



Request for Qualifications and Proposals 612

For

Construction Management Services

Proposals Due:

2/7/20 @ 2:00 p.m.

Submit Proposals to:

Oxnard Union High School District
Attn: Deanna Rantz, Director of Purchasing
309 S. "K" Street, Building G
Oxnard, California 93030

**OXNARD UNION HIGH SCHOOL DISTRICT
REQUEST FOR QUALIFICATIONS and PROPOSALS (RFQ/P) 612
CONSTRUCTION MANAGEMENT SERVICES
NEW DEL SOL HIGH SCHOOL**

NOTICE IS HEREBY GIVEN that the Oxnard Union High School District ("District") is requesting qualified persons, firms, partnerships, corporations, associations, or professional organizations to provide comprehensive construction management services for a lease-leaseback project under the District's Measure "A" Bond Program ("Program").

Respondents to this RFQ/P shall deliver three (3) bound copies, two (2) electronic (flash drive) copies, and one unbound (reproducible version) of their Statement of Qualifications ("SOQ") and Proposal (together, "Submittal"), as further described herein, labeled "Submittal for Construction Management Services" to:

**Deanna Rantz, Director of Purchasing
OXNARD UNION HIGH SCHOOL DISTRICT
309 S. "K" Street, Building G
Oxnard, California 93030**

ALL RESPONSES ARE DUE BY 2:00 p.m. ON FRIDAY, FEBRUARY 7, 2020. Any Submittal received after that date and time will not be accepted and will be returned unopened.

FAXED OR EMAILED RESPONSES WILL NOT BE ACCEPTED.

Each Submittal must conform and be responsive to the requirements set forth in this RFQ/P.

Requests for Information (RFI's) regarding this RFP, shall be emailed to Bond Project Manager, Poul Hanson at poul.hanson@oxnardunion.org by date and time provided in the RFP Document.

The District reserves the right to waive any informalities or irregularities in received Submittals. Further, the District reserves the right to reject any and all Submittals. The District retains the sole discretion to determine issues of compliance and to determine whether a Respondent is responsive, responsible, and qualified.

Advertisement Dates: 1/19/20 & 1/26/20

RFP 612 SCHEDULE

The District reserves the right to change the dates on the schedule without prior notice.

DATE	EVENT	TIME DEADLINE
1/19/20	Release of RFP #612	N/A
2/4/20	Request for Information (RFI) Due	12:00 p.m.
2/7/20	Qualifications and Proposals Due	2:00 p.m.
2/21/20	Release of short-listed Respondents	N/A
2/24/20- 2/28/20	Interviews of short-listed Respondents	N/A
3/12/20	Notification to Respondent(s) selected for inclusion in pool of qualified construction managers	N/A

GENERAL INFORMATION AND REQUIREMENTS

I. BACKGROUND

The Oxnard Union High School District has grown to more than 16,000 students in grades 9 through 12. The District operates twelve high school campuses including Adolfo Camarillo High School, Channel Islands High School, Condor High School, Frontier High School, Hueneme High School, Oxnard Adult Education, Oxnard High School, Oxnard Middle College High School, Pacifica High School, Rancho Campana High School, and Rio Mesa High School which are located in the cities of Oxnard, Port Hueneme, and Camarillo, County of Ventura.

Briefly stated, the District is seeking experienced and proven firms to provide construction management services on a lease-leaseback project using Measure "A" Bond Program Funds. This RFP defines the construction management services sought and generally outlines the District's requirements.

II. SCOPE OF SERVICES

Any firm selected based on this RFP process must be capable of providing full construction management services through all phases of lease-leaseback project(s) in accordance with the detailed scope of services is set forth at **Exhibit "A"** to the District's form Agreement.

III. LIMITATIONS

The District reserves the right to contract with any person or entity responding to this RFP. The District makes no representation that participation in the RFP process will lead to an award of contract or any consideration whatsoever. The District shall in no event be responsible for the cost of preparing a response to this RFP.

The Submittals and any other supporting materials submitted to the District in response to this RFP, will not be returned and will become the property of the District unless portions of the material are designated as proprietary at the time of the Submittal and are specifically requested to be returned. Vague designations and/or blanket statements regarding entire pages or documents are insufficient and will not bind the District to protect the designated matter from disclosure. Pursuant to *Michaelis, Montanari, & Johnson v. Superior Court* (2006) 38 Cal.4th 1065, Submittals shall be held confidential by the District and shall not be subject to disclosure under the California Public Records Act until after either: (1) the District and the successful Respondent have completed negotiations and entered into an agreement, or (2) the District has rejected all Submittals. Furthermore, the District will have no liability to the Respondent or other party as a result of any public disclosure of any Submittal.

