrooms and gang restrooms
 Floor Area: 6,721 SF
 Construction: New classroom finishes
 Upgrades to restrooms
 Reconfigure/bury existing electrical pathways

Classroom 2

Description: Existing single story accommodating 5 classrooms,
 3 office/pull-out spaces, gang restrooms
 Floor Area: 6,721 SF
 Construction: New classroom finishes
 Upgrades to restrooms
 Reconfigure/bury existing electrical pathways

Kindergarten

Description: Existing single story accommodating 2 classrooms with integral restrooms
 Floor Area: 2,763 SF
 Construction: New classroom finishes
 Upgrades to restrooms
 Reconfigure/bury existing electrical pathways

Library

Description: Existing single story accommodating a library, office space, and mdf
Floor Area: 2,062 SF
Construction: Scope limited to the replacement of carpet and paint finishes

MPR building

Description: Existing single story multi-purpose room, stage, teacher's lounge and serving kitchen
Floor Area: 6,391 SF
Construction: The full replacement and reconfiguration of the kitchen
Creation of a locking office in kitchen
Reconfigure/bury existing electrical pathways
ADA Upgrades to stage

Site/exterior improvements

Construction: ADA Upgrades to concrete POT to all buildings
ADA Upgrades to concrete POT to site entrance including ramp/stair
Provide free-standing rooftop HVAC Screens
Replace and relocate existing play structures
Patch/repair/seal/restripe all asphalt paving

ATTACHMENT NO. 2

DISTRICT'S SUBCONTRACTOR PREQUALIFICATION APPLICATION

**ATTACHMENT NO. 2 IS NOT DUE AT THE TIME OF PROPOSAL
REQUIRED AFTER DSA APPROVED PROJECT DOCUMENTS
HAVE BEEN ADVERTISED BY AWARDED CONTRACTOR**

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 bid documents. 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 bid and contract award.
- 3.3 **Exclusions:** The District expressly prohibits pass-throughs and fronts.

DVBE RESOURCE INFORMATION

The Elite Service Disabled Veteran-Owned Business (SDVOB) Network, San Diego Chapter at 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>

The District's Business Outreach Team can also be reached for assistance:

1. Karen Linehan, Outreach Program Manager at 858-627-7232 or klinehan@sandi.net; or
2. Alma D. Bañuelos, Business Outreach Coordinator at 858-573-5852 or abanuelos@sandi.net; or

Please review the District's Disabled Veteran Business Participation Tip Sheet at: [https://www.sandiegounified.org/sites/default/files_link/district/files/dept/facilities_planning & construction/BizOutreach/SDUSD%20DVBE%20Tipsheet%20for%20Web%20020618.jpg](https://www.sandiegounified.org/sites/default/files_link/district/files/dept/facilities_planning_%20&%20construction/BizOutreach/SDUSD%20DVBE%20Tipsheet%20for%20Web%20020618.jpg)



Business Outreach, Lease Leaseback Projects
 Facilities, Planning and Construction
 Fax: 858.573.5857
 LLB-Outreach@sandi.net

Contractor Statement of Emerging Business Enterprise Commitment

Contractor Name: _____

Project Name: _____

Project No.: _____

Information/Instructions:

Pursuant to the Request for Proposal and Master Site 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 hereon commit to (affirm by checking the boxes next to the statements and execute below) the following:

- 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 2019 overall EBE goal is 50%, DVBE is 6%, MBE is 10%, WBE is 4.5% and SBE is 46%. 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, the Contractor agrees to the above statements.

CERTIFICATION: By signing this Declaration, I certify under penalty of perjury that the information provided is true and correct.

Printed Name: _____

Title: _____

Signature: _____

Date: _____

Lease-Leaseback Contractor Name: _____

DVBE/SDVOB CONTRACTOR DECLARATION

1. Prime Bidder Information:

- a. Identify current certification(s): (MBE, SBE, WBE, DVBE, SDVOB) _____ Or None _____
- b. Will DVBE/SDVOB subcontractors or suppliers be used for this agreement? Yes _____ No _____
- c. If you answered NO, skip to 4. CERTIFICATION below.