IV. FULL OPPORTUNITY

The District hereby affirmatively ensures that Disadvantaged Business Enterprises ("DBE"), Small Local Business Enterprises ("SLBE"), Small Emerging Local Business Enterprises ("SELBE"), and Disabled Veterans Business Enterprises ("DVBE") shall be afforded full opportunity to submit SOQs and Proposals in response to this RFP. No Respondent will be discriminated against on the basis of race, color, gender, sexual orientation, political affiliation, age, ancestry, religion, marital status, national origin, medical condition or disability in any consideration leading to the award of the contract.

A. DVBE Certification

Section 17076.11 of the Education Code requires school districts using, or planning to use, funds allocated pursuant to the State of California School Facility Program ("Program") for the construction and/or modernization of school buildings to have a participation goal for disabled veteran business enterprises ("DVBE") of at least three percent (3%) per year of the overall dollar amount expended each year by the school district on projects that receive state funding or demonstrate its good faith effort to solicit DVBE participation in this Contract. In order to meet this requirement by demonstrating a good faith effort, Bidder must advertise for DVBE-certified subcontractors and suppliers before submitting its Bid. For any project that is at least partially state-funded, the successful Respondent awarded the Contract must submit certification of compliance with the procedures for implementation of DVBE contracting goals with its Submittal.

V. RESTRICTIONS ON LOBBYING AND CONTACTS

From the period beginning on the date of the issuance of this RFP and ending on the date of selection, no person or entity submitting in response to this RFP, nor any officer, employee, representative, agent, or consultant representing such a person or entity, shall contact through any means or engage in any discussion regarding this RFP, the evaluation/selection process, or the award of any contract with any member of the District, Board of Trustees, or any member of the Citizens' Oversight Committee. Any such contact shall be grounds for the disqualification of the Respondent.

VI. SUBMITTAL REQUIREMENTS

A. Format Requirements

Respondents to this RFP must comply with the following format requirements. Material must be in 8-1/2 x 11 inch format with no less than 11 point font size. Submittals shall include divider tabs labeled with boldface headers below; e.g. the first tab would be entitled "Cover Letter", the second tab would be entitled "Business Information", etc.

Submittals shall be no more than twenty (20) single-sided pages or ten (10) double-sided pages in length. This page limitation excludes front/back covers, divider sheets/tabs, and allowed appendices. Submittals containing more than the authorized number of pages will not be considered.

Provide three (3) bound copies, two (2) electronic (flash drive) copies, and one unbound (reproduceable version) of the Submittal.

- The unbound copy shall be formatted as follows:
 - No divider sheets or tab.
 - Pages with proprietary information removed.
 - A cover sheet listing Respondent's name, the total number of pages, and identifying those pages that were removed due to proprietary information.

- The electronic copies will only be accepted via flash drive using the following programs: Microsoft Office Suite or PDF.

B. Content Requirements

1. Cover Letter (maximum of 2 pages)

- Provide a letter of introduction signed by an authorized officer of Respondent. If Respondent is a joint venture, duplicate the signature block and have a principal or officer also sign on behalf of each party to the joint venture.
- Include a brief description of why Respondent is well suited for, and can meet, the District's needs.
- Clearly identify the individual(s) who are authorized to speak for Respondent during the evaluation process.
- Include one (1) of the follow statements:

"[INSERT RESPONDENT'S NAME] received a copy of the District's form of Agreement for Construction Management Services ("Agreement") attached as APPENDIX A to the RFP. [INSERT RESPONDENT'S NAME] has reviewed the Agreement, including the indemnity provisions and insurance provisions contained therein. If given the opportunity to contract with the District, [INSERT RESPONDENT'S NAME] has no objections to the use of the Agreement."

OR

"[INSERT RESPONDENT'S NAME] received a copy of the District's form of Agreement for Construction Management Services ("Agreement") attached as APPENDIX A to the RFP. [INSERT RESPONDENT'S NAME] has reviewed the Agreement, including the indemnity provisions and insurance provisions contained therein. If given the opportunity to contract with the District, [INSERT RESPONDENT'S NAME] has objections to the use of the Agreement, listed as follows: [IDENTIFY ALL OBJECTIONS; REFER TO APPENDIX (TAB 8) IF NEEDED]."

- Respondent shall certify that no official or employee of the District, nor any business entity in which an official of the District has an interest, has been employed or retained to solicit or assist in the procuring of the resulting contract(s), nor that any such person will be employed in the performance of any/all contract(s) without immediate divulgence of this fact to the District.
- Respondent shall certify that no official or employee of Respondent has ever been convicted of an ethics violation.
- Respondent shall sign and add the following language: *"By virtue of submission of this Submittal, [INSERT RESPONDENT'S NAME] declares that all information provided is true and correct."*

2. Business Information

- Company name.

- Address.
- Telephone.
- Website.
- Name and email of main contact.
- Federal Tax I.D. Number.
- License Number.
- Type of organization (e.g., corporation, partnership, etc.). If a joint venture, describe the division of responsibilities between participating firms, offices (location) that would be the primary participants, and percentage interest of each firm.
- A brief description and history of the firm, including number of years the firm has been in business and date firm was established under its given name.
- Number of employees (licensed professionals, technical support).
- Location of office where the bulk of services solicited will be performed.
- State of California certification for Respondent of Small Business or Disabled Veteran Business Enterprise status, if any.

3. Relevant Qualifications

- Provide a statement demonstrating your firm's or team's ability to accomplish the scope of services in a comprehensive and thorough manner with an aggressive schedule.
- Describe your firm's technical capabilities for scheduling, budgeting, cost estimating review and reconciliation, document control, and public information websites.
- Describe your firm's approach to and experience with state and other agencies involved in the planning, design, and construction process for K-12 and other school projects.
- Describe your firm's experience with lease/lease-back projects.
- Demonstrate your firm's flexibility in adapting to the changing needs and priorities of a K-12 school district.
- Describe your firm's approach to quality control/assurance procedures.
- Identify established methods and approaches utilized by your firm to successfully meet completion deadlines, and provide examples demonstrating effective use of stated methods and approaches.
- Provide a statement of your firm's work plan including your firm's present workload and number of current projects, and where possible, projected workload for the coming two (2) years, which should include available staff.

4. Relevant Project Experience

- Provide information about prior services furnished by your firm in the last ten (10) years on a **minimum of three (3) \$50 Million+ California Division of the State Architect certified K-12 educational new construction projects using the lease-leaseback project delivery method**, and list the following for each project:
 - District name and name of contact person, title, telephone number, and email address to be contacted for a reference.
 - Project name and location.
 - End dates of project (i.e., Notice of Completion and DSA final certification).
 - Square footage.
 - Main program elements.
 - Original budget, bid amount, and final amount at close-out.
 - Briefly state relevance of projects included for consideration in this RFP.
 - Specify role of firm or individual if work was not exclusively by the firm (e.g., joint venture, association).
 - Key individuals of the firm involved and their roles in the project.
 - Any subconsultants that worked with the firm.

5. Project Team Summary

- Identify key team members, including subconsultants, and state their qualifications relevant to the scope of services for the project(s).
- Each Submittal must include evidence that the Respondent is legally permitted and properly licensed for the scope of work and to conduct business in the State of California.
- The District expects that the team shall remain intact through the duration of the project(s). If a team member must leave, the District reserves the right to approve that team member's replacement.

6. Litigation History

- Provide a comprehensive five (5)-year summary of the firm's litigation, arbitration and negotiated/settled history with previous clients. State the issues in the litigation, the status of the litigation, names of parties, and outcome.
- A Submittal failing to provide the requested information on lawsuits or litigation, and responses which assert attorney-client privilege and fail to provide the information requested, will be considered non-responsive, disqualified from the selection process, and will not be evaluated.

7. Form of Agreement

- Respondents must thoroughly review the District's form of Agreement for Construction Management Services ("Agreement"), which is distributed with this RFP as **APPENDIX A** and incorporated herein by this reference, and confirm in writing that, if given the opportunity to contract with the District, Respondent has no substantive objections to the use of the District's standard agreement.
- Respondent must also identify any term or condition of the Agreement that Respondent requests modifying, deleting, or adding. Respondents must set forth a clear explanation of the change with specific alternate language. The District will not consider any objections/proposed changes to the agreement that are raised after the deadline for Submittals. The District will review, but is not obligated to accept, any proposed changes.