2. Subcontractor/Supplier Information:

- a. If you answered YES to 1.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 3. DVBE/SDVOB SUBCONTRACTOR/SUPPLIERS LISTING 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.

3. DVBE/SDVOB Subcontractor/Supplier Listing: (COMPLETE ALL SHADED COLUMNS AT TIME OF PROPOSAL AND/OR GMP SUBMITTAL as applicable. Attach additional page(s) if necessary) Contractor shall submit within 24 hours of Proposal opening due date and/or GMP Submittal(s) a COMPLETE DVBE/SDVOB CONTRACTOR DECLARATION with ALL columns complete, along with the completed Contractor's DVBE Statement.

Subcontractor/Supplier Name, Contact Person, Phone and Fax number	Subcontractor/Supplier Address and E-mail Address	CA DVBE Certification # or SDVOB Verification Letter Date	Work to be Performed or Supplies Provided for this Contract (ie. UNSPSC# 39131706 – Electrical Conduit)	Corresponding Subcontract/Supplier Purchase Order Value (\$)	Corresponding % of Proposal Price

4. CERTIFICATION: By signing this Declaration, I certify under penalty of perjury that the information provided is true and correct.

Printed name: _____ Signature: _____ Date: _____

**SUBCONTRACTOR LIST
SUBCONTRACTOR LIST IS NOT DUE AT THE TIME OF PROPOSAL.**

**REQUIRED AFTER DSA APPROVED PROJECT DOCUMENTS
HAVE BEEN ADVERTISED BY AWARDED CONTRACTOR**

PROPOSER'S COMPANY NAME: _____

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI- CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE/ MBE/ WBE?	DIR REG. NO.

PROPOSER'S COMPANY NAME: _____

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI-CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE/ MBE/ WBE?	DIR REG. NO.

PROPOSER'S COMPANY NAME: _____

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI- CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE/ MBE/ WBE?	DIR REG. NO.

PROPOSER'S COMPANY NAME: _____

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI-CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE/ MBE/ WBE?	DIR REG. NO.

PROPOSER'S COMPANY NAME: _____

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI- CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE/ MBE/ WBE?	DIR REG. NO.

NOTE: Under Public Contract Code section 4100 et. seq. known as the Subletting and Subcontracting Fair Practices Act, all subcontractors (defined under Public Contract Code section 4113 and Business & Professions Code section 7026) to the prime Contractor performing work in excess of one half of one (1/2 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 license number, portion of Work, and pursuant to SB854, the DIR Registration Number of every listed subcontractor. NOTE: LIST ALL DVBE SUBCONTRACTORS ON THE DVBE/SDVOB DECLARATION FORM, AS WELL AS, ON THIS SUBCONTRACTOR 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 Subcontractor's 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:

6. 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) (Glagiani), California Government Code §14837(B).
 - a. 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. Self-certification is not accepted.
7. 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).
 - 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.
8. 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).
 - a. 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. Self-certification is not accepted.
9. 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).
 - a. District accepts; the CPUC and CUCP/Caltrans WBE certifications, that from the Women's Business Enterprise National Council (WBENC), and other federal, state and local certification agencies. Self-certification is not accepted.

Percentage of Contract Value: The Proposer shall stipulate what percentage of work a Subcontractor will perform in relation to total value.

ATTACHMENT NO. 4

**PRECONSTRUCTION SERVICES AND OTHER PRICING FACTORS
(To be submitted as part of each Firm's Proposal)**

PROPOSER'S COMPANY NAME: _____

WEGEFORTH ELEMENTARY SCHOOL WSM PROJECT
--

Contractor hereby states what it will charge to provide the Preconstruction Services as identified in **Attachment No. 6** to this RFP, which is based on identified hourly fees (**at or below the rates indicated in the Contractor's RFQ CZ19-0972-42 response**). Provide a total not to exceed cost for the Preconstruction Services based on anticipated hours of work, etc.