8. Fee Proposal

- The final form of the Agreement will incorporate the final scope of services and not-to-exceed fee, which shall be negotiated if a Respondent selected for a project or projects by the District.
- The fee proposal shall include hourly billing rates by position (proposed), staffing plan (proposed), and reimbursable schedule (proposed). Proposal shall provide a Schedule of Rates ("SOR") by position, by company entity, for each position proposed by Respondent. The SOR should identify proposed reimbursables by category. Travel and related expenses shall be reimbursed in accordance with the federal government Joint Travel Regulation.

9. Appendix

- Iran Contracting Act Certification. (See **APPENDIX B.**)
- Disabled Veterans Business Enterprise Certification. (See **APPENDIX B.**)
- Firm brochure/history/background, reprints, etc.
- Subconsultant resumes, if any.

VII. SELECTION PROCESS

A. Criteria

The District will evaluate all submissions. Each Submittal must be complete. Incomplete Submittals will be considered nonresponsive and grounds for disqualification. The District retains the sole discretion to determine issues of compliance and to determine whether a Respondent is responsive, responsible, and qualified. Based upon the information presented in the submissions, the District may elect to conduct interviews with some or all of the Respondents. After the interviews, if any, the District will identify the Respondent(s) selected for inclusion in the District's pool of qualified construction managers based on the criteria set forth below.

The criteria for evaluating submissions may include, without limitation, the following:

- Experience and performance history of Respondent with lease-leaseback projects;
- Experience and results of proposed personnel;
- References from clients contacted by the District;
- Technical capabilities and track record of use;
- Value of services under proposed fees; and
- Overall responsiveness of the Submittal.

B. Interviews

The District, at its sole discretion, may elect to interview selected Respondents. If a Respondent is requested to come for an interview, the key proposed project staff will be expected to attend the interview. The interview will be an opportunity for the District to review the Submittal and any other matters the District deems relevant to its evaluation. Any objections/proposed changes to the form of Agreement attached hereto as **APPENDIX A** shall be stated in writing in the Submittal and may be the subject of inquiry at the interview. The District will not consider any objections/proposed changes to the Agreement that are raised after the deadline for Submittals.

C. District Investigations

The District may perform investigations of Respondents that extend beyond contacting the references identified in the Submittals. The District may request a Respondent to submit additional information pertinent to the review process. The District also reserves the right to investigate and rely upon information from other available sources in addition to any documents or information submitted.

VIII. FINAL DETERMINATION AND AWARD

The District reserves the right to contract with any entity or entities responding to this RFP for all or any portion of the work described herein, to reject any Submittal as non-responsive, and/or not to contract with any Respondent for the services described herein. Award of the contract(s) is at the sole discretion of the District. The District makes no representation that participation in the RFP process will lead to an award of contract or any consideration whatsoever. The District reserves the right to contract with any firm not participating in this process. The District shall in no event be responsible for the cost of preparing any Submittal in response to this RFP, including any supporting materials.

WE THANK YOU FOR YOUR INTEREST IN THIS EXCITING PROGRAM!

APPENDIX A
Form of Agreement

See Attached.

APPENDIX B

IRAN CONTRACTING ACT CERTIFICATION (Public Contract Code Sections 2202-2208)

Prior to bidding on or submitting a proposal for a contract for goods or services of \$1,000,000 or more, the bidder/proposer must submit this certification pursuant to Public Contract Code section 2204.

The bidder/proposer must complete **ONLY ONE** of the following two options. To complete OPTION 1, check the corresponding box **and** complete the certification below. To complete OPTION 2, check the corresponding box, complete the certification below, and attach documentation demonstrating the exemption approval.

- ☐ **OPTION 1.** Bidder/Proposer is not on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code section 2203(b), and we are not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.
- ☐ **OPTION 2.** Bidder/Proposer has received a written exemption from the certification requirement pursuant to Public Contract Code sections 2203(c) and (d). *A copy of the written documentation demonstrating the exemption approval is included with our bid/proposal.*

CERTIFICATION:

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY, that I am duly authorized to legally bind the bidder/proposer to the OPTION selected above. This certification is made under the laws of the State of California.