PRECONSTRUCTION SERVICES

Project Budget	\$21,500,000	
Reference: Exhibit H - Master Facilities Lease		COST
General Services		\$
Review of Design Documents including Constructability Review and BIM Coordination		\$
Value Engineering		\$
Budget of Project Cost		\$
Construction Schedule and Phasing Plan		\$
(Construction Planning and Bidding		\$
Preconstruction Services:	Total	\$

OTHER PRICING FACTORS:

PRECONSTRUCTION SERVICES (at or below the amount indicated in your RFQ response)		COST
Project Executive (hourly rate)		\$
Project Manager (hourly rate)		\$
Constructability Reviewer (hourly rate)		\$
Estimator (hourly rate)		\$
Scheduler (hourly rate)		\$

PROPOSER'S COMPANY NAME: _____

Total Percentage of Contractor's General Conditions and General Requirements in its performance of the Work for the Project. This percentage should include all the anticipated items below and be based on the estimated budgets stated above. (Attachment No. 5 Schedule of Values to be submitted after DSA approval).	%
Pricing Information for Construction Phase (at or below the amount indicated in your RFQ CZ19-0972-42 response)	COST/ PERCENTAGE
General Contractor Mark-up on Subcontractor Change Order work. (If permitted by the District, as further defined in Attachment 1 of Exhibit G of the Master Facilities Lease)	15%
General Contractor Mark-up on self-performed Change Order work. (If permitted by the District, as further defined in Attachment 1 of Exhibit G of the Master Facilities Lease)	11%
Fee / profit (as a percentage of direct costs) if any, that is in addition to any mark-up	%
Bond cost (as a percentage of direct costs)	%
Insurance cost (as a percentage of direct costs)	%
Builders Risk Insurance Cost (as a percentage of direct costs)	%
Other costs (identify in sufficient detail for evaluation, either as a lump sum or a percentage of direct costs)	\$ or %
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 Firm's proposed interest charge (financing percentage) for this Project	%

Subcontractor 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 (Not-To-Exceed 3%)	%
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Contingency/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

FOR REFERENCE ONLY – NOT REQUIRED FOR RFP

PROPOSER’S COMPANY NAME: _____

Accessories/Optional Products/ Modifications

Item No.	Spec Section	Description	Cost Saving
1.			\$
2.			\$
3.			\$
4.			\$
5.			\$
6.			\$
7.			\$
8.			\$
9.			\$
10.			\$
11.			\$
12.			\$
13.			\$
14.			\$
15.			\$
16.			\$
17.			\$
18.			\$
19.			\$
20.			\$
		Add additional pages, or catalogue of products.	

FOR REFERENCE ONLY – CONTRACTOR TO PROVIDE A FINAL SCHEDULE OF VALUES AT A LATER DATE AFTER DSA HAS APPROVED THE PLANS AND THE CONTRACTOR AND DISTRICT AGREE ON THE TIMING AND STRUCTURE TO ADVERTISE AND SOLICIT SUBCONTRACTOR PRICING.

**ATTACHMENT NO. 5
SCHEDULE OF VALUES**

PROPOSER’S COMPANY NAME: _____

WEGEFORTH ELEMENTARY SCHOOL WSM PROJECT
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	GENERAL CONDITIONS	
01 31 10	Project Manager	\$
01 31 10	Superintendent	\$
01 31 10	Assistant Superintendent	\$
01 31 10	Project Engineer	\$
01 31 10	Administrative Assistant	\$
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 33	O & M	\$
01 78 39	Record Documentation	\$
01 79 00	Demonstration and Training	\$
01 81 13	CHPS	\$
01 91 13	General Commissioning	\$
		\$
	Subtotal	\$
SPEC. SECTION	GENERAL REQUIREMENTS	
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 and Handwash	\$
01 50 00	Security and Protection	\$
01 57 23	Storm Water Pollution Prevention Plan	\$

PROPOSER'S COMPANY NAME: _____

01 73 00	General Site / Street Cleanup	\$
01 73 00	Safety	\$
01 73 00	Surveyor	\$
01 74 19	Construction Waste Management	\$
01 77 00	Final Cleaning	\$
		\$
		\$
		\$
		\$
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		\$
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		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	Subtotal	\$
	OVERHEAD AND PROFIT Subtotal	\$
	BONDS AND INSURANCE Subtotal	\$
	GRAND TOTAL	\$

ATTACHMENT NO. 6

**LEASE-LEASEBACK CONTRACT DOCUMENTS
FOR
CONSTRUCTION SERVICES AT WEGEFORTH ELEMENTARY SCHOOL WSM PROJECT
LEASE-LEASEBACK**

MASTER SITE LEASE:

- EXHIBIT A** AERIAL VIEW OF THE PROJECT
- EXHIBIT B** DESCRIPTION OF PROJECT SITE AND SCOPE OF WORK

MASTER FACILITIES LEASE :

- EXHIBIT A** AERIAL VIEW OF THE PROJECT
- EXHIBIT B** DESCRIPTION OF PROJECT SITE AND SCOPE OF WORK
- EXHIBIT C** GUARANTEED MAXIMUM PRICE AND OTHER PROJECT COST, FUNDING AND PAYMENT PROVISIONS
- EXHIBIT D** RFP ATTACHMENT NO. 4 TO RFP GMP AND OTHER COST COMPONENTS
- EXHIBIT E** RFP ATTACHMENT NO. 5 SCHEDULE OF VALUES
- EXHIBIT F** RFP ATTACHMENT NO. 3 DESIGNATED DVBE/ SDVOB PARTICIPATIONS DOCUMENTATION AND DESIGNATED SUBCONTRACTOR LIST
- EXHIBIT G** GENERAL CONSTRUCTION PROVISIONS
- EXHIBIT H** SUPPLEMENTARY CONDITIONS
- EXHIBIT I** TERMS AND CONDITIONS FOR PRELIMINARY SERVICES
- EXHIBIT J** NEGOTIATED CHANGES AND CLARIFICATIONS TO THE CONTRACT
- EXHIBIT K** EMERGING BUSINESS ENTERPRISE (EBE) DOCUMENTS
- EXHIBIT L** MEMORANDUM OF COMMENCEMENT DATE
- EXHIBIT M** CONSTRUCTION SCHEDULE
- EXHIBIT N** EXECUTABLE DOCUMENTS INCLUDING BONDS AND INSURANCE:
 - 01 - NON-COLLUSION DECLARATION
 - 02 - ELECTRONIC SIGNATURE ACKNOWLEDGEMENT
 - 03 - PROJECT STABILIZATION AGREEMENT (PSA) AND LETTER OF ASSENT
 - 04 - PERFORMANCE BOND
 - 05 - PAYMENT BOND
 - 06 - WORKERS' COMPENSATION CERTIFICATION
 - 07 - DRUG-FREE WORKPLACE CERTIFICATION
 - 08 - TOBACCO-FREE ENVIRONMENT CERTIFICATION
 - 09 - GUARANTEE
 - 10 - CRIMINAL BACKGROUND INVESTIGATION/FINGERPRINTING CERTIFICATION
 - 11 - MEGANS LAW
 - 12 - ROOFING CONTRACT FINANCIAL INTEREST CERTIFICATION
 - 13 - ELECTRICIANS CERTIFICATION
 - 14 - DVBE DOCUMENTS
 - 15 - CERTIFICATES OF INSURANCE
 - 16 - IRAN CONTRACTING ACT CERTIFICATION
 - 17 - HAZARDOUS MATERIALS CERTIFICATION
 - 18 - LEAD-BASED MATERIALS CERTIFICATION
 - 19 - IMPORTED MATERIALS CERTIFICATION
 - 20 - CERTIFICATION OF DIR REGISTRATION
- EXHIBIT O** DIVISION 1 SPECIFICATIONS TABLE OF CONTENTS FOR PROJECT

CONSTRUCTION DOCUMENTS: PLANS, TECHNICAL SPECIFICATIONS, AND DRAWINGS ARE INCORPORATED UNDER SEPARATE COVER