<i>Vendor Name/Financial Institution (Printed)</i>	<i>Federal ID Number (or n/a)</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	<i>Date Executed</i>

END OF DOCUMENT

**DISABLED VETERAN BUSINESS
ENTERPRISE PARTICIPATION CERTIFICATION**

GENERAL INSTRUCTIONS

Section 17076.11 of the Education Code requires school districts using, or planning to use, funds allocated pursuant to the State of California School Facility Program ("Program") for the construction and/or modernization of school buildings to have a participation goal for disabled veteran business enterprises ("DVBE") of at least three percent (3%) per year of the overall dollar amount expended each year by the school district on projects that receive state funding. Therefore, the lowest responsive responsible Bidder awarded the Contract must submit this document to the District with its executed Agreement, identifying the steps contractor took to solicit DVBE participation in conjunction with this Contract.

– Method of Compliance with DVBE Participation Goals. Check the appropriate box to indicate your method of committing the contract dollar amount.

YOUR BUSINESS ENTERPRISE IS:	AND YOU WILL	AND YOU WILL
<input type="checkbox"/> Disabled veteran owned and your forces will perform at least 3% of this Contract	Include a copy of your DVBE letter from Office of Small Business and Disabled Veterans Business Enterprise Services ("OSDS")*	Complete Part 1 of this form and the Certification
<input type="checkbox"/> Disabled veteran owned but is unable to perform 3% of this Contract with your forces	Use DVBE subcontractors /suppliers to bring the Contract participation to at least 3%	Include a copy of each DVBE's letter from OSDS (including yours, if applicable), and complete Part 1 of this form and the Certification
<input type="checkbox"/> NOT disabled veteran owned	Use DVBE subcontractors /suppliers for at least 3% of this Contract	
<input type="checkbox"/> Unable to meet the required participation goals after good faith efforts	Make good faith efforts, including contacts, advertisement and DVBE solicitation	Complete all of this form and the Certification

* A DVBE letter from OSDS is obtained from the participating DVBE.

You must complete the following table to show the dollar amount of DVBE participation:

	TOTAL CONTRACT PRICE
A. Prime Bidder, if DVBE (own participation)	\$
DVBE Subcontractor or Supplier	
i.	
ii.	
iii.	
iv.	
Subtotal (A & B)	
Non-DVBE	
Total Bid	

– **Contacts.** To identify DVBE subcontractors/suppliers for participation in your contract, you must contact each of the following categories. You should contact several DVBE organizations.

CATEGORY	TELEPHONE NUMBER	DATE CONTACTED	PERSON CONTACTED
i. The District, if any			*
ii. OSDS, provides assistance locating DVBEs at https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx	(916) 375-4940		*
iii. DVBE Organization (List)			*

*Write "recorded message" in this column, if applicable.

– **Advertisement.** You must advertise for DVBE participation in both a trade and focus paper. List the advertisement you place to solicit DVBE participation. Advertisements should be published at least fourteen (14) days prior to bid/proposal opening; if you cannot advertise fourteen (14) days prior, advertisements should be published as soon as possible. Advertisements must include that your firm is seeking DVBE participation, the project name and location, and your firm's name, your contact person, and telephone number. Attach copies of advertisements to this form.

FOCUS/TRADE PAPER NAME	CHECK ONE		DATE OF ADVERTISEMENT
	TRADE	FOCUS	

– **DVBE Solicitations.** List DVBE subcontractors/suppliers that were invited to bid. Use the following instructions to complete the remainder of this section (read the three columns as a sentence from left to right). If you need additional space to list DVBE solicitations, please use a separate page and attach to this form.

IF THE DVBE.....	THEN.....		AND.....	
was selected to participate	Check "YES" in the "SELECTED" column		include a copy of their DVBE letter(s) from OSDS	
was NOT selected to participate	Check "NO" in the "SELECTED" column		state why in the "REASON NOT SELECTED" column	
did not respond to your solicitation	Check the "NO RESPONSE" column.			
DVBE CONTACTED	SELECTED		REASON NOT SELECTED	NO RESPONSE
	YES	NO		

A copy of this form must be retained by you and may be subject to a future audit.

CERTIFICATION

I, _____, certify that I am the Respondent's _____
_____ and that I have made a diligent effort to ascertain the facts with regard to the
representations made herein. In making this certification, I am aware of section 12650 et
seq. of the Government Code providing for the imposition of treble damages for making
false claims.

Date: _____

Name of Respondent: _____

Signature: _____

Print Name: _____

Title: _____

END OF DOCUMENT